

RESOLUTION NO R-97- 1079

RESOLUTION APPROVING ZONING PETITION Z/COZ88-58(A)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
WITH A CONDITIONAL OVERLAY ZONE (COZ)  
PETITION OF PBC BCC  
BY JAMES BARNES, AGENT  
(FIRE STATION 52)

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 Z/COZ88-58(A) was presented to the Board of County Commissioners at a public hearing conducted on August 28, 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) of the Palm Beach County Unified Land Development Code, Ordinance 92-20, as amended; and,
- 7 This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations

R97 1079

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 Z/COZ88-58(A), the petition of PBC BCC by James Barnes, agent, for an Official Zoning Map Amendment (Z) from Single-family Residential with a Special Exception (RS/SE) to the Public Ownership (PO) Zoning District with a CONDITIONAL OVERLAY ZONE (COZ) 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 August 28, 1997, subject to the conditions of the CONDITIONAL OVERLAY ZONE (COZ) 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 Lee 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            | - | Absent |
| Mary McCarty               | - | Aye    |
| Warren Newell              | - | Aye    |
| Carol A. Roberts           | - | Aye    |

The Chair thereupon declared that the resolution was duly passed and adopted on August 28, 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

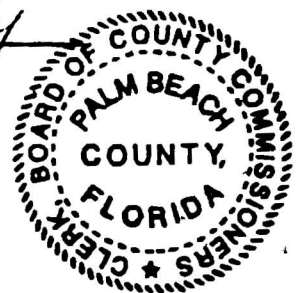


EXHIBIT A  
LEGAL DESCRIPTION

**LEGAL DESCRIPTION**

**A PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING DESCRIBED AS FOLLOWS**

**COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36, THENCE WITH A BEARING OF NORTH, ALONG THE WEST LINE OF SAID SECTION 36, A DISTANCE OF 2110 03 FEET TO A POINT, THENCE WITH A BEARING OF S 89°40'13" E ALONG THE NORTH RIGHT-OF-WAY LINE OF PHEASANT WAY, A DISTANCE OF 1700.00 FEET TO THE POINT OF BEGINNING, THENCE WITH A BEARING OF NORTH, A DISTANCE OF 190 50 FEET TO A POINT, THENCE WITH A BEARING OF S 89°40'13" E, A DISTANCE OF 159 00 FEET TO A POINT, THENCE WITH A BEARING OF SOUTH, A DISTANCE OF 193 21 FEET TO A POINT LYING ON THE NORTH RIGHT-OF-WAY LINE OF SAID PHEASANT WAY, THENCE WITH A CURVE TO THE LEFT, ALONG SAID NORTH RIGHT-OF-WAY LINE, HAVING AN INITIAL TANGENT BEARING OF N 86°56'51" W, A RADIUS OF 2400 00 FEET, AN ARC LENGTH OF 114 05 FEET TO A POINT OF TANGENCY, THENCE WITH A BEARING OF N 89°40'13" W, A DISTANCE OF 45 00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING**

**CONTAINING 0 697 ACRES MORE OR LESS, AND SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD**

**ITEM 2.D.11., WHICH APPEARED ON THE AUGUST 28, 1997, AGENDA IS VOID AS IT WAS NOT PROPERLY ADVERTISED AND THEREFORE HAS NO EFFECT.**

**AS RESOLUTION R-97-1080 WAS EXECUTED AND DISTRIBUTED FOR THIS ITEM BEFORE THE ADVERTISING ERROR WAS DISCOVERED, A RESOLUTION WILL BE PRESENTED FOR ADOPTION ON OCTOBER 23, 1997, TO VOID THE DOCUMENT NUMBER.**

007 1000