

RESOLUTION NO. R-98- 1393

RESOLUTION APPROVING ZONING PETITION Z98-34
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF BOCA RATON HOTEL AND CLUB
BY KILDAY & ASSOCIATES, AGENT
(COUNTRY PURSUITS CENTRE)

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 Z98-34 was presented to the Board of County Commissioners at a public hearing conducted on September 1, 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 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 Z98-34, the petition of Boca Raton Hotel and Club, by Kilday & Associates, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) and Residential Estates (RE) Zoning Districts to the Commercial Recreation (CRE) Zoning District with Outdoor Entertainment 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 September 1, 1998.

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

The Chair thereupon declared that the resolution was duly passed and adopted on September 1, 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



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

(O.R.B. 1447 PG. 400)

PARCEL 1: ALL THAT PART OF TRACTS 17, 18, 24, 26, 27 AND 31 LYING NORTH OF THE RIGHT-OF-WAY LINE OF HILLSBORO CANAL AND EAST OF THE SOUTHEAST RIGHT-OF-WAY LINE OF LEVEE L-40 IN SECTION 18, TOWNSHIP 47 SOUTH, RANGE 41 EAST, FLORIDA FRUIT LANDS CO. SUBDIVISION #2, AS RECORDED IN PLAT BOOK 1, PAGE 102, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND

(O.R.B. 1807 PG. 1200)

THAT PART OF THE WEST ½ OF THE SOUTHWEST ¼ OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 41 EAST, LYING NORTH OF THE NORTH RIGHT-OF-WAY LINE OF THE HILLSBORO CANAL AND THAT PART OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 20, TOWNSHIP 47 SOUTH, RANGE 41 EAST, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF LEVEE L-40. ALSO, TRACTS 3, 4, 5, 25, AND THE EAST ½ OF TRACT 2, SECTION 19, TOWNSHIP 41 SOUTH, RANGE 41 EAST, ACCORDING TO THE FLORIDA FRUIT LANDS COMPANY'S SUBDIVISIONS, AS RECORDED IN PLAT BOOK 1, PAGE 102, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; AND ALSO, THAT PART OF TRACTS 1, 6, 7, 11, 12, AND 13 OF SAID SECTION 19, LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF LEVEE L-40; AND ALSO, THE WEST ½ OF TRACT 2, OF SAID SECTION 19, TOWNSHIP 47 SOUTH, RANGE 41 EAST.

(O.R.B. 3627 PG. 0608)

TRACT 32, SECTION 19, TOWNSHIP 47 SOUTH, RANGE 41 EAST, LYING AND SITUATE IN PALM BEACH COUNTY, FLORIDA.

LESS THE TRIANGULAR SHAPED PARCEL LYING IN SAID TRACT 24 AS DESCRIBED IN O.R.B. 2586 AT PAGE 283 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

