

RESOLUTION NO. R-98-1313

RESOLUTION APPROVING ZONING PETITION Z98-42  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF BRUCE K. GREENFIELD & CHARLES E. VALLOVICH  
BY ROBERT E. BASEHART, AGENT  
(SOUTHERN RETAIL)

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 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z98-42 was presented to the Board of County Commissioners at a public hearing conducted on August 27, 1998; 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 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 11 (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 5, Section 5.3.D.9 (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 Petition Z98-42, the petition of Bruce K. Greenfield & Charles E. Vallovich, by Robert E. Basehart, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) 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 27, 1998, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on August 27, 1998.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

Burt Aaronson  
COUNTY ATTORNEY

BY:

Joan Wilken  
DEPUTY CLERK

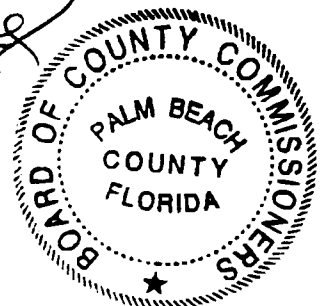


EXHIBIT A

LEGAL DESCRIPTION

**THE EAST 425.51 FEET OF THE WEST 486.41 FEET OF THE SOUTH 331 FEET OF LOT 8, BLOCK I, LOXAHATCHEE GROVES, PLAT BOOK 12, PAGE 29, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LESS THE RIGHT-OF-WAY FOR STATE ROAD 80 AS RECORDED IN DEED BOOK 1005, PAGE 577 AND LESS THAT PART DESCRIBED IN AN ORDER OF TAKING RECORDED IN OFFICIAL RECORD BOOK 5463, PAGE 1130, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**THAT PART OF TRACT 8 IN BLOCK I OF SAID PLAT OF LOXAHATCHEE GROVES, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 41 EAST; THENCE SOUTH 01 DEGREES 21 MINUTES 04 SECONDS WEST, A DISTANCE OF 3415.35 FEET TO THE BASELINE OF SURVEY FOR STATE ROAD 80; THENCE SOUTH 88 DEGREES 26 MINUTES 59 SECONDS EAST, A DISTANCE OF 1240.33 FEET; THENCE NORTH 01 DEGREE 33 MINUTES 01 SECONDS EAST, A DISTANCE OF 50.00 FEET TO THE NORTHERLY EXISTING RIGHT-OF-WAY FOR STATE ROAD 80 AND THE POINT OF BEGINNING; THENCE NORTH 01 DEGREE 50 MINUTES 45 SECONDS EAST, A DISTANCE OF 120.0 FEET; THENCE NORTH 88 DEGREES 26 MINUTES 59 SECONDS WEST, A DISTANCE OF 680.23 FEET; THENCE SOUTH 02 DEGREES 10 MINUTES 35 SECONDS WEST, A DISTANCE OF 120.01 FEET TO THE NORTHERLY EXISTING RIGHT-OF-WAY FOR STATE ROAD 80; THENCE SOUTH 88 DEGREES 26 MINUTES 59 SECONDS EAST, A DISTANCE OF 680.92 FEET TO THE POINT OF BEGINNING.**

**SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHT-OF-WAY, AND COVENANTS OF RECORD.**