

RESOLUTION NO. R-2006-1188

RESOLUTION APPROVING ZONING APPLICATION R-2005-1122  
(CONTROL NO. 1988-094)  
REQUESTED USE  
APPLICATION OF AMOCO OIL  
BY MDM SERVICES, INC., AGENT  
(AMOCO OIL COMPANY)

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 R-2005-1122 was presented to the Board of County Commissioners at a public hearing conducted on June 22, 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 R-2005-1122, the application of Amoco Oil, by MDM Services, Inc., agent, for a Requested Use to allow a convenience store with gas sales in 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 shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on June 22, 2006, subject to the conditions of approval described in EXHIBIT C of PDD2005-1122.

Commissioner Marcus 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	-	Absent
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 June 22, 2006.

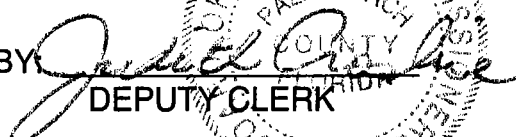
Filed with the Clerk of the Board of County Commissioners on 22nd day of June, 2006.

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

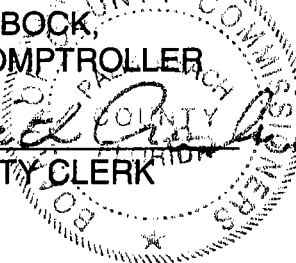


EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE SOUTH 90.02 FEET OF TRACT B, AND THE NORTH 72.50 FEET OF TRACT C, BLOCK 65, OF THE PALM BEACH FARMS COMPANY PLAT NO. 7 OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT FILED WITH THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 5, PAGE 72, ALL LYING SOUTH OF THE SOUTH RIGHT-OF-WAY LINE OF 6th AVENUE SOUTH AND WEST OF THE WEST RIGHT-OF-WAY LINE OF SR 807 (CONGRESS AVENUE). AS RECORDED IN OFFICIAL RECORDS BOOK 4269, PAGE 499 (NORTH 1' OF PARCEL 1) AND OFFICIAL RECORDS BOOK 6093, PAGE 476 (NORTH 17.5 FEET, THE EAST 4 FEET, AND THE CORNER CLIP)

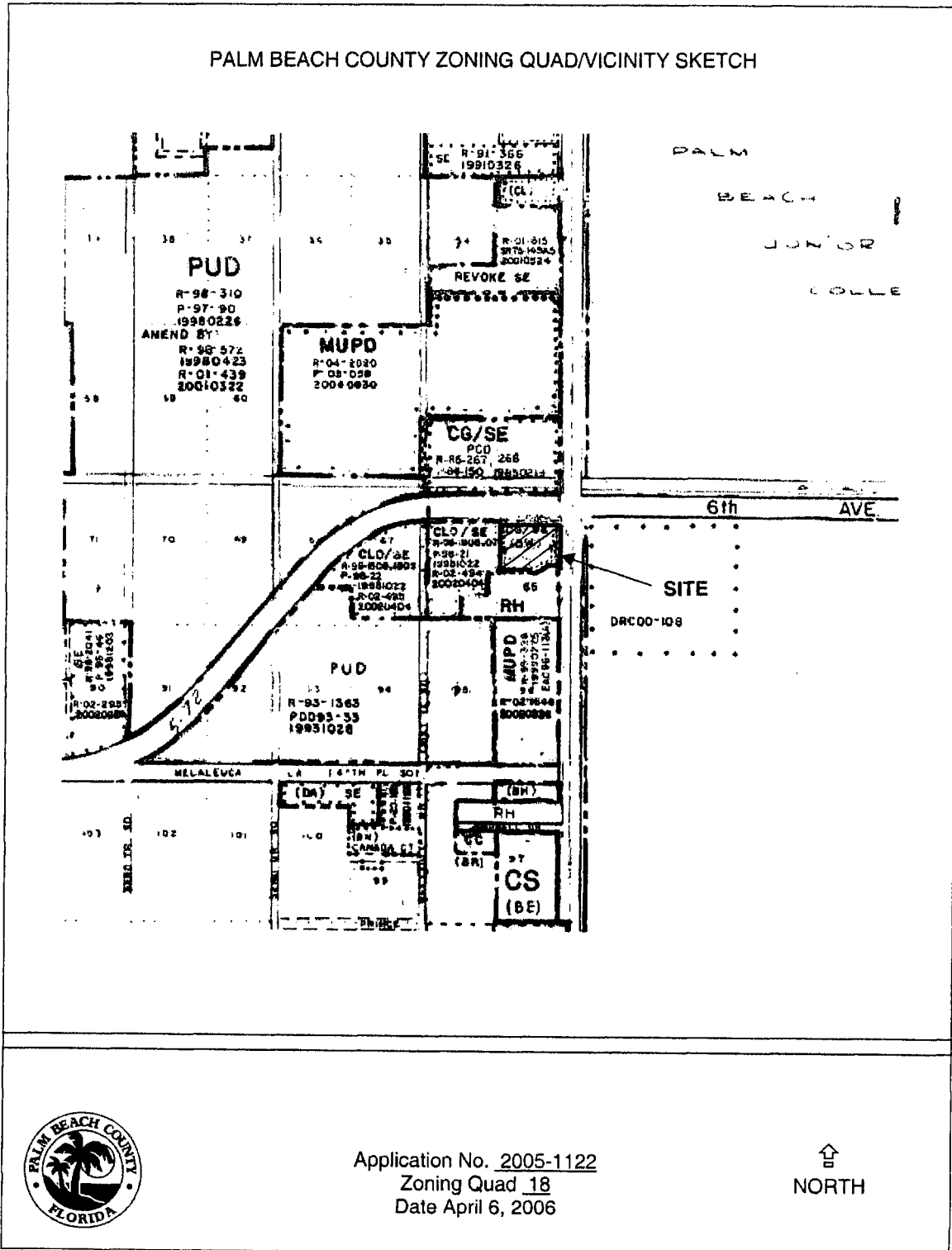
PARCEL 2:

THE POINT OF BEGINNING BEING 3.5 FEET NORTH OF THE LINE BETWEEN TRACTS "C" AND "D", BLOCK 65, PALM BEACH FARMS COMPANY PLAT NO. 7, SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST; THENCE WESTERLY A DISTANCE OF 107.4 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE MEASURED FROM WEST TO SOUTHWEST OF 41 DEGREES 26' FOR A DISTANCE OF 56.35 FEET TO A POINT; THENCE WESTERLY A DISTANCE OF 157.75 FEET TO A POINT ON THE WEST LINE OF TRACT 'D' AFORESAID; THENCE NORTHERLY ALONG THE WEST LINE OF TRACTS "D" AND "C", AFORESAID, FOR A DISTANCE OF 97.29 FEET TO A POINT; THENCE EASTERLY A DISTANCE OF 307.4 FEET TO A POINT ON THE EAST LINE OF TRACT "C", AFORESAID, THENCE SOUTHERLY ALONG EAST LINE OF TRACT "C", A DISTANCE OF 60 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT LAND DESCRIBED IN RIGHT-OF-WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 6093, PAGE 463 (THE EAST 4.00 FEET THEREOF.)

EXHIBIT B

VICINITY SKETCH



Application No. 2005-1122  
Zoning Quad 18  
Date April 6, 2006

