

RESOLUTION APPROVING ZONING APPLICATION R2006-017
(CONTROL NO. 2005-641)

REQUESTED USE

APPLICATION OF FLORIDA AUTO AUCTION OF ORLANDO, JMC IV REAL ESTATE
COMPANY, PALM BEACH NEWSPAPERS, INC.
BY KILDAY & ASSOCIATES, INC., AGENT
(WEST PALM BEACH AUTO AUCTION MUPD)

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 R2006-017 was presented to the Board of County Commissioners at a public hearing conducted on May 25, 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 R2006-017, the application of Florida Auto Auction of Orlando, JMC IV Real Estate Company, Palm Beach Newspapers, Inc., by Kilday & Associates, Inc., agent, for a Requested Use to allow an expansion to an existing auto auction and a new auto paint and body shop 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 May 25, 2006, subject to the conditions of approval described in EXHIBIT C of PDD2006-017, attached hereto and made a part hereof.

Commissioner Marcus 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:

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	-	

The Chairman thereupon declared that the resolution was duly passed and adopted on May 25, 2006.

Filed with the Clerk of the Board of County Commissioners on 25th day of May, 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

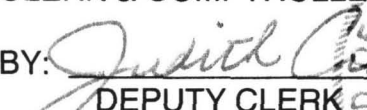
SHARON R. BOCK,
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

BEING ALL OF TRACTS 14, 15, 22 AND A PORTION OF TRACTS 9, 13, 16, 21 AND A PORTION OF THE 30 FOOT ROADWAYS, BLOCK 7, PALM BEACH FARMS COMPANY PLAT NO. 2, PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND ALL OF LOT 2 AND TRACT R-1, PALMS WEST INDUSTRIAL PARK, PLAT BOOK 71, PAGES 75 THROUGH 77, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT INTERSECTION OF THE SOUTH LINE OF SAID TRACT 21 WITH THE EAST RIGHT OF WAY LINE OF SANSBURY'S WAY, SAID EAST RIGHT OF WAY LINE BEING A LINE 40.00 FEET EAST OF AND PARALLEL WITH WEST LINE OF SAID TRACT 21, RUN THENCE NORTH 00°56'58" WEST ALONG SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 2008.26 FEET TO A POINT OF THE NORTH LINE OF SAID TRACT 9; THENCE NORTH 89°03'49" EAST ALONG SAID NORTH LINE, A DISTANCE OF 619.19 FEET TO THE NORTHEAST CORNER OF SAID TRACT 9; THENCE SOUTH 00°57'46" EAST ALONG THE EAST LINE OF SAID TRACT 9, A DISTANCE OF 396.59 FEET TO A POINT ON THE WESTERLY EXTENSION OF THE NORTH LINE OF SAID LOT 2; THENCE NORTH 89°02'21" EAST ALONG SAID WESTERLY EXTENSION AND ALONG SAID NORTH LINE, A DISTANCE OF 477.06 FEET; THENCE NORTH 00°55'47" WEST ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 397.59 FEET TO THE NORTHWEST CORNER OF SAID LOT 2; THENCE NORTH 89°01'50" EAST ALONG SAID NORTH LINE, A DISTANCE OF 213.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00°55'47" EAST ALONG THE EAST LINE OF SAID LOT 2 AND A SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 674.94 FEET TO A POINT ON A LINE 15.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF SAID TRACT 14; THENCE NORTH 89°02'17" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 989.92 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EAST LINE OF SAID TRACT 14; THENCE SOUTH 00°56'45" EAST ALONG SAID NORTHERLY EXTENSION AND ALONG THE EAST LINE OF SAID TRACT 14, A DISTANCE OF 281.82 FEET TO A POINT ON A LINE 30.00 FEET NORTH OF AND PARALLEL WITH THE NORTH LINE OF BENOIST FARMS INDUSTRIAL PARK NORTH, PLAT BOOK 63, PAGES 65 AND 66, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 89°01'58" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 910.48 FEET; THENCE SOUTH 00°55'49" EAST, A DISTANCE OF 30.00 FEET TO A POINT ON AN EASTERLY PROJECTION OF THE SAID NORTH LINE OF BENOIST FARMS INDUSTRIAL PARK NORTH; THENCE SOUTH 89°01'58" WEST ALONG SAID EASTERLY PROJECTION AND ALONG SAID NORTH LINE, A DISTANCE OF 910.47 FEET TO THE NORTHWEST CORNER SAID PLAT OF BENOIST FARMS INDUSTRIAL PARK NORTH; THENCE SOUTH 00°56'45" EAST ALONG THE WEST LINE OF SAID PLAT, A DISTANCE OF 361.47 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 14; THENCE SOUTH 89°00'27" WEST ALONG THE SOUTH LINE OF SAID TRACT 14, A DISTANCE OF 989.82 FEET TO THE NORTHEAST CORNER OF SAID TRACT 22; THENCE SOUTH 00°57'30" EAST ALONG THE EAST LINE OF SAID TRACT 22, A DISTANCE OF 659.93 FEET TO THE SOUTHEAST CORNER OF SAID TRACT 22; THENCE SOUTH 89°01'26" WEST ALONG THE SOUTH LINE OF SAID TRACTS 22 AND 21, A DISTANCE OF 1309.41 FEET TO THE POINT OF BEGINNING.

CONTAINING 3134015 SQUARE FEET OR 71.947 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

