

RESOLUTION NO. R-2008- 0470

RESOLUTION APPROVING ZONING APPLICATION PDD2007-878
(CONTROL NO. 2002-032)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
APPLICATION OF SOJO LLC
BY JON E. SCHMIDT & ASSOCIATES, AGENT
(HOLLOWAY PROPERTIES 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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application PDD2007-878 was presented to the Board of County Commissioners at a public hearing conducted on March 24, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant 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 (Monitoring) 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 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and 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, orderly and timely development pattern.
6. This official zoning map amendment is consistent with applicable Neighborhood Plans.
7. This official zoning map amendment (rezoning) complies with Article 2.F (Concurrency) of the Palm Beach County Unified Land Development Code.

8. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 PDD2007-878, the application of Sojo LLC, by Jon E. Schmidt & Associates, agent, for an Official Zoning Map Amendment to a Planned Development District from the General Commercial Zoning District to the Multiple Use Planned Development Zoning District 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 March 24, 2008, subject to the conditions of approval described in EXHIBIT C of R2007-878.

Commissioner Marcus moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	¥ Aye
Jeff Koons, Vice Chair	¥ Aye
Karen T. Marcus	¥ Aye
Robert J. Kanjian	¥ Aye
Mary McCarty	¥ Aye
Burt Aaronson	¥ Aye
Jess R. Santamaria	¥ Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 24, 2008.

Filed with the Clerk of the Board of County Commissioners on March 24, 2008.

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

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

HOLLOWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGES 124 AND 125, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT:

ALL OF TRACT B, AND A PORTION OF TRACT C, HOLLOWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGES 124 AND 125, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT C, SAID POINT ALSO BEING ON THE PLAT LIMITS OF SAID PLAT; THENCE NORTH 89°27'00" EAST, A DISTANCE OF 12.00 FEET; THEN NORTH 00°33'00" WEST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°27'00" WEST, A DISTANCE OF 12.00 FEET TO A POINT ON THE PLAT LIMITS OF AFORESAID PLAT; THENCE SOUTH 00°33'00" EAST ALONG SAID PLAT LIMITS, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

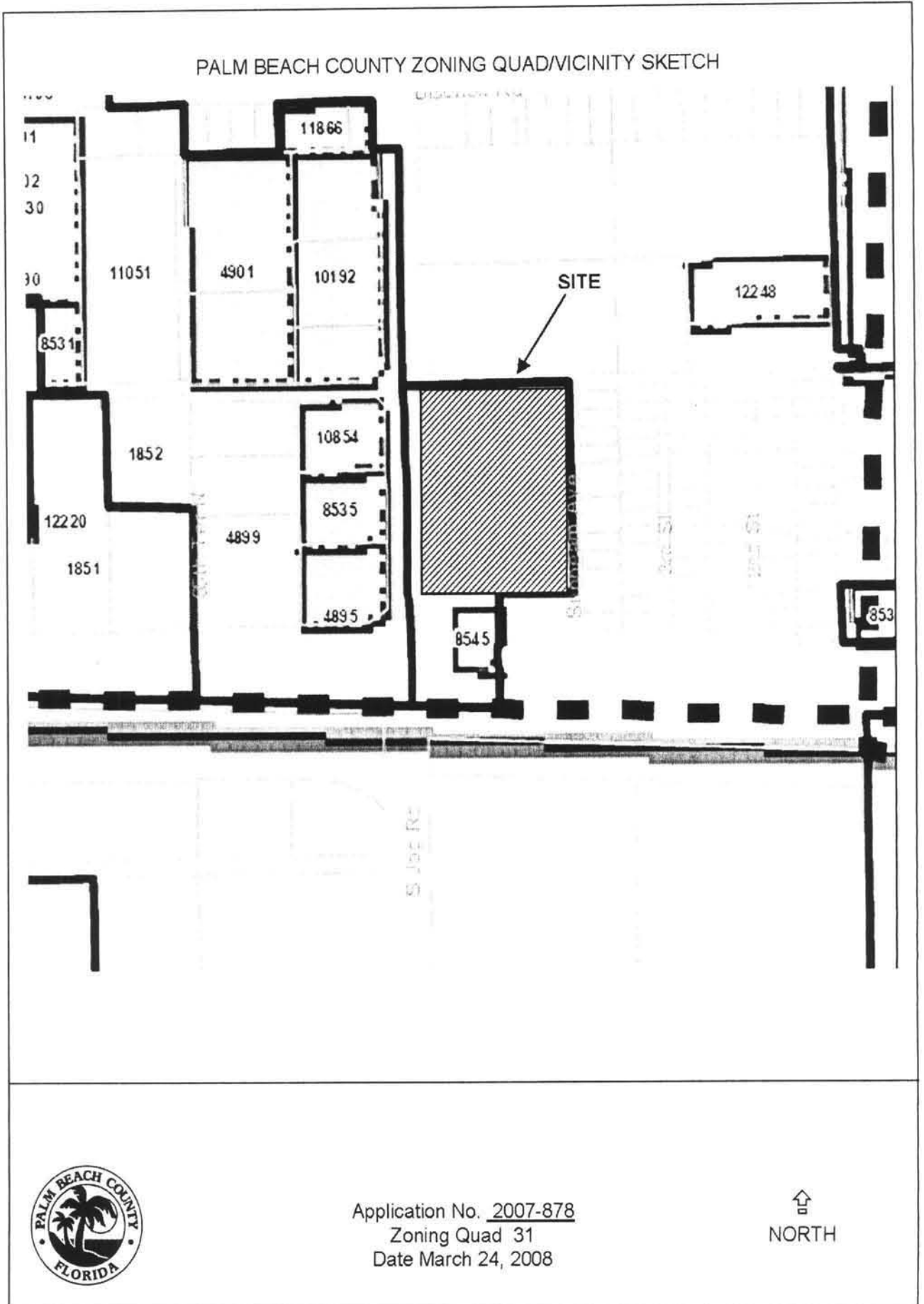
TOGETHER WITH:

A PORTION OF JOSEPH STREET, SUNBEAM PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1, OF SAID SUNBEAM PARK; THENCE SOUTH 89°27'00" WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF JOSEPH STREET, A DISTANCE OF 400.00 FEET; THENCE NORTH 00°33'00" WEST, A DISTANCE OF 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF JOSEPH STREET; THENCE NORTH 89°27'00" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF JOSEPH STREET, A DISTANCE OF 400.00 FEET; THENCE SOUTH 00°33'00" EAST, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 225,776 SQUARE FEET MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



Application No. 2007-878
Zoning Quad 31
Date March 24, 2008

