

RESOLUTION NO. R-94-1073

RESOLUTION APPROVING ZONING PETITION Z94-35
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF WILLIAM WEIZER

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 Z94-35 was presented to the Board of County Commissioners at a public hearing conducted on August 25, 1994; 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 Z94-35, the petition of William Weizer for a OFFICIAL ZONING HAP AMENDMENT (REZONING) from the Residential Single Family (RS) ZONING DISTRICT to the Residential Transitional (RT) 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 25, 1994.

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	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 25th day of August, 1994.

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

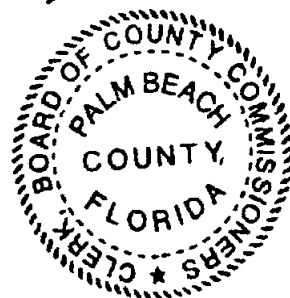


EXHIBIT A
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF LOT 1 OF THE PLAT OF LOXAHATCHEE CLUB PROPERTIES, AS RECORDED IN PLAT BOOK 20, PAGE 77, PUBLIC RECORDS OF SAID PALM BEACH COUNTY; THENCE NORTH 34°05'49" WEST, ALONG THE NORTHWESTERLY PROLONGATION OF THE EASTERLY RIGHT-OF-WAY LINE OF LOXAHATCHEE RIVER ROAD (SHOWN AS "COUNTY ROAD") ON SAID PLAT, A DISTANCE OF 26.10 FEET; THENCE NORTH 56°22'49" WEST (BASIS OF BEARING), ALONG THE EXISTING EASTERLY RIGHT-OF-WAY LINE (AND ITS NORTHWESTERLY PROLONGATION) OF SAID LOXAHATCHEE RIVER ROAD AS SHOWN IN ROAD PLAT BOOK 5, PAGE 72, SAID PUBLIC RECORDS, A DISTANCE OF 215.36 FEET TO THE POINT OF BEGINNING; THENCE NORTH 43°06'46" EAST, A DISTANCE OF 425.00 FEET; THENCE NORTH 03°19'29" EAST, A DISTANCE OF 39.04 FEET; THENCE NORTH 00°20'40" EAST, A DISTANCE OF 271.75 FEET; THENCE NORTH 80°05'41" EAST, A DISTANCE OF 164.35 FEET; THENCE SOUTH 64°08'06" EAST, A DISTANCE OF 182.06 FEET TO POINT "A"; THENCE RETURN TO THE POINT OF BEGINNING AND BEAR NORTH 56°22'49" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 166.89 FEET; THENCE NORTH 33°37'11" EAST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET; THENCE NORTH 56°22'49" WEST, ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 395.03 FEET TO THE INTERSECTION WITH THE SOUTHWEST CORNER OF THE PLAT OF LOXAHATCHEE POINTE, AS RECORDED IN PLAT BOOK 59, PAGES 24 THROUGH 26, PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS; THENCE NORTH 39°37'01" EAST, ALONG THE SOUTHEASTERLY LINE OF SAID PLAT OF LOXAHATCHEE POINTE AND ITS NORTHEASTERLY EXTENSION, A DISTANCE OF 799.34 FEET, MORE OR LESS, TO THE WATERS OF THE LOXAHATCHEE RIVER; THENCE BEAR SOUTHERLY, ALONG SAID WATERS OF THE LOXAHATCHEE RIVER, A DISTANCE OF 1,227 FEET, MORE OR LESS, TO SAID POINT "A".

CONTAINING 496,695 SQUARE FEET OR 11.402 ACRES.

SUBJECT TO ALL RESTRICTIONS, EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

94-35

MAY 10 1994

'EXHIBIT B
VICINITY SKETCH

