

RESOLUTION NO. R-96-1186'

RESOLUTION APPROVING ZONING PETITION PDD96-45
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF UNITED STOR-ALL CENTERS INC.
BY ELLEN SMITH, AGENT
(OKEECHOBEE STOR-ALL)

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 Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD96-45 was presented to the Board of County Commissioners at a public hearing conducted on August 22, 1996; 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) of the Palm Beach County Unified 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 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 PDD96-45, the petition of United Stor-All Centers Inc. by Ellen Smith, agent, for an Official Zoning Map Amendment from General Commercial (CG) and Residential Medium Density (RM) to Multiple Use Planned Development (MUPD) with self-service storage and vehicle rental (requested uses) 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 22, 1996, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on August 22, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Robert Altman*
COUNTY ATTORNEY

BY: *Joan Hawley*
DEPUTY CLERK

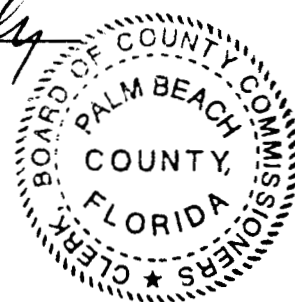


EXHIBIT A
LEGAL DESCRIPTION

EXHIBIT "A"

OKEECHOBEE STOR-ALL

LEGAL DESCRIPTION

LOTS 1, 2, AND 34 BREEZY ACRES, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 24, PAGE 48.

TOGETHER WITH:

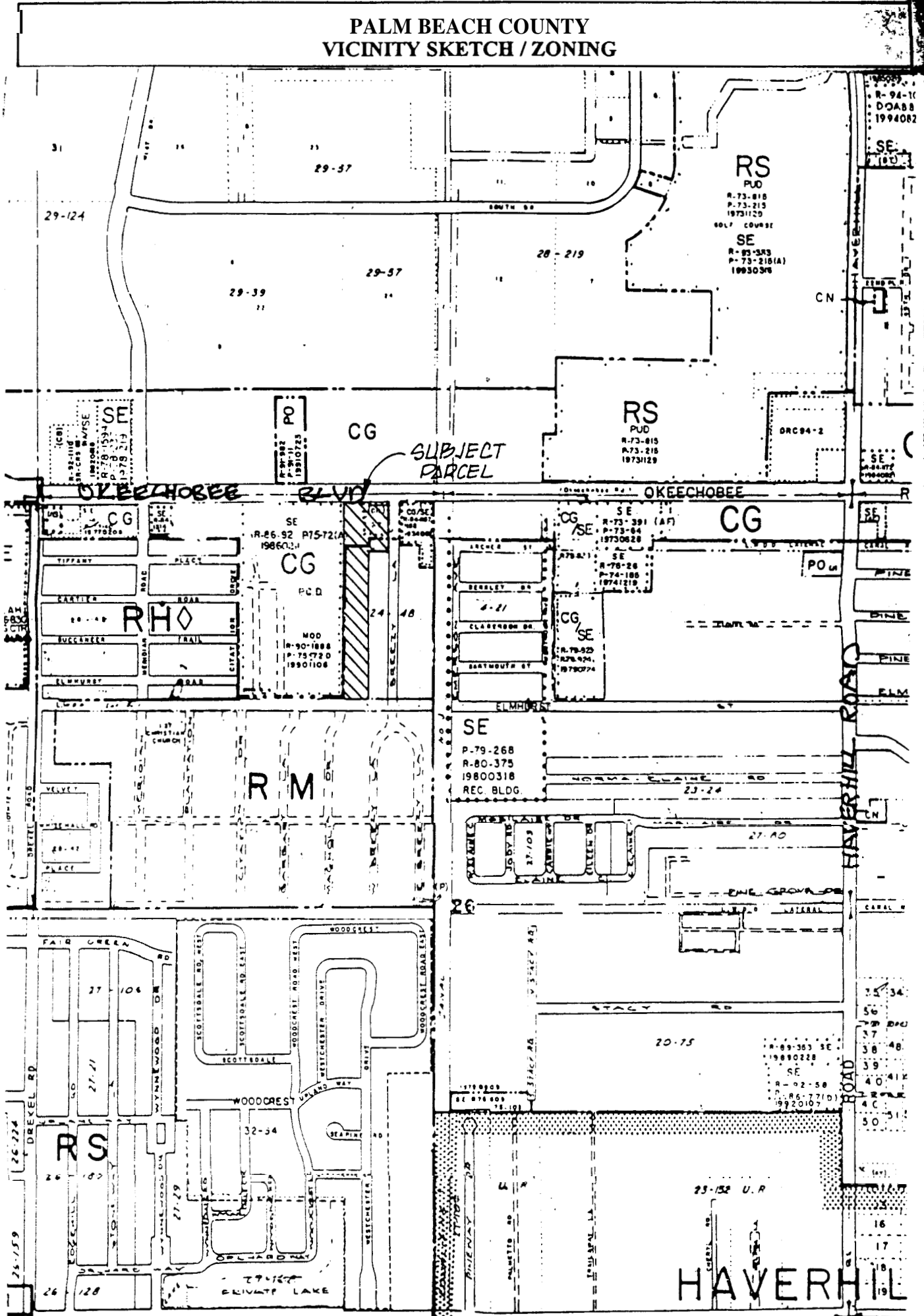
THE WEST ONE-HALF OF THE WEST ONE-HALF OF THE EAST ONE-HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA.

OFF-SITE PARCEL (not a portion of the MUPD)

LOT 33 BREEZY ACRES, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 24, PAGE 48.

EXHIBIT B

PALM BEACH COUNTY
VICINITY SKETCH / ZONING



Petition Number: 96-45
 Zoning Quad Page _____
 Date: _____



EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. Resolution R-85-252 (Petition 84-108A) is hereby revoked. (ONGOING: MONITORING-Zoning)
2. Development of the site is limited to the uses and site design approved by the Board of County Commissioners (site plan dated August 14, 1996). All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

B. BUILDING AND SITE DESIGN

1. All buildings shall be limited to one story, except for the caretaker's quarters which shall be limited to two (2) stories. (DRC/BLDG: ZONING)
2. The minimum setback for all buildings shall be thirty (30) feet from the north and east property lines and two hundred and fifty (250) feet from the south property line. (DRC: ZONING)
3. The maximum height for the self service storage buildings shall not exceed fifteen (15) feet. (BLDG PERMIT: BLDG - Zoning)
4. Openings shall not be permitted in the eight (8) foot screen wall or in the perimeter facade of the self service storage buildings, except required emergency exits. (BLDG PERMIT: BLDG)
5. Similar architectural character and treatment shall be provided on building facades facing perimeter property lines and rights of way. (BLDG PERMIT: BLDG - Zoning)
6. All air conditioning and mechanical equipment shall be screened from view and not visible from any property line. Screening shall consist of a visually opaque barrier consistent with the color, character and architectural style of the principal structure. (CO: BLDG - Zoning)

C. LIGHTING

1. All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO/ONGOING: BLDG/CODE ENF - Zoning)
2. All outdoor lighting fixtures shall not exceed twenty five (25) feet in height, measured from finished grade to highest point. (CO: BLDG - Zoning)
3. All outdoor lighting shall be extinguished no later than 10:00 p.m., excluding security lighting only. (ONGOING: CODE ENF)

D. SIGNAGE

1. Signage for the petition shall be limited as follows:
 - a. Maximum sign height, measured from curb to highest point - fifteen (15) feet;

- b. Maximum sign face area = 100 square feet;
- c. Maximum number of signs = one (1);
- d. Style = monument style only; and,
- e. Location = northwest corner of Breezy Lane and Okeechobee Boulevard.
- f. No additional Signage shall be permitted. (CO: BLDG)

E. ENGINEERING

- 1. The property owner shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed for Okeechobee Boulevard, 76.02 feet from centerline prior to the issuance of the first Building Permit. Right of way conveyance shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (BLDG PERMIT: . MONITORING/ENG)
- 2. The property owner shall submit a boundary plat of the subject property to the Land Development Division prior to the issuance of a Building Permit. (BLDG PERMIT: MONITORING = Eng)
- 3. This boundary plat shall be recorded prior to the issuance of a certificate of occupancy. (CO: MONITORING = Eng)

F. LANDSCAPING

- 1. All trees required to be planted shall be native evergreen species and meet the following minimum standards at time of installation:
 - a. Tree height: fourteen (14) feet.
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
 - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length. (CO: LANDSCAPE-Zoning)
- 2. All palms required to be planted shall be native species and meet the following minimum standards at time of installation:
 - a. Palm heights: twelve (12) feet grey wood.
 - b. Clustering: staggered heights twelve (12) to eighteen (18) feet.
 - c. Pruning: minimum six (6) fronds, no clipped or spiked cuts. (CO: LANDSCAPE-Zoning)

G. LANDSCAPING ALONG NORTH PROPERTY LINE (OKEECHOBEE BOULIVARD FRONTAGE)

- 1. Landscaping and buffering along the north property line shall be upgraded to include:
 - a. A minimum thirty (30) foot wide landscape buffer strip.
 - b. A continuous three (3) foot high berm with the height of berm measured from the top of curb. (CO/DRC: LANDSCAPE = Zoning)

- c. One (1) canopy tree for each twenty (20) linear feet of perimeter property line with a maximum spacing of thirty (30) feet on center.
- d. One (1) palm for each thirty (30) linear feet perimeter property line with a maximum spacing of sixty (60) feet between clusters.
- e. Twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches, (CO: LANDSCAPE-Zoning)

H. LANDSCAPING ALONG EAST PROPERTY LINE (BREEZY LANE FRONTAGE)

- 1. Landscaping and buffering along the east property line frontage between the office building and Breezy Lane shall be upgraded to include:
 - a. A minimum thirty (30) foot wide landscape buffer strip.
 - b. A continuous three (3) foot high berm with the height of berm measured from the top of curb. (CO/DRC: LANDSCAPE - Zoning)
 - c. One (1) canopy tree for each twenty (20) linear feet of perimeter property line with a maximum spacing of thirty (30) feet on center.
 - d. One (1) palm for each thirty (30) linear feet perimeter property line with a maximum spacing of sixty (60) feet between clusters.
 - e. Twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches. (CO: LANDSCAPE-Zoning)

I. LANDSCAPING ALONG THE EAST PROPERTY LINE (ABUTTING RESIDENTIAL)

- 1. Landscaping and buffering along the east property line between the storage buildings and the adjacent residential districts shall be upgraded to include!
 - a. Minimum thirty (30) foot wide landscape buffer strip;
 - b. One (1) canopy tree planted for each twenty (20) linear feet of property line;
 - c. One (1) palm for each thirty (30) linear feet of property line;
 - d. Thirty (30) inch high shrub/hedge material maintained at a minimum height of forty-eight (48) inches. (CO: LANDSCAPE-Zoning)

J. LANDSCAPING ALONG THE WEST PROPERTY LINE (ADJACENT TO PALM BEACH OUTLET CENTER)

- 1. Landscaping and buffering along the west property line shall be provide a minimum:
 - a. One (1) canopy tree for each thirty (30) linear feet of perimeter property line with a maximum spacing of thirty (30) feet on center.
 - b. Extend seven (7) foot high concrete louver wall along west property line to the southwest corner of northernmost building.

- c. Thirty six (36) inch high shrub or hedge material spaced no more than twenty four (24) inches on center and maintained at a minimum height of thirty six (36) inches. (CO: LANDSCAPE-Zoning)

K. LANDSCAPING AROUND RETENTION AREAS

1. Landscaping and buffering shall be installed to separate adjacent uses from the retention areas as follows:
 - a. A minimum of eighteen (18) foot landscape buffer shall be installed to separate all retention areas from adjacent uses;
 - b. A six (6) foot high colored vinyl coated chain link fence shall be installed inside of the property line surrounding all retention areas. These fences shall connect to buildings and prevent access from the property to the area behind the adjacent homes. All required landscaping shall be installed on the exterior side of the proposed fences.
 - c. One (1) canopy tree planted for each thirty (30) linear feet of fence;
 - d. One (1) palm tree for each thirty (30) linear feet of fence;
 - e. An evergreen climbing vine shall be planted on the fence at twenty (20) feet on center and maintained at the height of the fence. (CO: LANDSCAPE - Zoning)

L. USE LIMITATIONS

1. The location and total number of rental vehicles shall be limited to the 10 spaces along the south edge of pavement. The Petitioner shall extend the eight (8) foot high screen wall along the east and south sides of the rental vehicle area to provide screening from the residential areas. (ONGOING: CODE ENF - Zoning)
2. No outside storage of disassembled vehicles or parts shall be permitted on site. (ONGOING: CODE ENF)
3. There shall be no vehicle maintenance or repairs permitted on site. (ONGOING: CODE ENF)
4. No advertising flags, foreign flags, pennants, banners, streamers, balloons, objects, gimmicks or similar signs designed to attract the attention of the general public shall be permitted outdoors on any building, vehicle or wall except as provided by a Special Permit. (ONGOING: CODE ENF)

M. COMPLIANCE

1. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; and/or

- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.
(MONITORING)