

RESOLUTION NO. R-98-1105

**RESOLUTION APPROVING ZONING PETITION PDD97-56(A)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF DANILE KODSI
BY KILDAY & ASSOCIATES, AGENT
(PONTE VERDE PUD)**

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

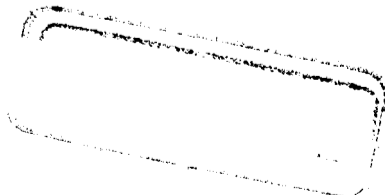
WHEREAS, the notice and hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD97-56(A) was presented to the Board of County Commissioners at a public hearing conducted on July 23, 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.



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 PDD97-56(A), the petition of Danile Kodsi by Kilday & Associates, agent, for an Official Zoning Map Amendment to Planned Development District (PDD) Rezoning AR to PUD on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, was approved on July 23, 1998.

Commissioner Newell 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	--	Absent
Karen T. Marcus	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted on July 23, 1998.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Richard Altier*
COUNTY ATTORNEY

BY: *Jean Hurley*
DEPUTY CLERK

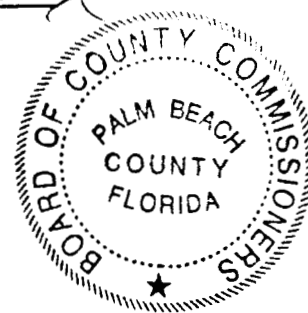


EXHIBIT A

LEGAL DESCRIPTION

LAND DESCRIPTION

A PORTION OF TRACTS **13** AND **14**, TRACT **15**, LESS THE WEST **60.72** FEET THEREOF, AND ALL OF TRACTS **12, 16** AND **17**, BLOCK **78**, TOGETHER WITH ALL OF THAT CERTAIN 30 FOOT WIDE ROAD RIGHT-OF-WAY LYING SOUTH OF AND ADJACENT TO TRACTS **17, 16** AND TRACT **15**, LESS THE WEST **60.72** FEET THEREOF, BLOCK **78**, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES **45** THROUGH **54** OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT **15**, BLOCK **78**;

THENCE NORTH **89°37'02"** EAST, ALONG THE SOUTH LINE OF SAID TRACT **15**, A DISTANCE OF **60.72** FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH **00°53'32"** WEST, ALONG A LINE **60.72** EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACTS **15** AND **14**, A DISTANCE OF **1,127.29** FEET;

THENCE NORTH **89°37'02"** EAST, ALONG A LINE **192.76** FEET, AS MEASURED AT RIGHT ANGLES, SOUTH OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACTS **13** AND **14**, A DISTANCE OF **1,271.57** FEET TO THE EAST LINE OF SAID TRACT **13**;

THENCE NORTH **00°22'58"** WEST, ALONG THE EAST LINE OF SAID TRACT **13**, A DISTANCE OF **165.04** FEET;

THENCE NORTH **89°37'02"** EAST, A DISTANCE OF **330.00** FEET, TO THE EAST LINE OF TRACT **12**;

THENCE SOUTH **00°22'58"** EAST, ALONG THE EAST LINE OF SAID TRACT **12**, A DISTANCE OF **632.28** FEET;

THENCE NORTH **89°37'02"** EAST, ALONG THE NORTH LINE OF SAID TRACTS **18, 19** AND **20**, A DISTANCE OF **990.00** FEET TO THE NORTHEAST CORNER OF SAID TRACT **20**;

THENCE SOUTH **00°22'59"** EAST, ALONG THE EAST LINE OF SAID TRACT **20** AND SAID EAST LINE EXTENDED SOUTHERLY, **675.00** FEET TO THE SOUTH CENTERLINE OF A 30 FOOT WIDE PLATTED ROAD RIGHT-OF-WAY;

THENCE NORTH **89°37'02"** EAST, ALONG SAID CENTERLINE, **985.29** FEET;

THENCE SOUTH **00°22'58"** EAST, **15.00** FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID 30 FOOT WIDE PLATTED ROAD RIGHT-OF-WAY;

THENCE SOUTH **89°37'02"** WEST, ALONG SAID SOUTH RIGHT-OF-WAY LINE AND THE NORTH LINE OF "ARBOR OAKS AT BOCA RATON", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK **72**, PAGES **93** THROUGH **95** OF SAID PUBLIC RECORDS, A DISTANCE OF **1,595.99** FEET;

THENCE NORTH **00°53'32"** WEST, **30.00** FEET TO THE **POINT OF BEGINNING**.

SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA CONTAINING **59.004** ACRES (**2,570,228** SQUARE FEET), MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

