

RESOLUTION NO. R-2005-1790

RESOLUTION APPROVING ZONING APPLICATION R2005-594
(CONTROL NO. 1975-072)
REQUESTED USE
APPLICATION OF AUTO NATION IMPORTS OF PALM BEACH INC.
BY RUDEN MCCLOSKEY, AGENT
(LEXUS OF PALM BEACH)

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 Board of County Commissioners, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067) is authorized and empowered to consider, approve, approve with conditions or deny Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Application R2005-594 was presented to the Board of County Commissioners at a public hearing conducted on September 22, 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Requested Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Requested Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Requested Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Requested Use meets applicable local land development regulations.

7. This Requested Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Requested Use has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC.
9. This Requested Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 2 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 R2005-594, the application of Auto Nation Imports of Palm Beach Inc., by Ruden McClosky, agent, for a Requested Use to allow vehicle sales and rental in the Multiple Use Planned Development Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 22, 2005, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chairman thereupon declared that the resolution was duly passed and adopted on September 22, 2005.

Filed with the Clerk of the Board of County Commissioners on 22nd day of September 2005.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

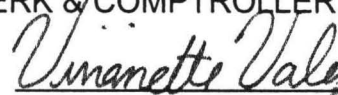
SHARON R. BOCK,
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK



EXHIBIT A

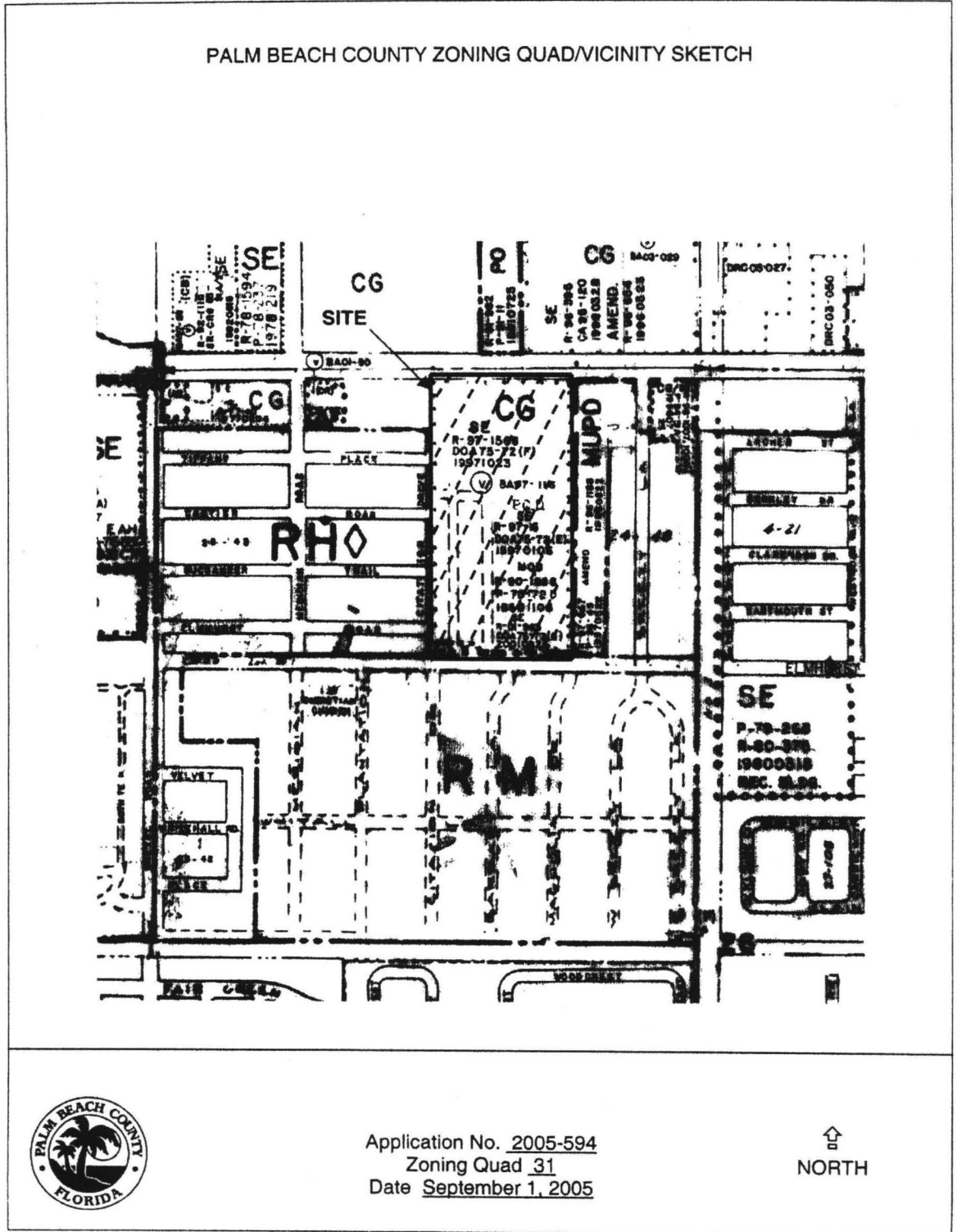
LEGAL DESCRIPTION

The West ½ of the Northeast ¼ of the Northwest ¼ of Section 26, Township 43 South, Range 42 East, PALM BEACH COUNTY, FLORIDA, together with an easement for underground utilities over and across that certain property set forth in an easement agreement recorded in Official Records Book 5695, Page 1191, Public Records of Palm Beach County, Florida and together with an easement for underground utilities over the property set forth in that certain easement agreement recorded in Official Records Book 5695, Page 1195, of the Public Records of Palm Beach County, Florida, less right-of-way of the North 39 feet for Okeechobee Boulevard (S.R. 704) and the South 35 feet to the Lake Worth Drainage District and less and except that property set forth in that certain right-of-way warranty deed from Marvin M. Rosenberg, trustee in favor of Palm Beach County as recorded in Official Records Book 5385, Page 800, Public Records of Palm Beach County, Florida.

Containing: 18.22 acres, more or less.

Subject to easements and rights-or-way as shown hereon.

EXHIBIT B
VICINITY SKETCH



Application No. 2005-594
Zoning Quad 31
Date September 1, 2005

