

RESOLUTION APPROVING ZONING PETITION **Z89-52(A)**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF GKK CORPORATION
BY GARY BRANDENBURG, AGENT
(**GKK EXCAVATION**)

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 **Z89-52(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, 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 Z89-52(A), the petition of GKK Corporation, by Gary Brandenburg, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Special Agriculture (SA) 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 30, 1997.

Commissioner Foster moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on February 27, 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

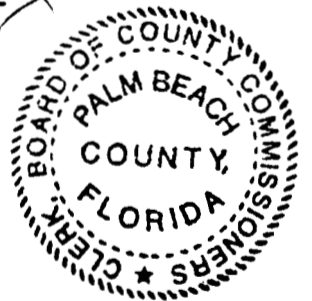


EXHIBIT A

LEGAL DESCRIPTION

In Township 43 South, Range 40 East

BEING ALL THAT PART OF SECTIONS 17 and 20 lying West of the West right-of-way line of Levee L-8;

LESS the East 660 feet of the West 745 feet of Sections 17 and 20 for Florida Power and Light right-of-way.

LESS a parcel of land lying in Section 20, Township 43 South, Range 40 East. Said parcel described as being the East 900 feet, of the West 1,645 feet, of the South 761 feet, of said Section 20, as measured along the South and West lines thereof.

AND ALL THAT PART OF SECTION 29 lying West of the West right-of-way line of Levee L-8;

LESS the East 660 feet of the West 745 feet of Section 29 for Florida Power and Light right-of-way;

LESS a parcel of land lying in Section 29, Township 43 South, Range 40 East. Said parcel described as being the East 900 feet, of the West 1,645 feet, of the North 589 feet, of said Section 29, as measured along the North, and West lines thereof.

AND THE EAST 24 FEET OF SECTION 30.

AND THE EAST 24 FEET OF SECTION 31 lying North of State Road 80.

AND ALL THAT PART OF SECTION 32 lying North of State Road 80 and lying West of the Levee L-8 right-of-way;

LESS the East 660 feet of the West 745 feet of the North 2,501.47 feet AND LESS the East 760 feet of the West 845 feet of the remaining portion of Section 32 (South of the North 2,501.47 feet) lying North of the Northerly right-of-way of State Road 80;

LESS that part of Section 32, Township 43 South, Range 40 East in Palm Beach County, Florida more particularly described as follows:

Commence at the Southwest corner of said Section 32: thence North 00°52'33" East along the West line of said Section 32 a distance of 1,717.54 feet to a point on the Baseline of Survey for State Road 80; thence South 88°28'42" East along said Baseline of Survey a distance of 843.37 feet; thence North 01°31'18" East a distance of 173 feet to the POINT OF BEGINNING; thence South 88°28'42" East a distance of 3,944.30 feet; thence South 01°50'06" West a distance of 98 feet; thence North 88°28'42" West a distance of 3,942.80 feet; thence North 00°57'33" East a distance of 98 feet to the POINT OF BEGINNING.

AND THAT PART OF THE SOUTH 360 FEET OF SECTION 20 lying East of the East right-of-way line of Levee L-8;

LESS the North 240 feet, of the South 360 feet of said Section 20, lying East of the South Florida Water Management District's Canal L-8 right-of-way.

AND THE SOUTH 360 FEET OF SECTION 21;

LESS the North 240 feet, of the South 360 feet of said Section 21. Also the North 50 feet, of the South 120 feet, of the East 220 feet, of said Section 21.

AND THE SOUTH 360 FEET OF THE WEST 780 FEET OF SECTION 22;

LESS the North 290 feet, of the South 360 feet, of the West 780 feet, of said Section 22.

EXHIBIT A

LEGAL DESCRIPTION

AND **THE WEST 780 FEET OF SECTION 27;**

LESS a parcel of land lying in Section 27 and 22, Township 43 South, Range 40 East, being described as a portion of Section 34, bounded as follows:

Bounded on the South by the South line of Section 27; bounded on the East by a line being described as lying 780.00 feet East of and parallel to the West line of Section 27; bounded on the north by a line lying 290.00 feet South of and parallel to the South line of the Subdivision "Deer Run" as recorded in Plat Book 35, Pages 34-39 of the Public Records of Palm Beach County, Florida; Bounded on the West by a line lying 2.0 feet West of and parallel with an existing hogwire fence:

Said line being more particularly described as follows: Beginning at a point on the South line of Section 27 lying 146.05 feet Easterly (as measured along the South line of Section 27); thence North $01^{\circ}27'30''$ West, a distance of 1,748.16 feet; thence North $01^{\circ}43'06''$ East, a distance of 3,443.12 feet; thence North $01^{\circ}09''$ West, a distance of 165.89 feet to a point lying 290.00 feet South of the South line of said subdivision "Deer Run" and 621.65 feet Westerly of the Northeast corner of the above described parcel of land (said point being the termination of the West line of said Parcel).

AND ALL OF SECTION 28;

AND THAT PART OF SECTION 29 lying East of the East right-of-way line of Levee L-8;

AND THAT PART OF SECTION 32 North of State Road 80 right-of-way lying East of the East right-of-way line of Levee L-8;

AND ALL OF SECTION 33 lying North of State Road 80 right-of-way;

AND THE WEST 780 FEET OF SECTION 34 lying North of State Road 80 right-of-way;

LESS that part of Sections 33 and 34, Township 43 South, Range 40 East in Palm Beach County, Florida more particularly described as follows:

Commence at the Southwest corner of said Section 33; thence North $01^{\circ}50'06''$ East along the West line of said Section 33 a distance of 1,812.38 feet to the POINT OF BEGINNING; thence continue $01^{\circ}50'06''$ East a distance of 98 feet; thence South $88^{\circ}28'42''$ East a distance of 2,870.68 feet; thence South $88^{\circ}25'55''$ East a distance of 2,402.53 feet to a point on the East line of said Section 33; thence continue South $88^{\circ}25'55''$ East a distance of 780.04 feet; thence South $00^{\circ}58'57''$ West a distance of 98 feet; thence North $88^{\circ}25'55''$ West a distance of 780.04 feet to a point on the West line of said Section 34; thence continue North $88^{\circ}25'55''$ West a distance of 2,403.49 feet; thence North $88^{\circ}28'42''$ West a distance of 2,871.18 feet to the POINT OF BEGINNING.

LESS a parcel of land lying in Section 34, Township 43 South, Range 40 East, being described as a portion of Section 34, bounded as follows:

Bounded on the South by the North right-of-way line of State Road 80; bounded on the East by a line being described as lying 780.00 feet East of and parallel to the West line of Section 34; bounded on the North by the North line of Section 34; bounded on the West by a line lying 2.0 feet West of and parallel with an existing hogwire fence: said Northwest corner being described as lying 146.05 feet East of the Northwest corner of Section 34, as measured along the North line of Section 34, the Southwest corner being described as lying 108.72 feet East of the intersection of the West line of Section 34, and the North right-of-way line of State Road 80, as measured along the North right-of-way line of State Road 80.

Subject to Easements and restrictions of record,

EXHIBIT B
VICINITY SKETCH

