

RESOLUTION NO. R-2000- 1094

RESOLUTION APPROVING ZONING PETITION W99-082
WAIVER OF MINIMUM COMPREHENSIVE DENSITY REQUIREMENT (W)
PETITION OF D&P DEVELOPMENT
BY ALFONSO POWELL, AGENT
(D&P DEVELOPMENT)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition W99-082 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 2000; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposed development is consistent with the provisions of the "Joint Planning Area" agreement;
2. That an analysis is completed that addressed:
 - a) the impact of a reduced density development on the overall infrastructure system;
 - b) the compatibility of the proposed development with adjacent land uses;
 - c) the effect of the reduced density development on the ability of the County to meet its goals, objectives and policies related to affordable housing.
3. The development is located in a municipal annexation area and the analysis was performed by the annexing municipality.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition W99-082, the petition of D&P Development, by Alfonso Powell, agent, for a Waiver of Minimum Density Requirements (Waiver) in the Residential High Density (RH) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on July 27, 2000, subject to the conditions of approval described in Exhibit C of Z99-082.

Commissioner McCarty moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

Maude Ford Lee, Chair		Aye
Warren Newell, Vice Chair	-	Aye
Karen T. Marcus		Aye
Carol A. Roberts		Aye
Mary McCarty		Aye
Burt Aaronson		Aye
Tony Masilotti		Absent

The Chair thereupon declared that the resolution was duly passed and adopted on July 27, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Barbara Alter*
COUNTY ATTORNEY

BY: *Joan Dawsey*
DEPUTY CLERK

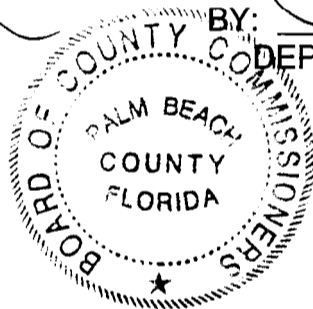


EXHIBIT A
LEGAL DESCRIPTION

“THE NORTH ONE-HALF OF THE FOLLOWING PROPERTY;
COMMENCE AT THE NORTHEAST CORNER OF RADER SUBDIVISION NO. 2, AS IN
PALM BEACH COUNTY FLORIDA, PLAT BOOK 20, PAGE 34; THENCE SOUTHERLY
ALONG THE EAST LINE OF SAID SUBDIVISION FOR A DISTANCE OF 427.8 FEET TO
THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG A
PROJECTION OF THE EAST LINE OF SAID SUBDIVISION FOR A DISTANCE OF
871.20 FEET; THENCE EASTERLY FOR A DISTANCE OF 180 FEET ALONG A LINE
THAT IS PARALLEL TO THE SOUTH RIGHT-OF -WAY LINE OF STATE ROAD
80;THENCE NORTHERLY PARALLEL TO THE EAST LINE OF SAID SUBDIVISION FOR
A DISTANCE OF 871.20 FEET; THENCE WESTERLY 180 FEET MORE OR
LESS ALONG A LINE PARALLEL TO THE SOUTHERLY RIGHT-OF-WAY LINE OF
STATE ROAD 80 TO THE POINT OF BEGINNING, SUBJECT TO A PERPETUAL
EASEMENT OVER, IN AND UPON THE WEST 30 FEET OF THAT REAL PROPERTY
FOR USE AS STREET AND UTILITY EASEMENT, SUBJECT TO ALL APPLICABLE
RESTRICTIONS RESERVATIONS AND EASEMENT OF RECORDS.”
AND

“THE SOUTH ONE HALF OF THE FOLLOWING DESCRIBED PROPERTY:
COMMENCE AT THE NORTHEAST CORNER OF RADER SUBDIVISION NO.2, AS IN
PALM BEACH COUNTY, FLORIDA, PLAT BOOK 20, PAGE 34; THENCE SOUTHERLY
ALONG THE EAST LINE OF SAID SUBDIVISION FOR A DISTANCE OF 427.8 FEET TO
THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG A
PROJECTION OF THE EAST LINE OF SAID SUBDIVISION FOR A DISTANCE OF
871.20 FEET; THENCE EASTERLY FOR A DISTANCE OF 180 FEET ALONG A LINE
THAT IS PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD 80;
THENCE NORTHERLY PARALLEL TO THE EAST LINE OF SAID SUBDIVISION FOR
A DISTANCE OF 871.20 FEET; THENCE WESTERLY 180 FEET MORE OR LESS
ALONG A LINE PARALLEL TO THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE
ROAD 80 TO THE POINT OF BEGINNING.”

EXHIBIT B

VICINITY SKETCH

