

RESOLUTION NO. R-98- 744

RESOLUTION APPROVING ZONING PETITION PDD97-72(A)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT(PDD)
PETITION OF THOROUGHBRED LAKES ESTATES
BY KILDAY & ASSOCIATES, INC., AGENT
(THOROUGHBRED LAKES ESTATES)

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 PDD97-72(A) was presented to the Board of County Commissioners at a public hearing conducted on May 28, 1998; 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,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

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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 PDD97-72(A), the petition of Thoroughbred Lakes Estates by Kilday & Associates, Inc., agent, for an Official Zoning Map Amendment Rezoning AR to PUD (17.66 acres) 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 May 28, 1998, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

Burt Aaronson, Chair	--	Nay
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 May 28, 1998.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

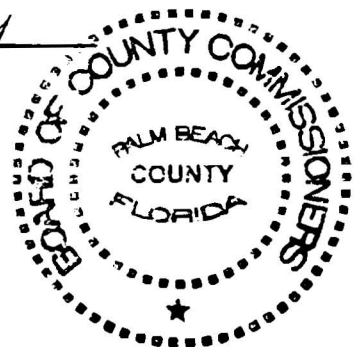
DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



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EXHIBIT A

LEGAL DESCRIPTION

PARCEL TWO:

TRACTS 23 AND 24, BLOCK 35, OF THE PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 48, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS. LESS, HOWEVER, THE RIGHT OF WAY FOR STATE ROAD NO. 7, AS RECORDED IN ROAD PLAT BOOK 1, PAGE 40, PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS.

TOGETHER WITH

A PORTION OF TRACT 26, BLOCK 35, PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 48, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 26, THENCE SOUTH 00°59'30" EAST (ASSUMED) ALONG THE WEST LINE OF SAID TRACT 26, A DISTANCE OF 242.99 FEET; THENCE NORTH 89°03'39" EAST, A DISTANCE OF 602.87 FEET; THENCE NORTH 01°35'26" EAST, A DISTANCE 243.22 FEET TO A POINT IN THE NORTH LINE OF SAID TRACT 26; THENCE SOUTH 89°03'39" WEST, ALONG SAID NORTH LINE OF TRACT 26, A DISTANCE OF 613.56 FEET TO THE POINT OF BEGINNING AFOREDESCRIBED.

TOGETHER WITH:

CERTAIN PORTIONS OF THAT ROAD RIGHT OF WAY ABANDONED BY RESOLUTION NO. R-78-759 AS RECORDED IN OFFICIAL RECORDS BOOK 2898, ON PAGES 203 THROUGH 206, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

BUT LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL FOR THE ULTIMATE RIGHT OF WAY OF STATE ROAD NO. 7:

THAT PORTION OF TRACT 24, TOGETHER WITH THE PORTION OF THE ROAD RIGHT OF WAY ABANDONED BY RESOLUTION NO. R-78-759 RECORDED IN OFFICIAL RECORDS BOOK 2898, PAGE 203, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WHICH LIE WITHIN 240 FEET OF, AS MEASURED AT RIGHT ANGLES TO, THE GUARDRAIL ALONG THE EASTERLY SIDE OF STATE ROAD NO. 7, LESS THE RIGHT OF WAY OF STATE ROAD NO. 7 AS RECORDED IN ROAD PLAT BOOK 1, PAGE 40, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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