

RESOLUTION NO. R-2009-0489

RESOLUTION APPROVING ZONING APPLICATION ABN/Z/CA-2008-00447  
(CONTROL NO. 1995-00003)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
APPLICATION OF West Jupiter Community Group Inc  
BY Cotleur & Hearing, Inc., AGENT  
(West Jupiter Community 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 Application ABN/Z/CA-2008-00447 was presented to the Board of County Commissioners at a public hearing conducted on March 30, 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 ABN/Z/CA-2008-00447, the application of West Jupiter Community Group Inc, by Cotleur & Hearing, Inc., agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential Transitional Urban (RTU) Zoning District to the Residential Single-Family (RS) 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 March 30, 2009.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 30, 2009.

Filed with the Clerk of the Board of County Commissioners on April 2, 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

LEGAL DESCRIPTION (ORB 8363, PAGE 1704 & ORB 3866, PAGE 1495)

(NOTE: This description in ORB 8363, Page 1704 is the most current recorded in the public records, however, it uses the description in ORB 3866, Page 1495, which was found to be in error and was corrected by ORB 6727, Page 1423. The current deed should be corrected to that description shown in ORB 6727, Page 1423.)

The South 1/4 of the Southeast 1/4 of the Southeast 1/4, less the East 902.37 feet and the West 205 feet thereof in Section 33, Township 40 South, Range 42 East, lying and being in Palm Beach County, Florida.

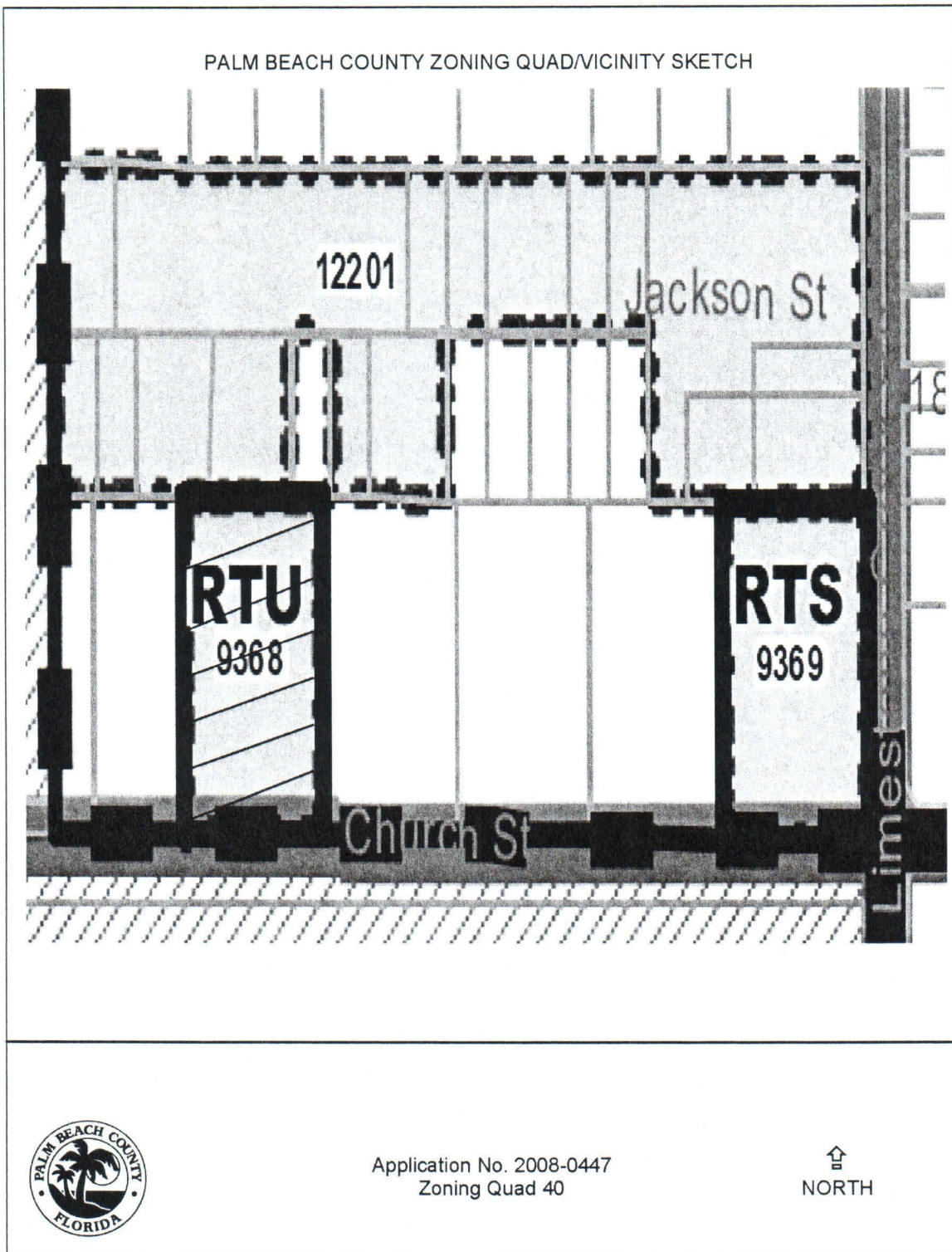
LEGAL DESCRIPTION (ORB 6727, PAGE 1423)

(NOTE: This is a corrective description to that recorded in ORB 3866, Page 1495 and was used as a basis for this survey. This description is in agreement with neighbor's deed to east and west of property.)

Parcel "E" The West 212.71' of the East 1115.08' of the South 10 Acres, more or less, of the SE <sup>1</sup>/<sub>4</sub> of the SE <sup>1</sup>/<sub>4</sub> of Section 33, Township 40 S., Range 42 E., Palm Beach County, Florida Subject to an easement for ingress and egress over the South 30' Together with an easement for ingress and egress over the South 30' of the East 902.37' of said Section 33.

EXHIBIT B

VICINITY SKETCH



Application No. 2008-0447  
Zoning Quad 40

↑  
NORTH