

RESOLUTION NO. R-2014- 1227

RESOLUTION APPROVING ZONING APPLICATION Z-2014-00661
(CONTROL NO. 2003-30365)
an Official Zoning Map Amendment
APPLICATION OF Kunnemann Roy G Tr
BY Gentile Glas Holloway O'Mahoney & Assoc Inc., AGENT
(Kunnemann Rezoning)

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;

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;

WHEREAS, Zoning Application Z-2014-00661 was presented to the Board of County Commissioners at a public hearing conducted on August 28, 2014;

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;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

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-2014-00661, the application of Kunnemann Roy G Tr, by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) 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 August 28, 2014.

Commissioner Vana moved for the approval of the Resolution.

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

Commissioner Priscilla A. Taylor, Mayor	- Aye
Commissioner Paulette Burdick, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Shelley Vana	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Aye
Commissioner Jess R. Santamaria	- Aye

This resolution shall only become effective upon the adoption of a resolution approving Planning Application SCA-2014-00011 by the Board of County Commissioners.

Filed with the Clerk of the Board of County Commissioners on August 29th, 2014

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
FLORIDA



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF WEST 0.43 ACRE OF SURVEYED PARCEL:

A parcel of land lying in Section 4, Township 42 South, Range 43 East, Palm Beach County, Florida, being more particularly as follows:

Commencing at the point of intersection of the centerline of State Road No. 5 (U. S. Highway No. 1) with the South line of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4; thence Northerly along the centerline of said State Road No. 5 a distance of 700.0 feet to point; thence Westerly, parallel with said South line of the Northwest Quarter, a distance of 315.26 feet to the **POINT OF BEGINNING** of the herein after described parcel; thence continue Westerly, along the same bearings as the preceding course, a distance of 191.54 feet to a point; thence Northerly, parallel with said centerline of State Road No. 5 a distance of 100.00 feet to a point; thence Easterly, parallel with said South line of the Northwest Quarter, a distance of 191.54 feet to a point; thence Southerly, parallel with said centerline, a distance of 100.0 feet to the **POINT OF BEGINNING**.

Containing in all 0.43 acre, more or less.

EXHIBIT B
VICINITY SKETCH

LOCATION MAP

N.T.S.

