

RESOLUTION NO. R-2005- 1402

RESOLUTION APPROVING ZONING APPLICATION Z2005-022
(CONTROL NO. 2005-006)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF MNR LULL INC.
BY RICHARD W. CARLSON, JR. ESQ, AGENT
(LAKE WORTH EXPRESS CAR WASH)

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

WHEREAS, Zoning Application Z2005-022 as presented to the Board of County Commissioners at a public hearing conducted on July 28, 2005; 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) 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 2.F (CONCURRENCY - 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 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 Application Z2005-022, the application of MNR Lull Inc., by Richard W. Carlson, Jr. Esq, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Neighborhood Commercial and Multi-Family Residential District to the General Commercial 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 July 28, 2005.

Commissioner MARCUS moved for the approval of the Resolution.

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

Tony Masilotti, Chair	- AYE
Addie L. Greene, Vice Chairperson	- AYE
Karen T. Marcus	- AYE
Jeff Koons	- ABSENT
Warren H. Newell	- AYE
Mary McCarty	- ABSENT
Burt Aaronson	- ABSENT

The Chairman thereupon declared that the resolution was duly passed and adopted on July 28, 2005.

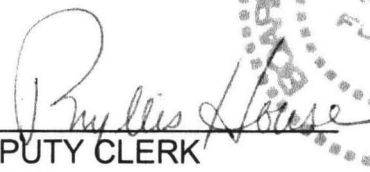
Filed with the Clerk of the Board of County Commissioners on 24TH day of AUGUST, 2005.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

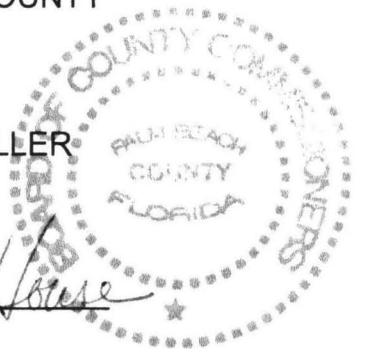


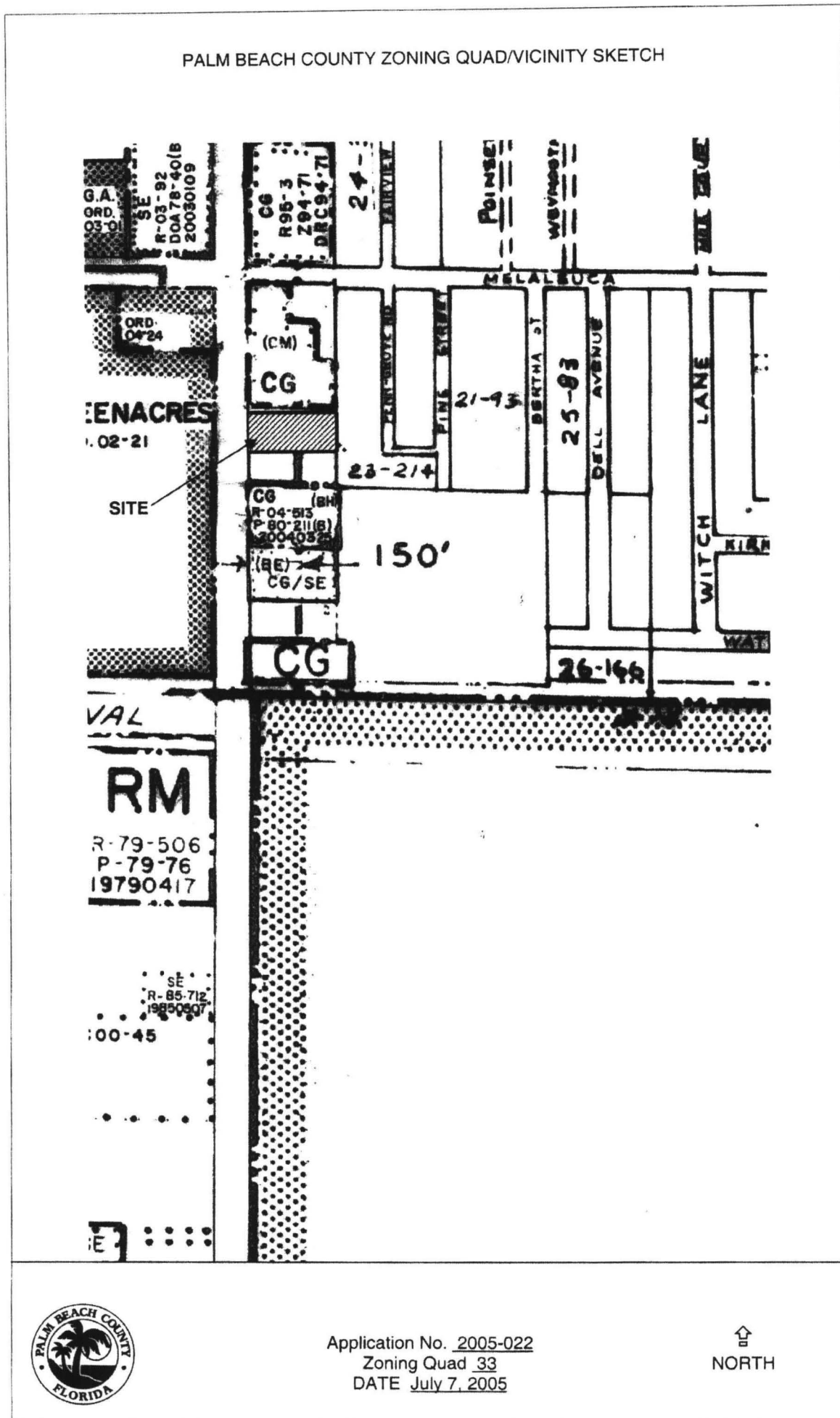
EXHIBIT A
LEGAL DESCRIPTION

A PORTION OF THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 25; THENCE SOUTH 01°29'10" WEST ON THE WEST LINE OF SAID SOUTHEAST ¼ OF SECTION 25 FOR 396.00 FEET; THENCE SOUTH 86°59'22"E 51.35 FEET TO THE POINT OF BEGINNING ON THE EAST RIGHT-OF-WAY LINE OF MILITARY TRAIL; THENCE CONTINUE SOUTH 86°59'22"E 281.70 FEET; THENCE SOUTH 01°29'10" WEST 128.29 FEET; THENCE NORTH 86°59'22" WEST 281.70 FEET TO AFORESAID EAST RIGHT-OF-WAY LINE; THENCE NORTH 01°29'10" EAST ON SAID EAST RIGHT-OF-WAY LINE 128.29 FEET TO THE POINT OF BEGINNING.

CONTAINING 36,126 SQUARE FEET, 0.8293 ACRES.

EXHIBIT B
VICINITY SKETCH



Application No. 2005-022
Zoning Quad 33
DATE July 7, 2005

