

RESOLUTION NO. R-2001- 1365

RESOLUTION APPROVING ZONING PETITION Z1999-016(A)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF MATHIAS STEMLINGER
BY KEVIN MCGINLEY, AGENT
(MATTS AUTO SERVICE)

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 Z1999-016(A) was presented to the Board of County Commissioners at a public hearing conducted on August 23, 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. 00-SCA 78 COM 2.
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 Z1999-016(A), the petition of Mathias Stemplinger, by Kevin McGinley, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential High Density (RH) and Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) 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 August 23, 2001.

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:

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

The Chair thereupon declared that this resolution shall not become effective until Small Scale Development Amendment No. 00-SCA 78 COM 2 (MATT'S AUTO) is effective.

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

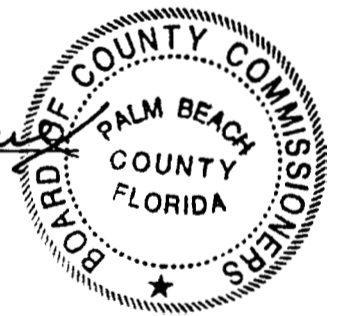


EXHIBIT A
LEGAL DESCRIPTION

Parcel "A"

The North 150.00 feet, as measured perpendicular to the North line of the following described parcel:

Lots A, B, and C in Block 2, PALM BEACH FARMS COMPANY=S PLAT NO. 7, being a Subdivision of Section 30, Township 44 South, Range 43 East, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 5, Page 72, LESS the West 200 feet thereof, and EXCEPT the North 35 feet of Lot AA@, State Road 802 as in Min. Cir. Ct. Book 86, Page 45, Palm Beach County Records.

Containing 0.404 Acres or 17,585.71 Square Feet.

Parcel "B"

Lots A, B, and C in Block 2, PALM BEACH FARMS COMPANY=S PLAT NO. 7, being a Subdivision of Section 30, Township 44 South, Range 43 East, according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, in Plat Book 5 Page 72, LESS the West 200 feet thereof, and EXCEPT the North 35 feet of Lot AA@, Block 2, as appropriated by Palm Beach County for Right-of-way and drainage pruposes for State Road 802 as in Min. Cir. Ct. Book 86, Page 45, Palm Beach County Records LESS and EXCEPT the North 150.00 feet, as measured perpendicular to the North line thereof, of the above described parcel.

Containing 0.559 Acres or 24,329.81 Square Feet.

