

RESOLUTION NO. R-2006-1204

RESOLUTION APPROVING ZONING APPLICATION Z2005-1734  
(CONTROL NO. 2005-596)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF PALM BEACH COUNTY  
BY LAND DESIGN SOUTH, INC., AGENT  
(PBC WASTEWATER PUMPSTATION 9N)

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), as amended, have been satisfied; and

WHEREAS, Zoning Application Z2005-1734 was presented to the Board of County Commissioners at a public hearing conducted on June 22, 2006; 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 Application Z2005-1734, the application of Palm Beach County, by Land Design South, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Planned Unit Development Zoning District to the Public Ownership 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 June 22, 2006.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chairman thereupon declared that the resolution was duly passed and adopted on June 22, 2006.

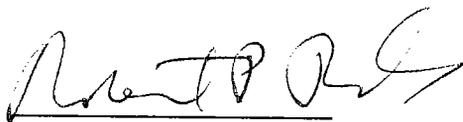
Filed with the Clerk of the Board of County Commissioners on 22nd day of June, 2006.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

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

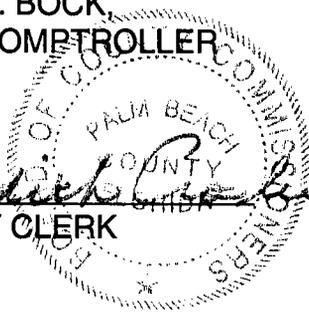


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 7, TOWNSHIP 47 SOUTH, RANGE 42 EAST, BEING A PORTION OF TRACTS 16 AND 17 OF BLOCK 74 OF A PALM BEACH FARMS COMPANY PLAT NO. 3<sup>RD</sup> RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWEST CORNER OF THE PLAT OF FOUR FORTY ONE ASSOCIATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 81, PAGES 177 AND 178, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG THE NORTH BOUNDARY OF SAID PLAT NORTH 89 DEGREES 39' 08" EAST, A DISTANCE OF 120.00 FEET TO A LINE 120.00 FEET EAST OF AND PARALLEL WITH THE EAST RIGHT OF WAY LINE OF STATE ROAD 7 (U.S. 441) AND **THE POINT OF BEGINNING.**

THENCE ALONG SAID PARALLEL LINE NORTH 00 DEGREES 48' 47" WEST, A DISTANCE OF 320.01 FEET TO A LINE 320.00 FEET NORTH OF AND PARALLEL WITH THE NORTH BOUNDARY OF SAID PLAT OF FOUR FORTY ONE ASSOCIATES; THENCE ALONG THE SAID PARALLEL LINE NORTH 89 DEGREES 39' 08" EAST, A DISTANCE OF 223.00 FEET; THENCE SOUTH 45 DEGREES 20' 53" EAST, A DISTANCE OF 125.00 FEET; THENCE SOUTH 44 DEGREES 39' 07" WEST, A DISTANCE OF 103.50 FEET; THENCE SOUTH 10 DEGREES 56' 04" WEST, A DISTANCE OF 161.55 FEET TO THE NORTH BOUNDARY OF SAID PLAT OF FOUR FORTY ONE ASSOCIATES; THENCE ALONG THE NORTH BOUNDARY OF SAID PLAT SOUTH 89 DEGREES 39' 08" WEST, A DISTANCE OF 204.00 FEET TO **THE POINT OF BEGINNING.**

CONTAINING: 1.81 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS AND /OR RIGHTS-OF-WAY OF RECORD

EXHIBIT B

VICINITY SKETCH

