#### RESOLUTION NO. R-95- 1022

## RESOLUTION APPROVING ZONING PETITION 295-17 OFFICIAL ZONING MAP AMENDMENT (REZONING) PETITION OF ROBERT A. LEVY, TRUSTEE

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 295-17 was presented to the Board of County Commissioners at a public hearing conducted on July 27, 1995; 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;
- 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) 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 295-17, the petition of Robert A. Levy, Trustee for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Single Family (RS) 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 July 27, 1995.

Commissioner <u>Roberts</u> moved for the approval **of** the Resolution.

The motion was seconded by Commissioner <u>Marcus</u> and, upon being put to a vote, the vote was as follows:

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

The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of July, 1995.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: ATTORNE

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK BY: CLERK DEPUTY

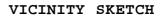
### EXHIBIT A

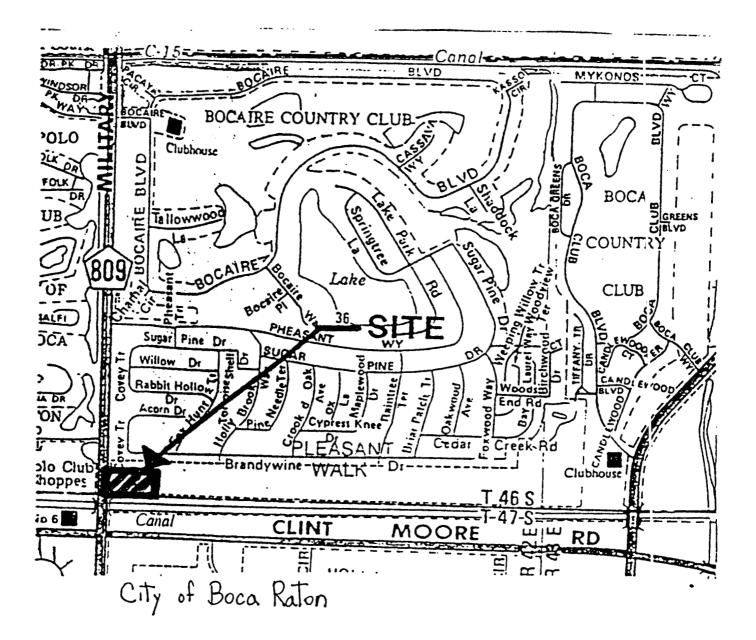
#### LEGAL **DESCRIPTION**

A parcel of land in the SW 1/4 of Section 36, Township 46 South, Range 42 East, said parcel being more particularly described as follows:

Commencing at the Southwest corner of said SW 1/4 of Section 36; thence run South 89°40'13" East (on an **assured** bearing) 40 feet along the South boundary of said SW 1/4, to the Point of Beginning; thence continue South 89°40'13" East 617.48 feet along said South boundary; thence run North 0" 19'47" East 440 feet to an intersection with a line 440 feet North *of*, as measured at right angles and parallel to said South line of the SW 1/4; thence run North 89°40'13" West 620.02 feet along said parallel line to an intersection with a line 40 feet East *of*, as measured at right angles and parallel line of said SW 1/4; thence run due South 440.01 feet along said parallel line, also forming; the East right of way line *of* Military Trail, **as** now located and constructed to the Point *of*Beginning

# EXHIBIT B





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