

RESOLUTION NO. R-93- 398

RESOLUTION APPROVING ZONING PETITION 292-50  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF DR. L. THORTON OWEN, JR.

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 Land Development Code (Ordinance 92-20), have been satisfied; and

**WHEREAS**, Zoning Petition 292-50 was presented to the Board of County Commissioners at a public hearing conducted on March 25, 1993; 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 Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County 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) of the Palm Beach County Land Development Code, Ordinance 92-20; 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 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 Z92-53, the petition of DR. L. THORTON OWEN, JR BY W. KENT WILMERING, AGENT for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the 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 March 25, 1993, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell 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:

|                     |    |        |
|---------------------|----|--------|
| Mary McCarty, Chair | -- | Aye    |
| Burt Aaronson       | -- | Aye    |
| Ken Foster          | -- | Aye    |
| Maude Ford Lee      | -- | Absent |
| Karen T. Marcus     | -- | Aye    |
| Warren Newell       | -- | Aye    |
| Carol A. Roberts    | -- | Aye    |

The Chair thereupon declared that the resolution was duly passed and adopted this 25th day of March, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

*Debra A. Ott*  
COUNTY ATTORNEY

BY:

*Janet Blau*  
DEPUTY CLERK



EXHIBIT "A"Legal Description

The West half of the Southwest Quarter of the Southeast Quarter of the Southeast Quarter;

The East half of the Southeast quarter of the Southwest quarter of the Southeast quarter;

The West half of the Southeast: quarter of the Southwest quarter of the Southeast quarter, LESS the East 150 feet of the South 195 feet thereof;

The South 210 feet of the East half of the East half of the Southwest quarter of the Southwest quarter of the Southeast quarter;

The North 120 feet of the South 330 feet of the East quarter of the Southwest quarter of the Southwest quarter of the Southeast quarter;

The North 100 feet of the South 430 feet of the East: half of the East half of the Southwest quarter of the Southwest quarter of the Southeast quarter;

And the East half, LESS the South 430 feet of the East half of the Southwest quarter of the Southwest quarter of the Southeast Quarter; all being part of Section 24, Township 44 South, Range 42 East, Palm Beach County, Florida,

LESS, HOWEVER, the West 15 feet thereof for road right-of-way.

ALSO, LESS, HOWEVER, the right-of-way for Lake Worth Road (State Road 802) as recorded in Road Book 5, Pages 133 and 134, Public Records of Palm Beach County, Florida.

SUBJECT TO easements, reservations, restrictions and rights-of-way of record.

CONTAINING: 15.672 acres,

NOV 20 1997

EXHIBIT B  
VICINITY SKETCH

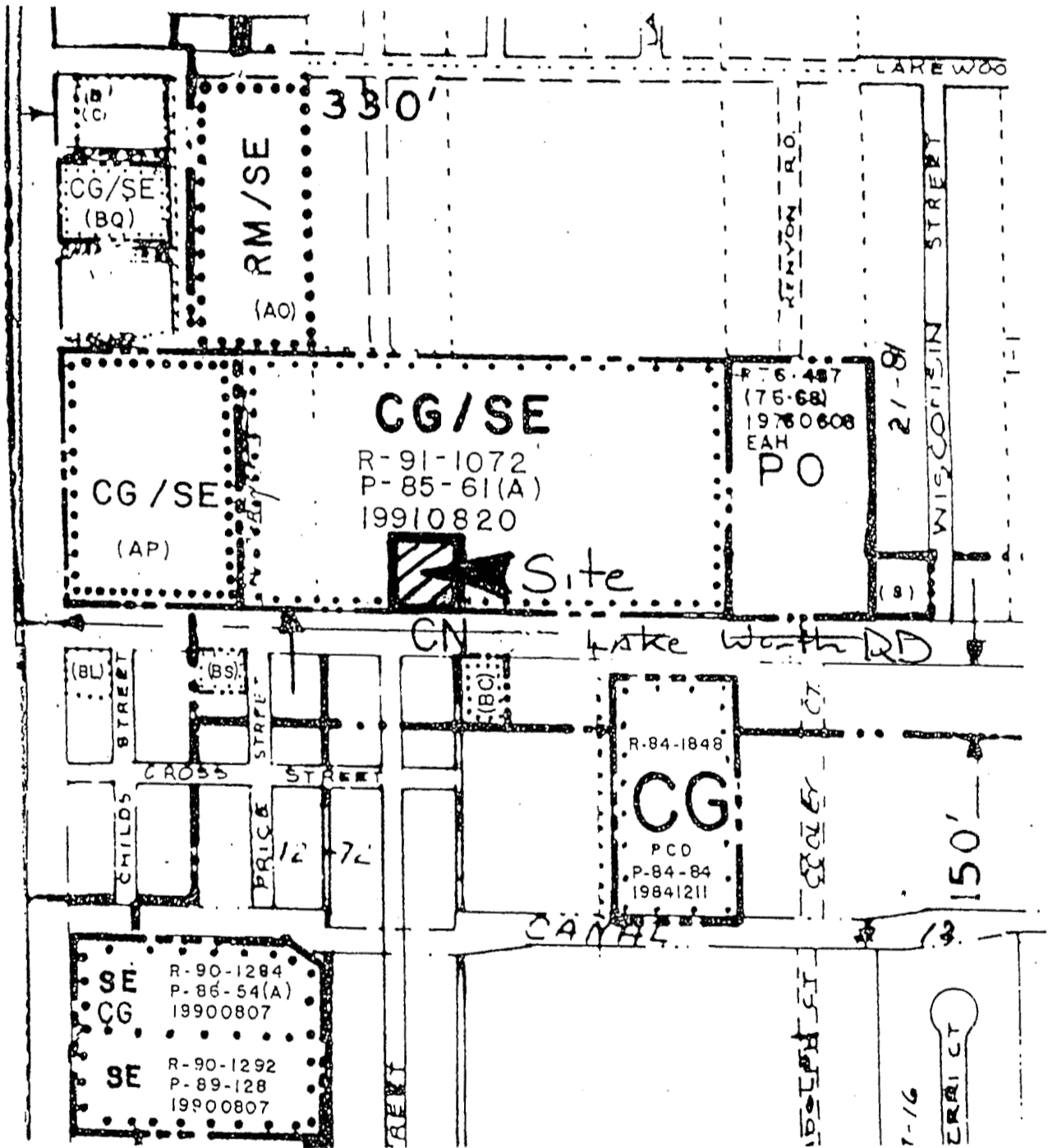


EXHIBIT C  
VOLUNTARY COMMITMENTS

**A. HEALTH**

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. (HEALTH)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. (HEALTH)
3. **All** existing on-site sewage disposal systems and on-site potable water supply systems shall be abandoned in accordance with Chapter 10D-6, FAC and Palm Beach County ECR-II. (HEALTH)

**B. LANDSCAPING**

1. Prior to March 1, 1994, the property owner shall meet the requirements of Article 7, Section 7.3 (Landscape and Buffering) of the ULDC to the maximum extent possible, as determined by the Zoning Division. (ZONING)
2. All trees required to be installed on site shall meet the following minimum standards at installation:
  - a. Tree height: fourteen (14) feet minimum.
  - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
  - c. Canopy diameter: seven (7) feet minimum. The diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length. (ZONING)

**C. SIGNS**

1. **All** new or replaced freestanding and/or point of purchase signs permitted on site shall be limited as follows:
  - a. maximum height: ten (10) feet, measured from finished grade to highest point;
  - b. face area: maximum of 100 square feet per side;
  - c. number: maximum of one (1) sign. (BLDG-Zoning)

**E. ENGINEERING**

1. **The** existing western entrance onto Lake Worth Road shall be eliminated. This existing entrance shall be reconstructed as a full curb, gutter and grass section concurrent with on site paving and drainage improvements to prevent vehicles from utilizing this entrance. (ENGINEERING/BUILDING)