

RESOLUTION NO. R-2001- 0610

RESOLUTION APPROVING ZONING PETITION 21978-239(B)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF ST. HERMANS ORTHODOX CHURCH AND ANN THROGMORTON
BY SARA LOCKHART, AGENT
(ST. HERMANS ORTHODOX CHURCH)

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 21978-239(B) was presented to the Board of County Commissioners at a public hearing conducted on April 26, 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;
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 Z1978-239(B), the petition of St. Hermans Orthodox Church and Ann Throgmorton, by Sara Lockhart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) and Residential Transitional Suburban (RTS) 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 April 26, 2001.

Commissioner Aaronson moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on April 26, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Darwin Allen*
COUNTY ATTORNEY

BY: *Joan Harvey*
DEPUTY CLERK

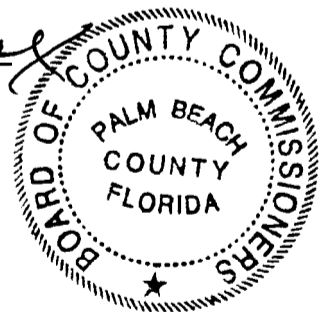


EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF TRACT 1 IN THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, OF THE "AMENDED PLAT OF SEC. 12 TWP. 45 S. R. 42 E. ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9 AT PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT NORTH ¼ CORNER OF SAID SECTION 12; THENCE SOUTH 03° 11' 52" WEST ON THE EAST LINE OF THE NORTHWEST ¼ OF SAID SECTION 12 FOR 401.98 FEET; THENCE NORTH 89° 12' 21" WEST FOR 77.65 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL AND ON THE ARC OF A 11,392.16 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE WEST WHOSE RADIUS POINT BEARS NORTH 85° 44' 20" WEST; THENCE SOUTHERLY ON THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 00° 23' 29" FOR AN ARC DISTANCE OF 77.81 FEET TO A POINT OF TANGENCY; THENCE SOUTH 04° 39' 09" WEST FOR 130.00 FEET; THENCE SOUTH 86° 59' 19" WEST FOR 30.28 FEET; THENCE NORTH 89° 12' 21" WEST FOR 160.88 FEET; THENCE NORTH 04° 39' 09" EAST FOR 209.84 FEET; THENCE SOUTH 89° 12' 21" EAST FOR 190.69 FEET TO THE POINT OF BEGINNING.

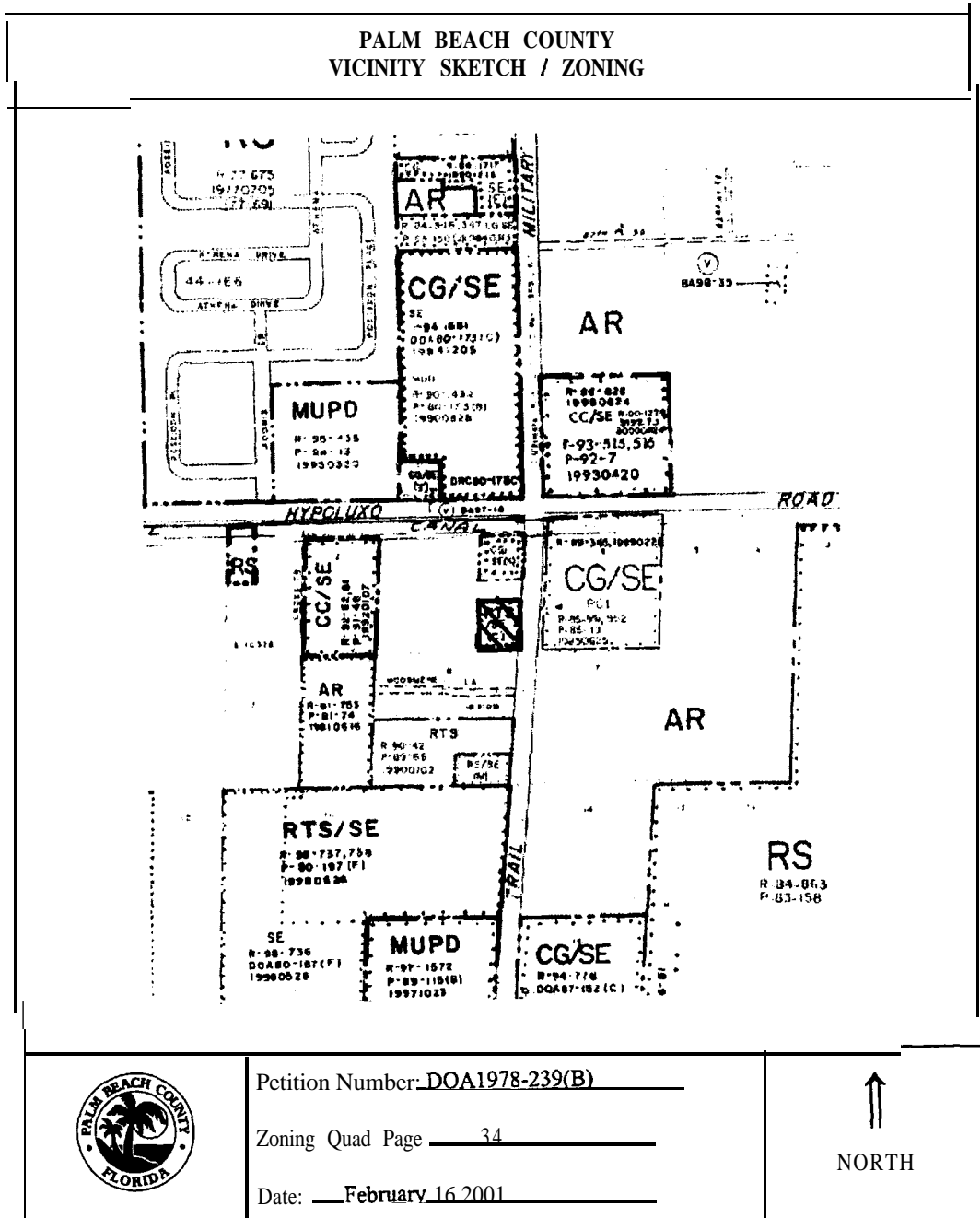
SAID LANDS SITUATE, LYING, AND BEING IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 39,943 SQUARE FEET (0.9170 ACRES) MORE OR LESS.

NOTES:

- 1) THIS SITE LIES IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA
- 2) BEARINGS ARE BASED ON THE EAST LINE OF THE NORTHWEST ¼ OF SECTION 12-45-42 BEING S03° 11' 52" W.
- 3) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.

EXHIBIT B
VICINITY SKETCH

EXHIBIT B



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