

RESOLUTION NO. R-2005- 0380

RESOLUTION APPROVING ZONING APPLICATION Z2004-1014
(CONTROL NUMBER 19896)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF SOUTHERN MANAGEMENT CORP
BY LAND RESEARCH MANAGEMENT, INC., AGENT
(FAMILY GOLF CENTER)

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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Petition Z2004-1014 was presented to the Board of County Commissioners at a public hearing conducted on February 24, 2005; 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 2.F (CONCURRENCY - 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 2.K.3.b (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 Z2004-01014, the petition of Southern Management Corp, by Land Research Management, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential Zoning District to the Commercial Recreation 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 February 24, 2005.

Commissioner Aaronson moved for the approval of the Resolution.

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

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

The Chairman thereupon declared that the resolution was duly passed and adopted on February 24, 2005.

Filed with the Clerk of the Board of County Commissioners on 9 day of March, 2005.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY



BY: 
DEPUTY CLERK 

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 36, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTH 1000 FEET OF THAT PART OF THE EAST QUARTER, (E 1/4), OF SAID SECTION 36, LYING NORTH OF THE OLD NORTH RIGHT-OF-WAY LINE FOR STATE ROAD 80 AS SHOWN ON THE STATE ROAD DEPARTMENT RIGHT-OF-WAY MAP FOR SECTION 9312-201, DATED 1949 AD. LESS THE EAST 435.60 FEET THEREOF. ALSO LESS THE ADDITIONAL RIGHT-OF-WAY FOR NEW STATE ROAD 80 RECORDED IN OFFICIAL RECORDS BOOK 4969, PAGES 1528-1530, SAID ADDITIONAL RIGHT-OF-WAY ALSO SHOWN ON STATE ROAD DEPARTMENT NEW RIGHT-OF-WAY MAP FOR SECTION 93120-2515.

CONTAINING: 853,122 SQUARE FEET OR 19.58 ACRES.

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

EXHIBIT B
VICINITY SKETCH

