

RESOLUTION NO. R-2002-0509

RESOLUTION APPROVING ZONING PETITION 22001-017
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF BP AMOCO
BY NICK NICHOLS, AGENT
(10TH AVENUE/BOUTWELL AMOCO)

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 Z2001-017 was presented to the Board of County Commissioners at a public hearing conducted on April 4, 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 Z2001-017, the petition of BP Amoco, by Nick Nichols, agent, for an Official Zoning Map Amendment from the Residential High Density Zoning District to the General Commercial 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 4, 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	-	Absent
Mary McCarty	-	Aye
Burt Aaronson	-	Absent
Tony Masilotti	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 4, 2002.

Filed with the Clerk of the Board of County Commissioners on 14 day of May, 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

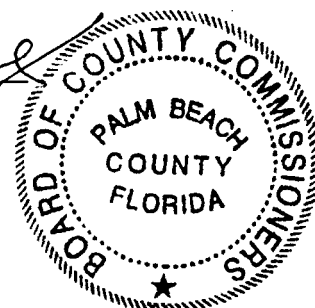


EXHIBIT A
LEGAL DESCRIPTION

PARCEL 1:

THE WEST 100 FEET OF THE EAST 125 FEET OF THE SOUTH 112.5 FEET OF THE NORTH 227.5 FEET OF TRACT 34, OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 79, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

THE NORTH 100 FEET OF THE EAST 135 FEET OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, LESS THE EAST 25 FEET THEREOF, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5 PAGE 79, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA.

LESS THE SOUTH 10 FEET OF THE NORTH 25 FEET OF THE WEST 110 FEET OF THE EAST 135 FEET OF TRACT 34, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, AND LESS THAT PART OF SAID TRACT 34 WHICH IS INCLUDED IN THE EXTERNAL AREA FORMED BY A 15 FOOT RADIUS ARC TANGENT TO A LINE 25 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 34 AND TANGENT TO A LINE 25 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SAID TRACT 34, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 5 PAGE 79, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA.

PARCEL 3:

THE NORTH 227.5 FEET OF THE EAST 265.4 FEET OF TRACT 34 OF THE MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, LESS AND NOT INCLUDING THE EAST 25 FEET FOR ROAD RIGHT OF WAY, BOUTWELL ROAD, THE NORTH 100 FEET OF THE WEST 110 FEET OF THE EAST 135 FEET, THE WEST 100 FEET OF THE EAST 125 FEET OF THE SOUTH 112.5 FEET AND RIGHT OF WAY FOR TENTH AVENUE NORTH; AND TOGETHER WITH THE EAST 5 FEET ~~OF~~ ABANDONED BY ROY MEDIA LANE IN DEED BOOK 582, PAGE 2, LYING WEST OF AND ADJACENT TO SAID PROPERTY, PALM BEACH COUNTY, FLORIDA.

TOTAL SITE AREA 49,647.62 SQUARE FEET OR 1.139 ACRES MORE OR LESS.
PARCEL 1: SITE AREA 11,250.35 SQUARE FEET OR 0.258 ACRES MORE OR LESS.
PARCEL 2: SITE AREA 8,202.84 SQUARE FEET OR 0.188 ACRES MORE OR LESS.
PARCEL 3: SITE AREA 30,194.43 SQUARE FEET OR 0.693 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

