

RESOLUTION NO. R-2004-0734

RESOLUTION APPROVING ZONING PETITION PDD2003-007A  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT (PDD)  
PETITION OF CATHERINE MOORE TRUSTEE; WILLIAM LASSITER, TRUSTEE;  
AND GEORGE T. ELMORE, TRUSTEE  
BY KILDAY & ASSOCIATES, INC., AGENT  
(MISSION LAKES MUPD)

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 PDD2003-007A 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) with approved conditions 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) with approved conditions 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) with approved conditions 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) with approved conditions 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 PDD2003-007A, the petition of Catherine Moore Trustee; William Lassiter, Trustee; And George T. Elmore, Trustee, by Kilday & Associates, Inc., agent, for an Official Zoning Map Amendment to a Planned Development District rezoning from the Community Commercial Zoning District to the Multiple Use Planned Development 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, subject to the conditions of approval described in EXHIBIT C of DOA2003-077A.

Commissioner Masilotti moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	-	Aye
Tony Masilotti, Vice Chairman	-	Aye
Jeff Koons	-	Aye
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

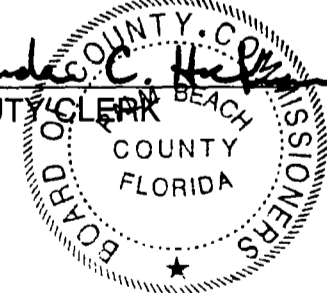


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF TRACTS 41 AND 42, BLOCK 34, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; SAID PARCEL BEING SPECIFICALLY DESCRIBED AS FOLLOWS:

**BEGIN** AT THE INTERSECTION OF THE EAST LINE OF SAID TRACT 42 WITH THE NORTH RIGHT-OF-WAY LINE OF LANTANA ROAD, STATE ROAD NO. 812, SAID RIGHT-OF-WAY LINE LYING 54.00 FEET NORTHERLY OF, AS MEASURED AT RIGHT ANGLES TO, AND PARALLEL WITH THE SOUTH LINE OF SECTION 31, TOWNSHIP 44 SOUTH, RANGE 42 EAST, SAID PALM BEACH COUNTY; THENCE, NORTH 88°23'30" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 1207.56 FEET TO THE WEST LINE OF SAID TRACT 41; THENCE, NORTH 01°27'15" EAST, ALONG THE WEST LINE OF SAID TRACT 41, A DISTANCE OF 470.02 FEET TO THE NORTHWEST CORNER OF SAID TRACT 41; THENCE, NORTH 88°57'24" EAST, ALONG THE NORTH LINE OF SAID TRACTS 41 AND 42, A DISTANCE OF 1185.80 FEET TO THE NORTHEAST CORNER OF SAID TRACT 42; THENCE, SOUTH 01°02'31" EAST, ALONG THE EAST LINE OF SAID TRACT 42, A DISTANCE OF 525.44 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 13.67 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD

EXHIBIT B

VICINITY SKETCH  
(Zoning Quad Map 48)

