

RESOLUTION NO. R-2002- 0301

RESOLUTION APPROVING ZONING PETITION Z1981-096(B)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SOLID WASTE AUTHORITY AND LANTANA MANGO AND ORANGE
FARMS INC.
BY KIERAN KILDAY, AGENT
(LANTANA TRANSFER STATION)

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 Z1981-096(B) was presented to the Board of County Commissioners at a public hearing conducted on January 31, 2002 and February 28, 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) 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 Z1981-096(B), the petition of Solid Waste Authority and Lantana Mango and Orange Farms Inc., by Kieran Kilday, agent, for an Official Zoning Map Amendment from the General Commercial/Special Exception and Residential Single Family Zoning District to the Public Ownership 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 January 31, 2002 and February 28, 2002.

Commissioner Roberts 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, Chairman	-	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 28, 2002.

Filed with the Clerk of the Board of County Commissioners on 12 day of March, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Robert As...*
COUNTY ATTORNEY

BY: *Joan Haw...*
DEPUTY CLERK

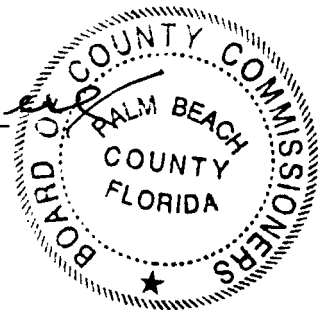


EXHIBIT A

LEGAL DESCRIPTION

A CERTAIN PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1

THE NORTH 990.00 FEET OF THE SOUTHWEST ONE QUARTER (SW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

PARCEL 2

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST; THENCE RUN WEST FOLLOWING THE SOUTH LINE OF SAID THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) A DISTANCE OF 1320.00 FEET; THENCE NORTH A DISTANCE OF 264.00 FEET; THENCE EAST AT RIGHT ANGLES TO THE PRECEDING COURSE A DISTANCE OF 1320.00 FEET; THENCE AT RIGHT ANGLES TO THE PRECEDING COURSE, SOUTH A DISTANCE OF 264 FEET TO THE PLACE OF BEGINNING; MEANING AND INTENDING HEREBY TO CONVEY A STRIP OF LAND CONTAINING 8 ACRES OFF THE SOUTH END OF THE NORTHWEST ONE QUARTER (NW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST.

PARCEL 3

THE SOUTHWEST ONE QUARTER (SW1/4) OF THE NORTHWEST ONE QUARTER (NW1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, LESS THE NORTH 990.00 FEET THEREOF AND ALSO LESS THE WEST 450.00 FEET THEREOF.

LESS AND EXCEPT THE FOLLOWING THREE PARCELS:

A TRIANGULAR PIECE OF LAND AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH ONE HALF (S1/2) OF GOVERNMENT LOT 5, SECTION 5, TOWNSHIP 45 SOUTH, RANGE 43 EAST; THENCE EASTERLY IN SECTION 4, 80.34 FEET TO A POINT DESIGNATED POINT (B); THEN AGAIN FROM THE POINT OF BEGINNING NORTHERLY ALONG THE SECTION LINE 179.85 FEET TO A POINT DESIGNATED POINT (C); THENCE FROM (C) TO (B); POINTS (C) AND (B) ARE SOMEWHAT APPROXIMATE AND THE LINE FROM (C) AND (B) FOLLOWS THE CONTOUR OF THE PUBLIC ROAD.

AND ALSO

BEGINNING AT THE QUARTER SECTION CORNER BETWEEN SECTION 4 AND 5, TOWNSHIP 45 SOUTH, RANGE 43 EAST, THENCE RUNNING EASTERLY ALONG THE QUARTER SECTION LINE A DISTANCE OF 450.00 FEET; THENCE RUNNING NORTHERLY PARALLEL TO THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 654.46 FEET; THENCE RUNNING WESTERLY PARALLEL TO SAID QUARTER SECTION LINE A DISTANCE OF 450.00 FEET TO THE WEST LINE OF SAID SECTION 4, THENCE RUNNING SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 4, A DISTANCE OF 654.46 FEET TO THE POINT OF BEGINNING.

AND ALSO

EXHIBIT A

LEGAL DESCRIPTION

THE RIGHT OF WAY OF HIGH RIDGE ROAD.

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PARCEL OF LAND LYING IN THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE S.03°20'15"W., AS A BASIS OF BEARING, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 4, A DISTANCE OF 1,088.55 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 4, LESS THE SOUTH 8 ACRES THEREOF; THENCE S.89°08'51"E. ALONG SAID SOUTH LINE, A DISTANCE OF 911.49 FEET TO THE SOUTHWEST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 4506, PAGE 1743, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND THE POINT OF BEGINNING; (SAID POINT OF BEGINNING ALSO BEING THE SOUTHWEST CORNER OF THAT PROPERTY AS SURVEYED BY GREENHORNE & O'MARA, INC. AS SHOWN ON SAID SURVEY, DRAWING NO. 8645-COI-625, DATED DECEMBER 1995 AND ATTACHED AS EXHIBIT B); THENCE CONTINUE S.89°08'51"E. ALONG SAID SOUTH LINE, AND THE SOUTH LINE OF SAID SURVEY SHOWN ON EXHIBIT B, A DISTANCE OF 400.00 FEET TO THE EAST LINE OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SAID SECTION 4, ALSO BEING THE SOUTHWEST CORNER OF SAID SURVEY ON EXHIBIT B; THENCE N.00°59'57"E ALONG SAID EAST LINE OF THE WEST HALF (W 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 4, A DISTANCE OF 43.94 FEET TO THE NORTHEAST CORNER OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 3052, PAGE 1544, AS SURVEYED BY LANDMARK SURVEYING & MAPPING, INC., AS SHOWN ON SAID SURVEY, FILE NO. 89-2125, DATED 11/20/89, AND ATTACHED AS EXHIBIT C; THENCE N.89°08'06"W ALONG THE NORTH LINE OF SAID PROPERTY AS SURVEYED ON EXHIBIT C, A DISTANCE OF 399.99 FEET TO THE WEST LINE OF SAID PROPERTY AS SURVEYED ON EXHIBIT B; THENCE S.01°01'08"W. ALONG AFORE SAID WEST LINE, A DISTANCE OF 44.03 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 40.669 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

