

RESOLUTION NO. R-2002-0002

RESOLUTION APPROVING ZONING PETITION PDD1982-022(A)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT (PDD)  
PETITION OF MALLARDS LANDING LLC  
BY ROBERT BASEHART, AGENT  
(MALLARDS LANDING (FKA INDIAN WOODS PUD))

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

WHEREAS, Zoning Petition PDD1982-022(A) was presented to the Board of County Commissioners at a public hearing conducted on January 3, 2002; 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) with approved conditions 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) with approved conditions 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) with approved conditions will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Unified Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) with approved conditions 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 PDD1982-022(A), the petition of Mallards Landing LLC by Robert Basehart, agent, for an Official Zoning Map Amendment (PDD) from Residential High Density (RH) to Residential Planned Unit Development (PUD) 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 January 3, 2002, subject to the conditions of approval described in EXHIBIT C of DOA1982-022(A).

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 3, 2002.

Filed with the Clerk of the Board of County Commissioners on 3 day of January, 2002

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: [Signature]  
COUNTY ATTORNEY

BY: [Signature]  
DEPUTY CLERK

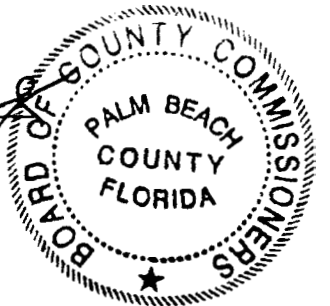


EXHIBIT A  
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWEST CORNER OF THE PLAT OF **INDIAN WOODS P.U.D.**, AS RECORDED IN PLAT BOOK 49, PAGE I, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88° 58' 41" EAST ALONG THE NORTH LINE OF SAID PLAT (THE NORTH LINE OF SAID PLAT OF **INDIAN WOODS P.U.D.** IS ASSUMED TO BEAR SOUTH 88° 58' 41" EAST AND ALL OTHER BEARINGS ARE RELATIVE THERETO) A DISTANCE OF 15.00 FEET TO A POINT ON THE EAST LINE OF THAT PARCEL CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 2356, PAGE 1287, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE **POINT OF BEGINNING**; THENCE NORTH 01° 31' 38" EAST ALONG SAID EAST LINE, A DISTANCE OF 208.75 FEET TO A POINT; THENCE SOUTH 88° 58' 41" EAST, A DISTANCE OF 193.75 FEET TO A POINT; THENCE SOUTH 01° 31' 38" WEST A DISTANCE OF 208.75 FEET TO A POINT ON THE NORTH LINE OF SAID PLAT; THENCE NORTH 88° 58' 41" WEST ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 193.75 FEET TO THE POINT OF BEGINNING. (CONTAINING 0.93 ACRES, MORE OR LESS.)

EXHIBIT B  
VICINITY SKETCH

