

RESOLUTION NO. R-96-128

RESOLUTION APPROVING ZONING PETITION 295-20
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF Levitt Homes
BY Robert A. Bentz, AGENT
JONES RESIDENTIAL

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 295-20 was presented to the Board of County Commissioners at a public hearing conducted on January 25, 1996; 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 295-20, **the** petition of Levitt Homes, by Robert Bentz, agent, for an OFFICIAL ZONING **MAP** AMENDMENT (REZONING) **from** the Agricultural Residential (**AR**) Zoning District to the Residential Transitional Suburban (RTS) 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 January 25, 1996, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

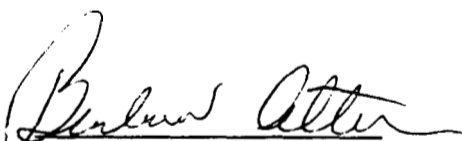
Ken Foster, Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 25, 1996.

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

LEGAL DESCRIPTION:

A parcel of land lying in Tracts 70 and 71 and 72, Block 58 of "The Palm Beach Farms Company Plat No 3", as recorded in Plat Book 2, pages 45 through 54 of the public records of Palm Beach County, Florida, said parcel being more particularly described as follows.:

COMMENCING at the Northwest corner of Tract 72 of said Block 58; THENCE along the North line of said Tract 72, Block 58 North 89°37'21" East, a distance of 30.00 feet; THENCE South 00° 16'18" East, a distance of 535.00 feet, THENCE North 89°37'21" East, a distance of 292.92 feet to the POINT OF BEGINNING; THENCE continue North 89°37'21" East, a distance of 109.25 feet to the beginning of a Tangent curve concave to the Southwest, THENCE Southeasterly, along the arc of said curve having a radius of 25.00 feet, a delta of 73°37'02", and an arc distance of 32.12 feet to a Point of Reverse Curvature with a curve concave to the Northeast; THENCE Northeasterly, along the arc of said curve having a radius of 53.00 feet, a delta of 188°08'33", and an arc distance of 174.04 feet to an intersection with a non-tangent line; **THENCE** North 89°37'21" East, a distance of 134.82 feet to a line 30.00 feet East of and parallel with the East line of said Tract 71, Block 58; THENCE South 00°16'18" East along said parallel line, a distance of 144.00 feet; THENCE South 89°37'21" West, along the Southerly line of said Tracts 70, 71 and 72, Block 58, a distance of 366.85 feet; THENCE North 00°22'39" West, a distance of 125.00 feet to the POINT OF BEGINNING;

Said lands lying in the County of Palm Beach, Florida containing 1.000 acres more or less.

EXHIBIT B
VICINITY SKETCH

LOCATION MAP

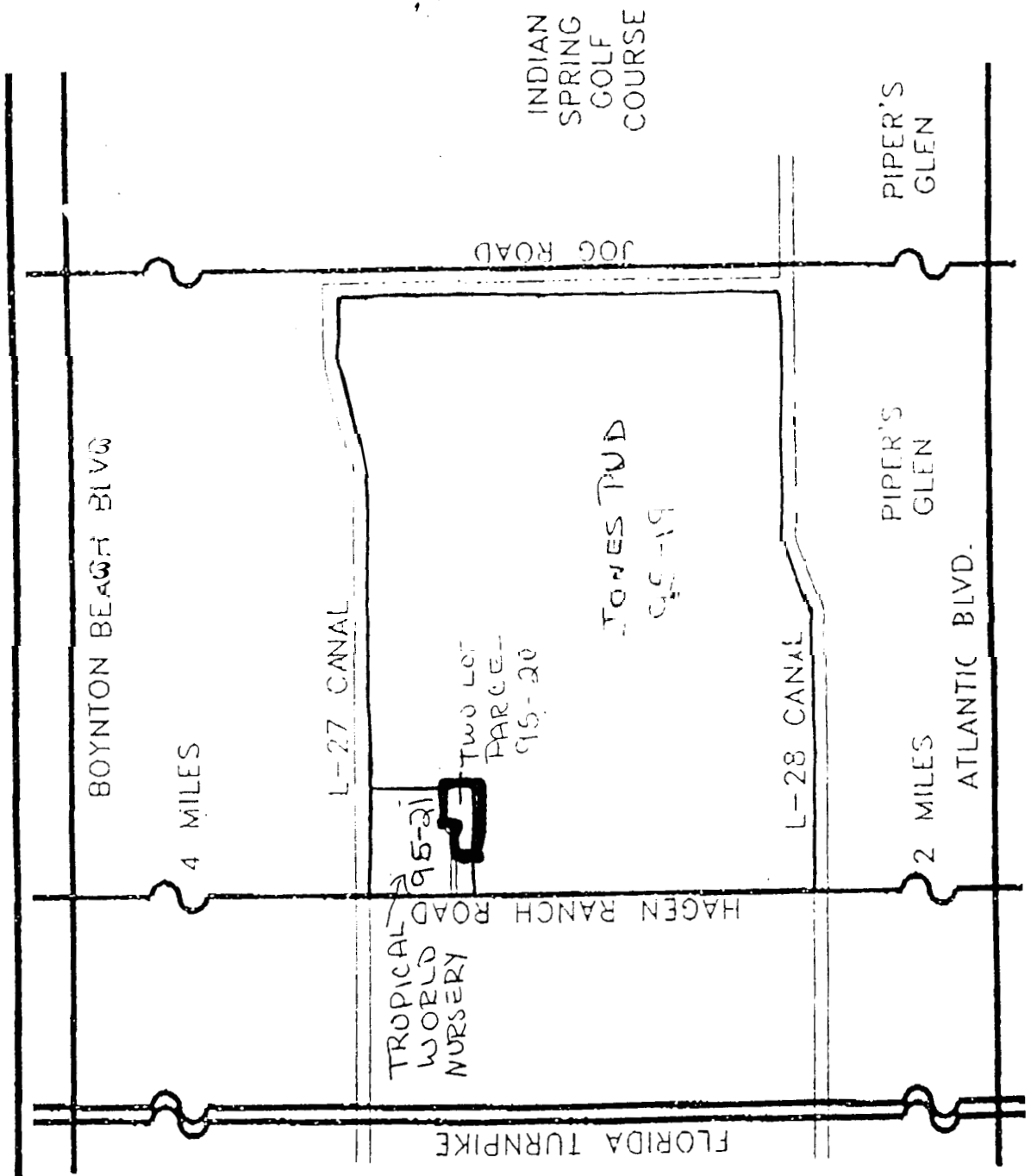


EXHIBIT C

VOLUNTARY COMMITMENTS

E. ENGINEERING

1. The Developer 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 **95-20**, to be paid at the time of issuance of the Building Permit presently is **\$1,650.00** per approved single family dwelling unit (**10 trips X \$165.00** per trip). (BLDG. PERMIT; IMPACT FEE COORDINATOR)

2. The Developer shall plat the subject property in accordance with provisions of Article **8** of the Unified Land Development Code. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Committee. (PLAT; ENGINEERING)