

RESOLUTION NO. R-95- 1725

RESOLUTION APPROVING ZONING PETITION **295-67**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF R.D. & JEAN **LEWIS**
BY JOSEPH WOOLF, JOSEPH WOOLF REALTY, INC., AGENT

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 295-67 was presented to the Board of County Commissioners at a public hearing conducted on December 4, 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;
6. 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 295-67, the petition of R.D. & Jean Lewis, by Joseph Woolf, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the General Commercial (CG) Zoning District to the Residential Single Family (RS) 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 December 4, 1995, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner McCarty moved for the approval of the Resolution.

The motion was seconded by Commissioner Newell 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	--	ABSENT
Mary McCarty	--	AYE
Warren Newell	--	AYE
Carol A. Roberts	--	AYE

The Chair thereupon declared that the resolution was duly passed and adopted December 4, 1995.

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

DEC 6 1995

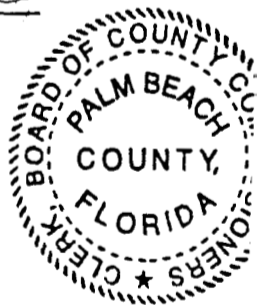


EXHIBIT A

LEGAL DESCRIPTION

Acreage: ,4646 Square Footage: 20,238

Section 8, Township 45 South, Range 42 East

That part of Section 8, Township 45 South, Range 43 East, Palm Beach County, Florida, described as follows:

Commencing at the North Quarter (N1/4) corner of said Section 8; thence South 02 degrees 41 minutes 15 seconds West along the Quarter Section line, a distance of 40.08 feet to a point in the South right-of-way line of Lake Worth Drainage District Lateral No. 18; thence North 89 degrees 04 minutes 23 seconds East along said right-of-way line, (being parallel with and 40 feet South of as measured at right angles to the North line of said Section 8), a distance of 246.17 feet; thence South 12 degrees 20 minutes West, a distance of 195.29 feet to the actual Point of Beginning of the tract of land to be described; thence continue South 12 degrees 20 minutes West, a distance of 93.77 feet; thence South 77 degrees 40 minutes East, a distance of 210.31 feet to the Westerly right-of-way line of Lake Worth Drainage District E-4 Canal; thence North 19 degrees 02 minutes 35 seconds East along the said right-of-way line, a distance of 94.42 feet; thence North 77 degrees 40 minutes West, a distance of 221.34 feet to the Point of Beginning.

Together with a ~~perpetual~~ easement for the purpose of ingress and egress to and from the above described parcel of real property, said easement to be in common with Mortgagors, their heirs, legal representatives and assigns over, across and upon a **strip** of land 40 feet in width in Section 8, Township 45 South, Range 43 East, the center-line being described as follows: Commencing at the North Quarter (N1/4) corner of said Section 8; thence South 02 degrees 41 minutes 15 seconds West along the Quarter Section line, a distance of 40.08 feet to a point in the South right-of-way line of Lake Worth Drainage District Lateral No. 18; thence North 89 degrees 04 minutes 23 seconds East along said right-of-way line (being parallel with and 40 feet South of, as measured at right angles to the North line of said Section 8), a distance of 246.17 feet to the Point of Beginning of the center line to be described; thence South 12 degrees 20 minutes West, a distance of 541.84 feet; thence South 09 degrees 45 minutes 05 seconds West, a distance of 484.16 feet and there terminating.

EXHIBIT B
VICINITY SKETCH

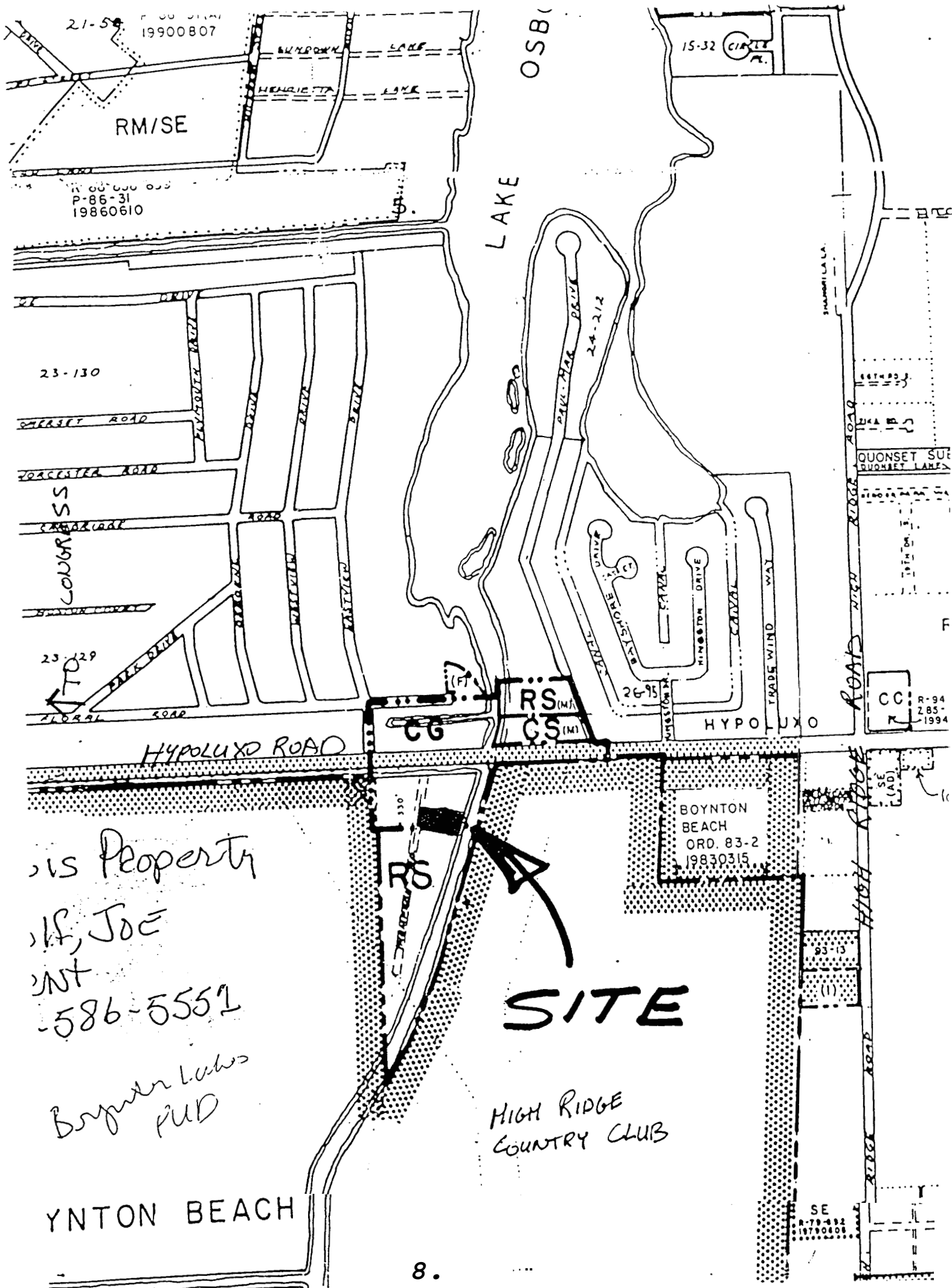


EXHIBIT C

VOLUNTARY COMMITMENTS

E. ENGINEERING

1. The Property Owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project, Zoning Petition Number 95-67, to be paid at the time of issuance of the Building Permit presently is \$1,650.00 (10 trips X \$165.00 per trip).(BLDG PERMIT: IMPACT FEE COORDINATOR)