

RESOLUTION NO. R-2004- 0716

RESOLUTION APPROVING ZONING PETITION PDD1989-127D  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT (PDD)  
PETITION OF JOG STORAGE ASSOC. LLC, TROMBLE & CO. INC.  
BY KILDAY & ASSOCIATES INC, AGENT  
(WATERFORD CROSSING)

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 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Petition PDD1989-127D was presented to the Board of County Commissioners at a public hearing conducted on April 22, 2004; 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 has considered the findings in the staff report and 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) with approved conditions 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) with approved conditions 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) with approved conditions 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) with approved conditions is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 2.K.3.b (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 PDD1989-127D, the petition of Jog Storage Assoc. LLC, Tromble & Co. Inc. by Kilday & Associates Inc, agent, for an Official Zoning Map Amendment to a Planned Development District for a rezoning from the Light Industrial Zoning District to the Multiple Use Planned Development 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 April 22, 2004, subject to the conditions of approval described in EXHIBIT C of DOA1989-127D.

Commissioner Newell moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	-	Aye
Tony Masilotti, Vice Chairman	-	Absent
Jeff Koons	-	Absent
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Addie L. Greene	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 22, 2004.

Filed with the Clerk of the Board of County Commissioners on 17 day of May, 2004.

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

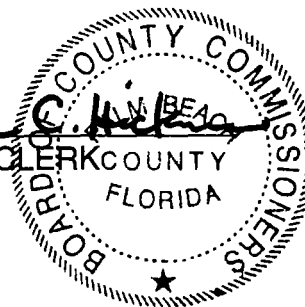


EXHIBIT A

LEGAL DESCRIPTION

Parcel 1, 2, 3, 4 and 5, **WATERFORD CROSSINGS, A P.C.D.**, 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 66, Page 118.

**AND**

**PARCEL 1**

Tract 25, **PALM BEACH FARMS CO. PLAT NO. 9**, according to the Plat thereof on file in Public Records of Palm Beach County, Florida; in Plat Book 5, page 58, less and except there from the following parcel:

**A-** the East 140 feet thereof, **B-** commencing at the Northeast corner of said Tract 25, thence Westerly along the North line of said Tract 25, a distance of 140 feet to the **POINT OF BEGINNING**; thence Southerly along a line parallel with and 140 feet Westerly from the aforesaid East line of Tract 25, a distance of 616.40 feet; thence Westerly to a point in the West line of aforesaid Tract 25 and 631.40 feet Southerly from Northwest corner of said Tract 25; **THENCE NORTHERLY ALONG THE SAID WEST LINE OF TRACT 25** to Northwest corner thereof; thence Easterly along the North line of said Tract 25, a distance of 520.40 feet to the **POINT OF BEGINNING**; **C-** subject to easements of rights of way of record and subject to an easement for ingress, egress over the dirt road now in use, running diagonally Southwest from Okeechobee Road, said easements to be personal to the grantees and to expire after 60 days written notice from the Grantors or in the event of the voluntary or involuntary disposition of the premises of the grantees, Less the following portion thereof:

A portion of Tract 25, **PALM BEACH FARMS COMPANY'S PLAT NO. 9**, 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 5, Page 58.

Commencing at the Northeast corner of said Tract 25, thence run Westerly 140.00 feet along the North line of said Tract 25 to a Point; thence run Southerly 616.40 feet along the a line 140.00 feet West of and parallel to the East line of said Tract 25 to the **POINT OF BEGINNING**; thence run Westerly 520.45 feet along a line 298.51 feet North of and parallel with the South line of said Tract 25 to a Point; thence run Northerly 5.09 feet along the West line of said Tract 25 to a point 630.40 feet South of the Northwest corner of said Tract 25; thence run Easterly 520.48 feet to the **POINT OF BEGINNING**

**PARCEL 2**

A parcel of land lying in Tracts 25 and 26, Block 1, of **PALM BEACH FARMS CO. PLAT NO. 9**, as recorded in Plat Book 5, page 58, of the Public Records of Palm Beach County, Florida, being described as follows:

**Commencing** at a found Palm Beach County Brass Disk at the Northwest corner of Section 27, Township 43 South, Range 42 East, in said Palm Beach County; thence South 88° 45' 24" East along the North line of said section, a distance of 126.03 feet, to its intersection with the centerline of Jog Road; thence South 00° 56' 48" East, along the said centerline, a distance of 105.04 feet, to its intersection with the South line of lands described in Official Record Book 1994, Page 1610, of the said Public Records; thence North 88° 45' 24" West along said South line a distance of 64.05 feet to the intersection with the West Right-of-Way line of Jog Road; thence South 0° 58' 52" East along said Westerly Right-of-Way line a distance of 482.74 feet to the **POINT OF BEGINNING** and to the beginning of a non-tangent curve, said curve being concave Northeasterly with a radius of 1024.92 feet and a chord bearing of South 17° 42' 23" East; thence Southeasterly along the arc of said curve and along said Westerly Right-of-Way line, a distance of 377.69 feet

through a central angle of  $21^{\circ} 06' 51''$  to the North line of a 30.00 foot wide platted road Right-of-Way according to the Plat of the **PALM BEACH FARMS CO. PLAT NO. 9**, recorded in Plat Book 5, Page 58, of said Public Records and to the South line of the lands described in Official Record Book 3777, Page 1961 of said Public Records; thence South  $89^{\circ} 03' 03''$  West along said South line a distance of 108.29 feet to the West line of said lands described in Official Record Book 3777, Page 1961; thence North  $0^{\circ} 58' 52''$  West along said West line a distance of 359.81 feet to the **POINT OF BEGINNING**.

**LESS AND EXCEPT** the following described portion thereof:

**BEGIN** at the Southwest corner of said lands described in Official Record Book 3777, Page 1961; thence North  $0^{\circ} 58' 52''$  West along the West line of said lands, a distance of 5.00 feet to a point; thence North  $89^{\circ} 03' 37''$  East, parallel with the South line of said Tract 25, a distance of 65.54 feet to a point; thence North  $31^{\circ} 40' 29''$  East a distance of 42.12 feet to a point on said Westerly Right-of-Way line of Jog Road and a point on a curve concave to the East, having a radius of 1024.92, a central angle  $2^{\circ} 31' 06''$  and a radial bearing at this point of North  $84^{\circ} 17' 20''$  East; thence Southerly along the arc of said curve a distance of 45.05 feet to a point on said South line of Tract 25; thence South  $89^{\circ} 03' 37''$  West, along said South line, a distance of 108.01 feet to the **POINT OF BEGINNING**.

**AND**

A portion of Parcel 3, **WATERFORD CROSSINGS, A P.C.D.**, according to the map or plat thereof as recorded in Plat Book 66, Pages 118 and 119, Public Records of Palm Beach County, Florida, being more particularly described as follows:

**COMMENCE** at the Northeast corner of Parcel 3; thence South 00 degrees 56 minutes 52 seconds East along the East line of said Parcel 3, for a distance of 41.15 feet to the **POINT OF BEGINNING**; thence South 00 degrees 56 minutes 52 seconds East along the Westerly Right-of-Way line of Jog Road for 304.71 feet to the Southeast corner of said Parcel 3; thence South 89 degrees 03 minutes 08 seconds West for 221.66 feet to the Southwest corner of said Parcel 3; thence North 00 degrees 56 minutes 52 seconds West for 354.34 feet to the Northwest corner of said Parcel 3 said Point being on the Southerly Right-of-Way line of Okeechobee Boulevard; thence South 88 degrees 45 minutes 24 seconds East, along said Southerly Right-of-Way line for 180.67 feet to a point; thence South 44 degrees 50 minutes 06 seconds East for 59.28 feet to the **POINT OF BEGINNING**.

All of the above lying and being in Section 27 and 28, Township 43 South, Range 42 East, Palm Beach County, Florida.

EXHIBIT B  
VICINITY SKETCH

