

RESOLUTION NO. R-2009- 0008

RESOLUTION APPROVING ZONING APPLICATION Z-2008-01368  
(CONTROL NO. 2008-00291)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF BOYNTON BEACH  
BY KILDAY & ASSOCIATES, INC., AGENT  
(HYDER PRESERVE B )

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 Application Z-2008-01368 was presented to the Board of County Commissioners at a public hearing conducted on January 8, 2009; 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. 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.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Z-2008-01368, the application of Boynton Beach, by Kilday & Associates, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AGR-PUD Zoning District to the AGR 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 January 8, 2009.

Commissioner Marcus 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:

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Absent
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary McCarty	-	Absent
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on January 8, 2009.

Filed with the Clerk of the Board of County Commissioners on January 13, 2009.

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

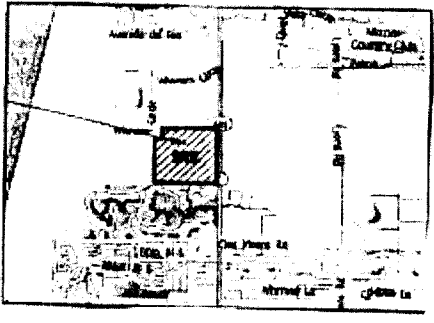

### LEGAL DESCRIPTION

BEING ALL OF TRACTS 17 THROUGH 23, TRACTS 26 THROUGH 32 AND TRACTS 41 THROUGH 47, A PORTION OF TRACTS 1 THROUGH 8, 16, 24, 25, 33, 40 AND 48, BLOCK 69, ACCORDING TO THE PLAT OF PALM BEACH FARMS CO. PLAT NO. 3 AS RECORDED IN PLAT 2, PAGES 45 THROUGH 54, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, AND A PORTION OF THOSE ROAD, DYKE AND DITCH RESERVATIONS, 30.00 FEET IN WIDTH, LYING BETWEEN SAID TRACTS 16 THROUGH 24 AND SAID TRACTS 25 THROUGH 33 AND LYING BETWEEN SAID TRACT 8 AND TRACT 9, SAID BLOCK 69, SAID TRACTS 16 AND 17, SAID TRACTS 32 AND 33 AND SAID TRACTS 40 AND 41, ALL LYING WITHIN BLOCK 69, SAID PLAT OF PALM BEACH FARMS CO. PLAT NO. 3, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 41 EAST; THENCE NORTH 89°25'29" EAST, ALONG THE SOUTH LINE OF SAID SECTION 25 ESTABLISHED BY PALM BEACH COUNTY PRIOR TO 1994, A DISTANCE OF 5060.85 FEET; THENCE SOUTH 01°06'45" EAST, A DISTANCE OF 207.01 FEET TO THE POINT OF BEGINNING OF HEREIN DESCRIBED PARCEL; THENCE SOUTH 01°06'45" EAST, ALONG THE WEST RIGHT-OF-WAY OF STATE ROAD 7 AS DESCRIBED IN OFFICIAL RECORDS BOOK 10622, PAGE 830, SAID PUBLIC RECORDS, FOR THE FOLLOWING THREE COURSES, A DISTANCE OF 1,155.49 FEET; THENCE SOUTH 01°48'05" EAST, A DISTANCE OF 30.01 FEET; THENCE SOUTH 01°28'29" EAST, A DISTANCE OF 1,320.38; THENCE, DEPARTING SAID RIGHT-OF-WAY, SOUTH 89°34'36" WEST, ALONG THE SOUTH LINE OF SAID TRACTS 40 THROUGH 48, A DISTANCE OF 2,857.31 FEET; THENCE NORTH 00°22'42" WEST, A DISTANCE OF 2,011.82 FEET; THENCE NORTH 89°36'38" EAST, ALONG THE SOUTH LINE OF SAID TRACT 9, A DISTANCE OF 339.07 FEET; THENCE NORTH 00°22'32" WEST, ALONG THE EAST LINE OF SAID TRACT 9, A DISTANCE OF 487.36 FEET; THENCE NORTH 89°25'29" EAST, A DISTANCE OF 2,477.42 FEET; TO THE POINT OF BEGINNING.

CONTAINING 159.035 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

EXHIBIT B PALM BEACH COUNTY VICINITY SKETCH / ZONING		
		
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