

RESOLUTION NO. R-2002- 0293

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 86-62B.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-97-8
WHICH APPROVED THE SPECIAL EXCEPTION OF
M. TRAIL, INC.
PETITION NO. 86-62B

WHEREAS, the Board of County Commissioners, as the governing body, 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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 86-62B.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 28, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 86-62B.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The special exception is not consistent with the Unified Land Development Code because it has not been reviewed for consistency with Section 6.6.E. "Architectural Guidelines" of the Unified Land Development Code.
2. With the new condition of approval requiring the project to be certified for compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, the conditional use will be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 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 the recommendation of Status Report No. SR 86-62B.2, to amend Conditions of Approval of Resolution No. R-97-8, the Special Exception of M. Trail, Inc., Petition No. 86-62B, which approved a Development Order Amendment for a self-storage facility and vehicle rental (requested uses) on property legally described in Exhibit A, being located on the west side of Military Trail approximately 0.25 mile south of Cresthaven Blvd. in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner **Marcus** moved for approval of the Resolution.

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

WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Absent
MARY MCCARTY	—	Aye

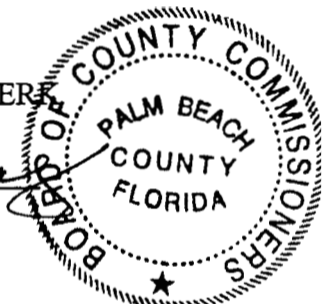
The Chair thereupon declared the resolution was duly passed and adopted this 28 day of February, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: [Signature]
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 12 day of March, 2002.

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

Beginning at the Northeast corner of the Southeast quarter of the Southeast quarter of the Southwest quarter, also known as Tract 16 of Section 13, Township 44 South, Range 42 East, Palm Beach County, Florida; thence run South along the quarter section line, a distance of 330.00 feet; thence run West, parallel to the North boundary of said quarter section, a distance of 630.00 feet; thence run North, parallel to the East boundary of said quarter section, a distance of 198.00 feet; thence run East, parallel to the North boundary of said quarter section, a distance of 50.00 feet; thence run North, parallel to the East boundary of said quarter section, a distance of 66.00 feet; thence run East, parallel to the North boundary of said quarter section, a distance of 298.00 feet; thence run North, parallel to the East boundary of said quarter section, a distance of 66.00 feet to a point on the North boundary line of the Southeast quarter of the Southeast quarter of the Southwest quarter, said point also on the South line of Lot 22, plat of Veldor, as recorded in Plat Book 23, Page 50, Public Records of Palm Beach County, Florida; thence run North, parallel to the East boundary of said quarter section, a distance of 33.00 feet; thence run East, parallel to the North boundary of said quarter section, a distance of 282.00 feet to a point on the East line of the Southwest quarter of Section 13; thence run South along the quarter section line, a distance of 33.00 feet to the Point of Beginning.

Less and except therefrom the East 53.00 feet for Military Trail right of way.

Being 3.94 acres more or less.