

RESOLUTION NO. R-96-1950

RESOLUTION APPROVING ZONING PETITION Z96-79
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF TIDAL WAVE INVESTMENT CORP. / MURRAY LOGAN AND
CLARENCE VOGEL
BY ELLEN SMITH, AGENT
(HERRING/LOGAN 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 public hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z96-79 was presented to the Board of County Commissioners at a public hearing conducted on December 2, 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 Standards) of the Palm Beach County Unified Land Development Code; 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 Z96-79, the petition of Tidal Wave Investment Corp. / Murray Logan and Clarence Vogel, by Ellen Smith, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) 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 2, 1996 subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster 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:

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

The Chair thereupon declared that the resolution was duly passed and adopted on December 2, 1996.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *[Signature]*
COUNTY ATTORNEY

BY: *[Signature]*
DEPUTY CLERK

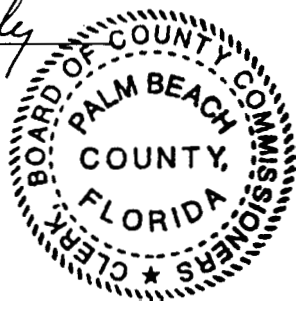


EXHIBIT A
LEGAL DESCRIPTION

Exhibit "A"

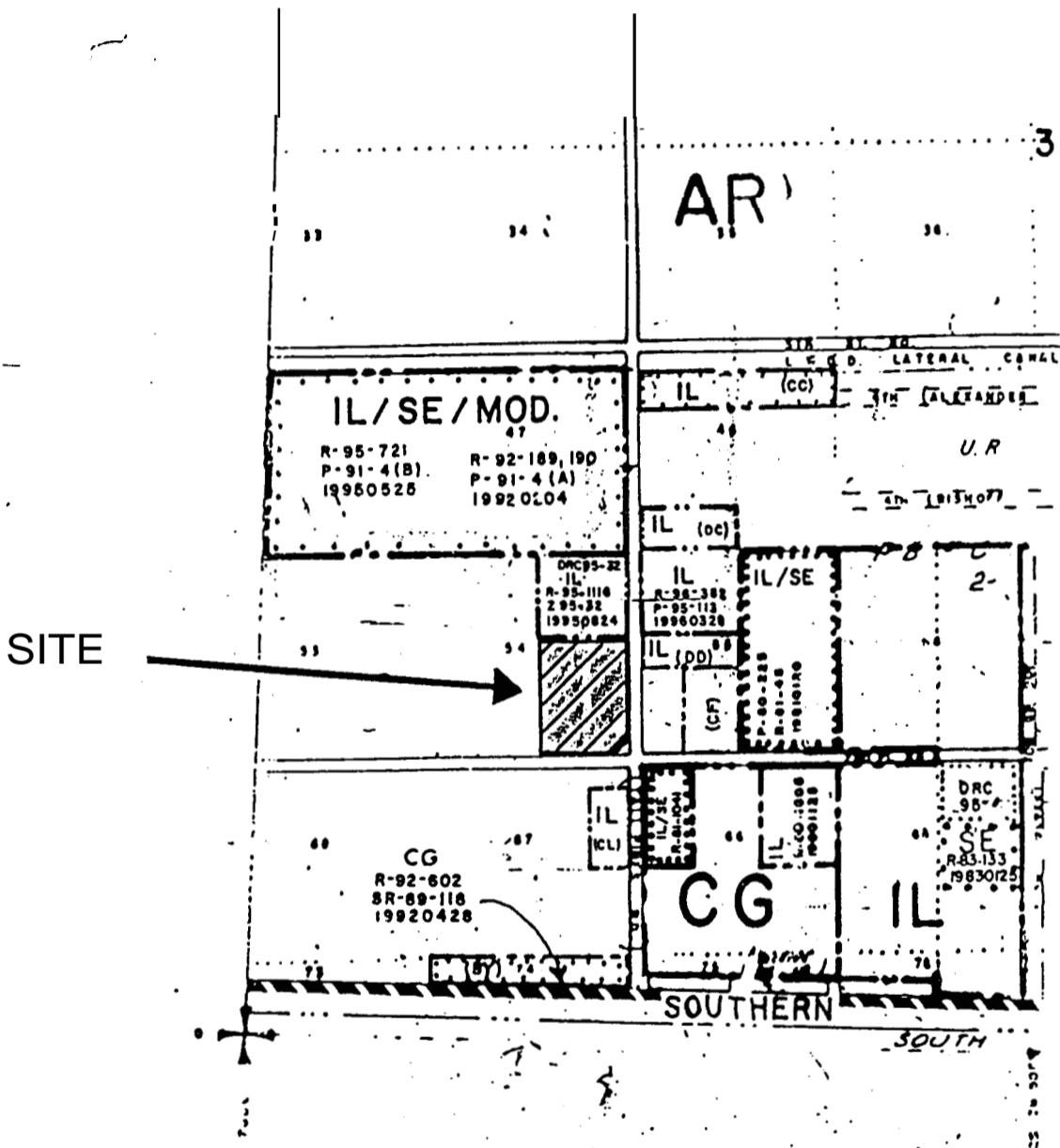
Legal Description

Parcel 143.0 and 143.1 Herring/Logan OZMA

The South 395.94 feet of the East one-half of Tract **54**, Block **5** Palm Beach Farms Company Plat No. **3** according to the Plat thereof, recorded in Plat **Book 2**, Pages **45** to **54**, inclusive, of the Public Records of Palm Beach County Florida.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH/ ZONING



Petition Number: 96-79
 Zoning Quad Page _____
 Date: 11/1/96



EXHIBIT C

VOLUNTARY COMMITMENTS

E. ENGINEERING

1. Prior to the issuance of the first Building Permit, the property owner shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed for:

- a) Tall Pines Road, 40 feet from centerline
- b) Wallis Road, 30 feet from centerline

All right of way shall be along the project's entire frontage, free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate at intersections as determined by the County Engineer. (BLDG PERMIT: MONITORING/Eng.)