

RESOLUTION NO. R-94-12

RESOLUTION APPROVING ZONING PETITION **285-113(B)**
OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF WILLIAM & DAPHNE CLEVE

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 hearing requirements, as provided for in Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance **92-20**), have been satisfied; and

WHEREAS, Zoning Petition **285-113(B)** was presented to the Board of County Commissioners at a public hearing conducted on January 3, 1994; 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 made 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 Land Development Code;
3. This official zoning **map** amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County 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 11, (Adequate Public Facilities) of the Palm Beach County Land Development Code, Ordinance 92-20; and,
7. This official zoning **map** amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of **County** Commissioners) of the Palm Beach County 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 **Z85-113(B)** the petition of William & Daphne Cleve for a OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Single-Family Residential (RS) ZONING DISTRICT to the Community Commercial (CC) ZONING DISTRICT with a CONDITIONAL OVERLAY ZONE (COZ) 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 3, 1994, subject to the conditions of the Conditional Overlay Zone described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Absent
Ken Foster	--	Absent
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Aye
Warren Newell	--	Abstain
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 3rd day of January, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

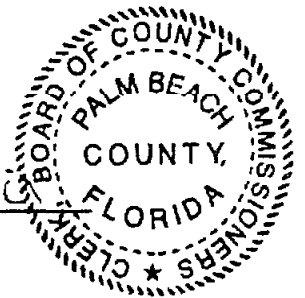
DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



QUARTER OF SAID SECTION 4, A DISTANCE OF 223.50 FEET; THENCE **S02°18'16"E** PARALLEL WITH SAID EASTERLY RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD A DISTANCE OF 293.60 FEET; THENCE **N90°00'00"W** ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF HYPOLUXO ROAD (108 FEET WIDE) A DISTANCE OF 199.46 FEET; THENCE **N46°09'08"W** A DISTANCE OF 34.64 FEET; THENCE **N02°18'16"W** ALONG THE "EASTERLY" RIGHT-OF-WAY LINE OF HIGH RIDGE ROAD A DISTANCE OF 270.21 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.500 ACRES.

SFRN PROJECT 193,051
AUGUST 11, 1993

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