

RESOLUTION NO. R-2004-0728

RESOLUTION APPROVING ZONING PETITION Z2003-031
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF S.E.C OF SDA CORP FOR BETHANIE SDA CHURCH
BY JACK POTREKUS, AGENT
(BETHANIE SDA CHURCH)

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 Z2003-031 was presented to the Board of County Commissioners at a public hearing conducted on April 22, 2004; 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 has considered the findings in the staff report and 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 Z2003-031, the petition of S.E.C of SDA Corp for Bethanie SDA Church, by Jack Potrekus, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential Zoning District to the Residential Transitional Suburban 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 April 22, 2004.

Commissioner Newell 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:

Karen T. Marcus, Chair	- Aye
Tony Masilotti, Vice Chairman	- Absent
Jeff Koons	- Absent
Warren H. Newell	- Aye
Mary McCarty	- Aye
Burt Aaronson	- Aye
Addie L. Greene	- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 22, 2004.

Filed with the Clerk of the Board of County Commissioners on 17 day of May, 2004.

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

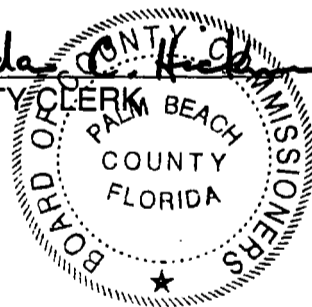


EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

THE WEST HALF OF THE TRACT 16, LESS THE NORTH 208.72 FEET AND THE NORTH 105 FEET OF THE SOUTH 376 FEET OF THE WEST 180 FEET THEREOF, SUBDIVISION OF THE SOUTH EAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 9, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS THE RIGHT OF WAY FOR MILITARY TRAIL (STATE ROAD 809)

PARCEL 2

THE NORTH 105 FEET OF THE SOUTH 376 FEET OF THE WEST 180 FEET OF SUBDIVISION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 9, PAGE 74 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3

A TRACT OF LAND DESCRIBED AS: BEGINNING AT A POINT IN THE NORTH LINE OF THE WEST HALF (W1/2) OF TRACT 16 OF THE SUBDIVISION OF THE SOUTHEAST QUARTER (SE1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THERE OF RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 9, PAGE 74, SAID POINT BEING 208.72 FEET WEST OF THE NORTHEAST CORNER OF THE WEST HALF (W1/2) OF SAID TRACT 16; THENCE SOUTHERLY, PARALLEL TO THE EAST LINE OF THE WEST HALF (W1/2) OF TRACT 16, A DISTANCE OF 208.72 FEET TO A POINT; THENCE WESTERLY ALONG A LINE PARALLEL TO THE NORTH LINE OF TRACT 16, A DISTANCE OF 124 FEET, MORE OR LESS, TO THE WEST LINE OF TRACT 16; THENCE NORTH ALONG THE WEST LINE OF TRACT 16, A DISTANCE OF 208.72 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID TRACT 16; THENCE EASTERLY ALONG THE NORTH LINE OF TRACT 16, A DISTANCE OF 129 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

TOGETHER WITH A RIGHT OF EGRESS AND INGRESS OVER THE EAST 20 FEET OF THE WEST HALF (W1/2) OF TRACT 16, LESS THE NORTH 208.72 FEET THEREOF, AND OVER THE SOUTH 20 FEET OF THE NORTH 228.72 FEET SAID WEST HALF (W1/2) OF SAID TRACT 16.

EXHIBIT B
VICINITY SKETCH

