

RESOLUTION NO. R-2006- 0003

RESOLUTION APPROVING ZONING APPLICATION R2005-439
(CONTROL NO. 1992-044)
REQUESTED USE
APPLICATION OF DAVID HOWELL
BY MARDA L. ZIMRING, INC., AGENT
(GLADES ROAD SELF STORAGE)

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), as amended, 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 R2005-439 was presented to the Board of County Commissioners at a public hearing conducted on January 5, 2006; 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 R2005-439, the application of David Howell, by Marda L. Zimring, Inc., agent, for a Requested Use to allow a self-service storage 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 January 5, 2006, subject to the conditions of approval described in EXHIBIT C of PDD2005-439, attached hereto and made a part hereof.

Commissioner Greene moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson 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	-	Absent
Jeff Koons	-	Absent
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye

The Chairman thereupon declared that the resolution was duly passed and adopted on January 5, 2006.

Filed with the Clerk of the Board of County Commissioners on 5th day of January, 2006.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

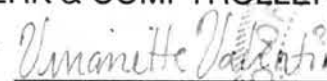
SHARON R. BOCK,
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

THAT PORTION OF TRACT 37, LESS THE NORTH 44 FEET THEREOF (PER CHANCERY CASE 407), BLOCK 76, THE PALM BEACH FARMS COMPANY PLAT NUMBER THREE (3), AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 TO 54 INCLUSIVE, LYING WEST OF LANDS CONVEYED TO FLORIDA STATE TURNPIKE AUTHORITY PER DEED BOOK 1122, PAGE 656, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND LYING WEST OF THE LANDS CONVEYED TO LAKE WORTH DRAINAGE DISTRICT PER O.R.BOOK 1732, PAGE 612; TOGETHER WITH TRACT 38, LESS THE NORTH 46 FEET THEREOF (PER CHANCERY CASE 407), BLOCK 76, OF AFORESAID PALM BEACH FARMS COMPANY PLAT NUMBER THREE. CONTAINING 8.829 ACRES, TOGETHER WITH A NON EXCLUSIVE ACCESS EASEMENT FOR INGRESS AND EGRESS PER O.R. BOOK 7518 PAGE 1959, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING 25 FEET IN WIDTH LYING IN TRACT 66 OF BLOCK 76 OF PALM BEACH FARMS COMPANY PLAT NO. 2, A PLAT OF WHICH IS ON FILE IN PLAT BOOK 2 AT PAGES 45 TO 54 INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID STRIP OF LAND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF THE AFORESAID TRACT 66; THENCE RUN ALONG THE NORTHERLY BOUNDARY OF TRACT 66 WITH AN ASSUMED BEARING OF NORTH 90 DEGREES, 00' 00" EAST, 274.39 FEET TO A POINT LYING 25 FEET WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-2-W (FORMERLY KNOWN AS FLORIDA STATE TURNPIKE RIGHT-OF-WAY PER O.R. BOOK 1122, PAGE 656) AS MEASURED AT RIGHT ANGLES; THENCE RUN SOUTH 00 DEGREES, 43' 00" EAST, PARALLEL TO BUT 25 FEET WEST OF THE AFORESAID WEST LINE, 540.05 FEET TO A POINT OF INTERSECTION WITH THE EXISTING NORTHERLY RIGHT-OF-WAY LINE OF GLADES ROAD (STATE ROAD 808) AS NOW LAID OUT AND IN USE; THENCE NORTH 90 DEGREES 00' 00" EAST ALONG SAID NORTHERLY LINE, 25.00 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-2-W (FORMERLY KNOWN AS FLORIDA STATE TURNPIKE RIGHT OF WAY PER OFFICIAL RECORD BOOK 1122, PAGE 656); THENCE RUN NORTH 00 DEGREES 43' 00" WEST ALONG SAID WESTERLY LINE, 540.05 FEET TO A POINT OF INTERSECTION WITH THE AFOREMENTIONED NORTHERLY BOUNDARY OF TRACT 66; THENCE NORTH 90 DEGREES 00' 00" WEST, 25.00 FEET ALONG SAID NORTHERLY BOUNDARY, TO THE POINT OF BEGINNING.

EXHIBIT B
VICINITY SKETCH

