

RESOLUTION NO. R-2010-0004

RESOLUTION CORRECTING RESOLUTION NO. R-2009-0167
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF 366 South Congress Llc
APPLICATION NO. Z/CA-2007-02010

WHEREAS, 366 South Congress LLC petitioned the Palm Beach County Board of County Commissioners on January 29, 2009 for an Official Zoning Map Amendment to rezone from the General Commercial (CG) and the Residential High Density (RH) Zoning Districts to the Light Industrial (IL) Zoning District; and

WHEREAS, Resolution No. R-2009-0167 adopted January 29, 2009 confirming the action of the Board of County Commissioners, inadvertently was in error referencing the conditional use when it should have referenced the rezoning; and

WHEREAS, the correct resolution for Resolution No. R-2009-0167 should have read as shown below:

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2007-02010
(CONTROL NO. 1984-00020)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF 366 South Congress Llc
BY CWB Associates, AGENT
(ETC Office/Warehouse)

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

WHEREAS, Zoning Application Z/CA-2007-02010 was presented to the Board of County Commissioners at a public hearing conducted on January 29, 2009; 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 recommendation of the Zoning Commission; 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. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.

5. 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.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

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 Z/CA-2007-02010, the application of 366 South Congress Llc, by CWB Associates, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the General Commercial (CG) and Residential High Density (RH) Zoning Districts to the Light Industrial (IL) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on January 29, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. The Resolution No. R-2009-0167 is hereby corrected to approve an Official Zoning Map Amendment as shown above..

Commissioner Marcus moved for the approval of the Resolution.

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

Commissioner Burt Aaronson, Chair	-	Aye
Commissioner Karen T. Marcus, Vice Chair	-	Aye
Commissioner Jeff Koons	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared the resolution was duly passed and adopted on January 7, 2010.

Filed with the Clerk of the Board of County Commissioners on January 12, 2010.


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

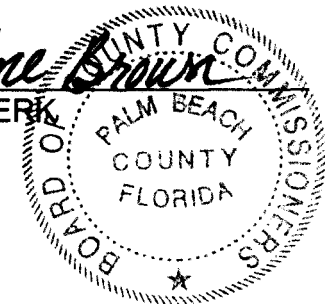


EXHIBIT A
LEGAL DESCRIPTION

Lot 5, less the west 10 feet thereof conveyed to Palm Beach County in Official Record Book 4565, Page 1713, and the south 228.54 feet of Lot 6, Plat of Morrison Suburban Development, according to the map or plat recorded in Plat Book 20, Page 40, Public Records of Palm Beach County, Florida.

Containing 57,086 square feet (1.311 Acres)+-

Net Containing after Base Building Line Waiver 51,369 square feet (1.18 Acres) +-

EXHIBIT B
VICINITY SKETCH

