

RESOLUTION NO. R-96-252

RESOLUTION APPROVING ZONING PETITION Z95-94
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF JOHN RAWN
BY ELLEN COVERT SMITH, AGENT
RAWN REZONING

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 295-94 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,
- .. 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 Z95-94, the petition of John Rawn, by Ellen Covert Smith, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) 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 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 Aaronson 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	--	Absent
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on February 22, 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

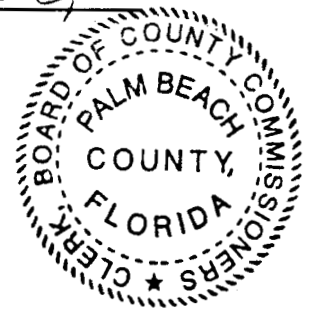


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION
John Rawn Property

TRACT 71, BLOCK 5 LESS THE WEST 15 FEET AND TRACT 72, BLOCK 5 LESS THE EAST 245 FEET. OF THE PLAT OF "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; ALL LYING SOUTH OF THE SOUTHERLY RIGHT OF WAY OF CANAL C-51 (WEST PALM BEACH CANAL) ACCORDING **TO** SOUTH FLORIDA WATER **MANAGEMENT** DISTRICT LAND ACQUISITION MAP (KIRK ROAD TO FLORIDA'S TURNPIKE) DRAWING NO. C-5 1-40,

CONTAINING 8.150 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

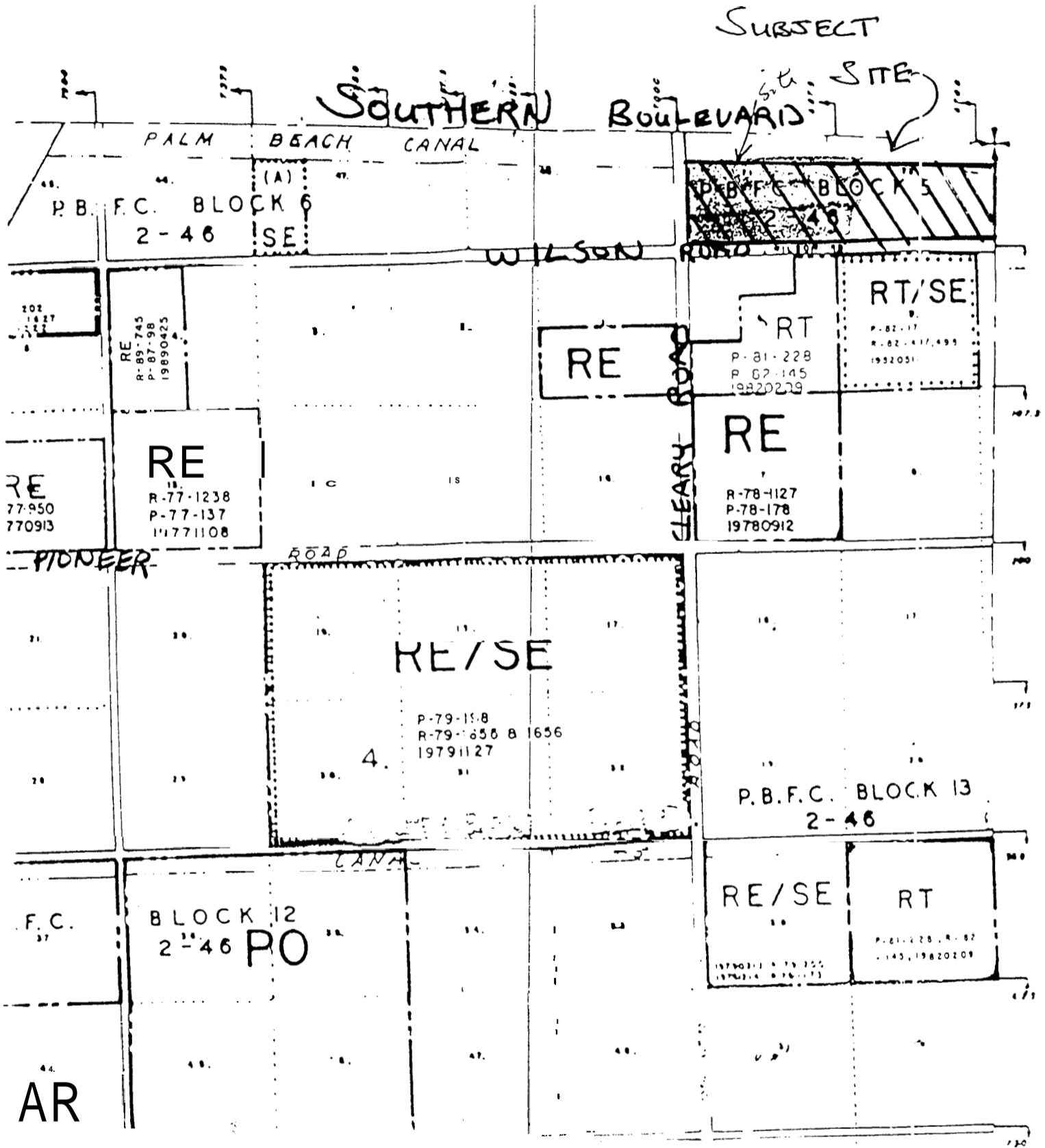


EXHIBIT C

VOLUNTARY COMMITMENTS

E. ENGINEERING

1. Property owner shall construct: Wilson Road to local road standards in conformance with Article 8, Unified Land Development Code. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
 - a) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING/Engineering)
 - b) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Engineering)
2. On or before January 25, 1997, the property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from that segment of Wilson Road along the property frontage. Said easements shall be no less than 20 feet in width. The drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the proposed section of Wilson Road. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. (DATE: MONITORING - Engineering)
3. 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, to be paid at the time of issuance of the Building Permit presently is \$13,200.00 (80 trips X \$165.00 per trip). (BLDG PERMIT: IMPACT FEE COORDINATOR)
4. The Developer shall plat the subject property in accordance with provisions of Article 8 of the Unified Land Development Code.
 - a. Plat shall be submitted prior to the issuance of Building Permit. (BLDG PERMIT: MONITORING - Eng)
 - b. Plat shall be recorded prior to the issuance of a Certificate of Occupancy. (CO: MONITORING - Eng)