

RESOLUTION NO. R-97- 162

RESOLUTION APPROVING ZONING PETITION **EAC92-3(A)**
DEVELOPMENT ORDER AMENDMENT
PETITION OF ANDY KOBOSKO
BY ROBERT BENTZ, AGENT
(KOBOSKO FARMERS MARKET)

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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, ~~the~~ notice ~~and~~ hearing requirements, as provided for in Article 5 of ~~the~~ Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition **EAC92-3(A)** was presented to the Board of County Commissioners at a public hearing conducted on January 30, 1997; and

WHEREAS, ~~the~~ Board of County Commissioners has considered the evidence ~~and~~ testimony presented by the petitioner and other interested parties, and ~~the~~ recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, ~~the~~ Board of County Commissioners made ~~the~~ following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in ~~the~~ Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with ~~the standards~~ imposed ~~on~~ it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, ~~and~~ general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse ~~effects~~, including visual impact and intensity of the proposed use ~~on~~ adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 EAC92-3(A), the petition of Andy Kobosko, by Robert Bentz, agent, for a Development Order Amendment/Expedited Application Consideration (EAC) to legislatively abandon a special exception to allow a commercial sales and service enterprise of an agricultural nature, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 30, 1997.

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:

Burt Aaronson, Chair	--	Aye
Maude Ford Lee, Vice Chair	--	Aye
Ken Foster	--	Absent
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 January 30, 1997.

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

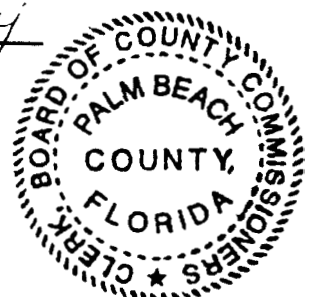


EXHIBIT A
LEGAL DESCRIPTION

THE EAST ONE-HALF (E. 1/2), OF THE WEST TWO-THIRDS (W. 2/3) OF TRACT 39, BLOCK 17, PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGE 45, PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE DEDICATED RIGHT OF WAY OF FOREST HILL BOULEVARD.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT OF WAY OF RECORD.

CONTAINING: 133,941 SQUARE FEET, [3.07 ACRES] MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

