

RESOLUTION NO. R-2001- 0245

RESOLUTION APPROVING ZONING PETITION **Z1996-072(B)**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SOUTHERN DEVELOPMENT CORP
BY ROBERT BASEHART, AGENT
(WALGREENS)

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 **Z1996-072(B)** was presented to the Board of County Commissioners at a public hearing conducted on February 22, 2001; 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 official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan; contingent upon the approval of Small Scale Development Amendment No. 01 -SCA 83 COM 1.
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district **for the** land;
4. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11 (Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

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 **Z1996-072(B)**, the petition of Southern Development Corp, by Robert Basehart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Single Family (RS) Zoning District to the Community Commercial (CC) 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 February 22, 2001.

Commissioner Masilotti moved for the approval of the Resolution.

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

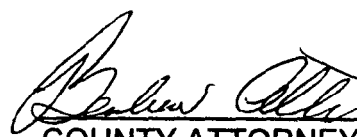
Warren H. Newell, Chair	-	Aye
Carol A. Roberts, Vice Chair	-	Aye
Karen T. Marcus		Aye
Mary McCarty		Absent
Burt Aaronson		Aye
Tony Masilotti		Aye
Addie L. Greene		Aye


The Chair thereupon declared that the resolution was duly passed and adopted on February 22, 2001 and shall be effective upon the effective date of Small Scale Development Amendment No. OI-SCA 83 COM 1.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:  COUNTY ATTORNEY

BY:  DEPUTY CLERK

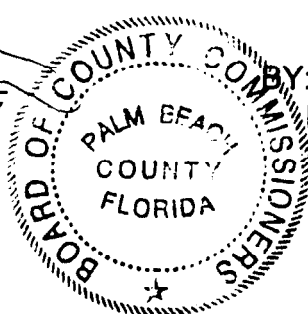


EXHIBIT A

LEGAL DESCRIPTION

Parcel 1:

The North 115 feet of the South 180 feet of the West 100 feet of the East 450 feet of Section 6, Township 45 South, Range 43 East, Palm Beach County, Florida, (a/k/a Lot 9, Block 1, HYPOLUXO VILLAGE, AM/I 16 unrecorded Plat).

Parcel 2:

The North 125 feet of the South 305 feet of the West 100 feet of the East 350 feet of Section 6, Township 45 South, Range 43 East, Palm Beach County, Florida, (a/k/a Lot 3, Block 1, HYPOLUXO VILLAGE, Plat No. 1, unrecorded).

Parcel 3:

Lot Six (6), Block One, (I), HYPOLUXO VILLAGE, being an unrecorded plat in the SE 1/4 of Section 6, Township 45 South, Range 43 East. Beginning at a point which is 180 feet north and 550 west of the southeast corner of Section 6, Township 45 South, Range 43 East; thence north parallel to East line of said Section, 125 feet; thence west parallel to the south line of said Section, 125 feet; thence south parallel to the East line of said Section, 125 feet; thence east parallel to the South line of said Section, 125 feet to the point of beginning. Subject to an easement for road purposes over the north 25 feet and west 25 feet.

Parcel 4:

Lot4, Block 1, HYPOLUXO VILLAGE, an unrecorded plat: said lot more particularly described as follows: The North 125 feet of the South 305 feet of the West 100 feet of the East 450 feet of Section 6, Township 45 South, Range 43 East.

Parcel 5:

Lot 8, Block 1, HYPOLUXO VILLAGE PLAT 1, an unrecorded Plat in the Southeast 1/4 of Section 6, Township 45 South, Range 43 East, Palm Beach County, Florida. Beginning at a point which is 80 feet North and 450 feet West of The Southeast corner of Section 6, Township 45 South, Range 43 East; thence North parallel to the East line of said Section 100 feet; thence West parallel to the South line of said Section, 100 feet; thence South parallel to the East line of said Section, 100 feet; thence East parallel to the South line of said Section, 100 feet to the point of beginning.

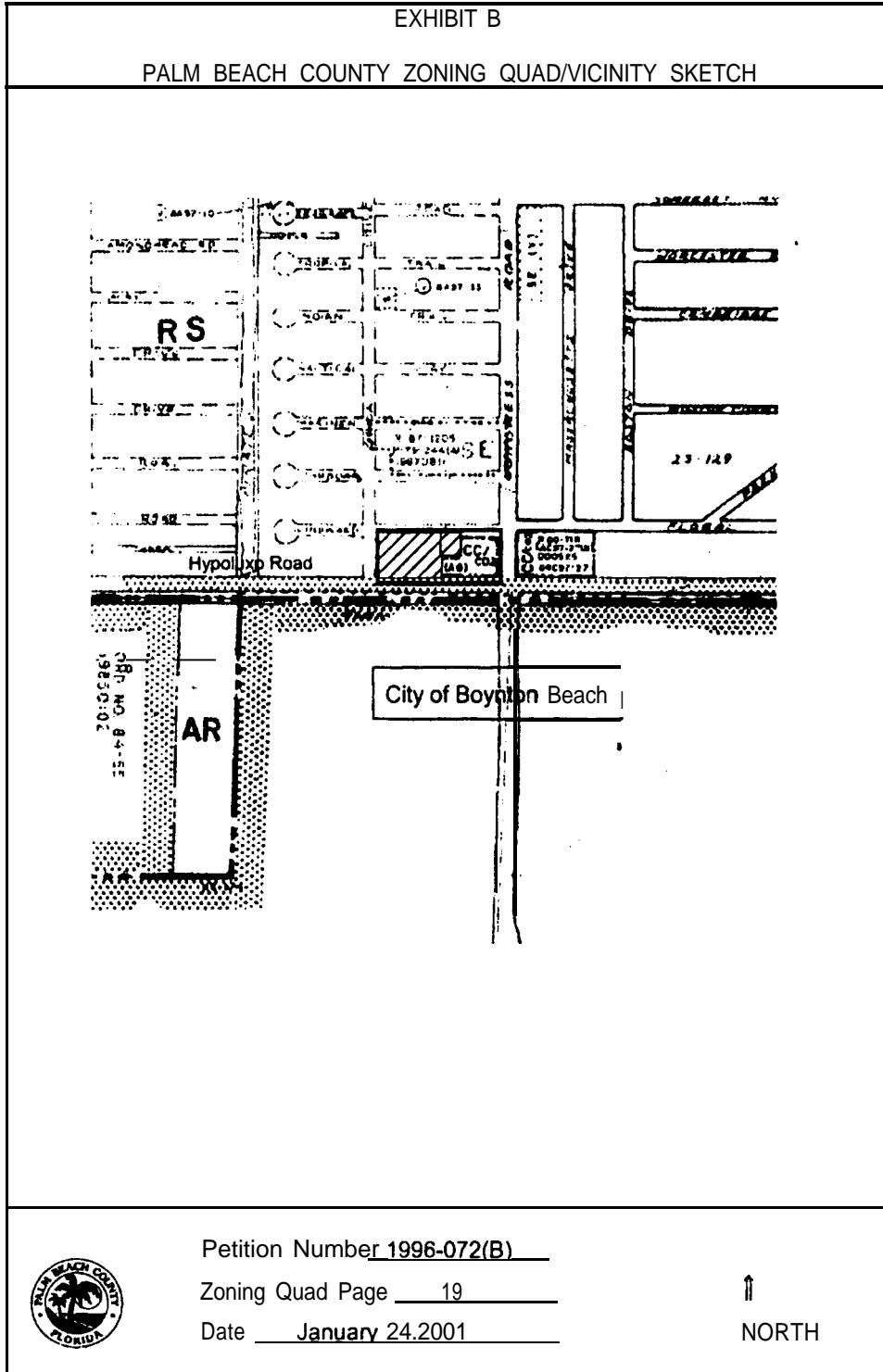
Parcel 6:

Lot 7, Block 1, an unrecorded plat in the Southeast 1/4 of Section 6, Township 45 South, Range 43 East. Beginning at a point which is 80 feet North and 550 feet West of the Southeast corner of Section 6, Township 45 South, Range 43 East; thence North parallel to the East line of said Section, 100 feet; thence West parallel to the South line of said Section, 100 feet; thence South parallel to the East side of said Section, 100 feet; thence East parallel to the South line of said Section, 100 feet to the point of beginning. Subject to an easement for road purposes over the West 25 feet.

Parcel 7:

Lot 5, Block 1, HYPOLUXO VILLAGE PLAT NO. 1, an unrecorded plat in the Southeast 1/4 of Section 6, Township 45 South, Range 43 East. Beginning at a point which is 180 feet North and 450 feet West of the Southeast corner of Section 6, Township 45 South, Range 43 East; thence North parallel to the East line of said Section, 100 feet; thence West parallel to the South line of said Section, 100 feet; thence South parallel to the East line of said Section, 100 feet; thence East parallel to the South line of said Section, 100 feet to the point of beginning. Subject to an easement for road purposes over the north 25 feet.

EXHIBIT B
VICINITY SKETCH



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 Date January 24, 2001

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NORTH