

RESOLUTION NO. R-2013-1525

RESOLUTION APPROVING ZONING APPLICATION PCN-2013-02418
(CONTROL NO. 2004-00425)
A Public Ownership Zoning District Deviation
APPLICATION OF PALM BEACH COUNTY WATER UTILITIES DEPARTMENT
BY URBAN DESIGN KILDAY STUDIOS, AGENT
(PBC WTP No 11 and West Region Operations Center)

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 applications relating to zoning;

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 as amended), have been satisfied;

WHEREAS, Zoning Application PCN-2013-02418 was presented to the Board of County Commissioners at a public hearing conducted on October 24, 2013;

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;

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 the request;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 5.A.3.A. for a Public Ownership Zoning District Deviation; and,

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 PCN-2013-02418, the petition of Palm Beach County Water Utilities Department, by Urban Design Kilday Studios, agent, for a Deviation for a development within the Public Ownership Zoning District to allow deviations from Article 5 Supplementary Use Standards to allow Barbed Wire for Government Services Use; Article 7 Landscaping to eliminate the interior plant materials in; and, Article 7 Landscaping to reduce the perimeter plant materials for development within Phase 2 in the Public Ownership 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 October 24, 2013 subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof and Deviation request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Mayor	- Aye
Commissioner Priscilla A. Taylor, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Shelley Vana	- Aye
Commissioner Mary Lou Berger	- Aye
Commissioner Jess R. Santamaria	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 24, 2013.

Filed with the Clerk of the Board of County Commissioners on November 1, 2013.

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

LEGAL DESCRIPTION:

A parcel of land in the Northwest quarter of Section 19, Township 43 South, Range 37 East, Palm Beach County, Florida, more particularly described as follows: Commence at the Northwest corner of the East one-half of the Northeast quarter of the said Northwest quarter; thence along the West line of said East one-half, S 00°16'46" E for 100.00 feet to the South right-of-way line of Hooker Highway, and the Point of Beginning;

Thence along said right-of-way line, N 89°57'36" E for 180.62 feet to a line lying 180.62 feet East of and parallel with, the said West line of the East one-half of the Northeast quarter of the Northwest quarter;

Thence along said parallel line, S 00°16'46" E for 1220.70 feet to the South line of the said Northeast quarter of the Northwest quarter;

Thence along said South line, S 89°57'56" W for 749.74 feet;

Thence N 00°16'14" W for 1220.63 feet to the said South right-of-way line;

Thence along said right-of-way line, N 89°57'36" E for 568.93 feet to the Point of Beginning.

Less and except therefrom the 60' additional road right-of-way for Hooker Highway per Resolution R-2005-1063 as recorded in Official Records Book 18838, Page 26 of the Public Records of Palm Beach County, Florida.

Containing 19.97 acres more or less.

NOTE: The above described Parcel is one in the same as that Parcel of land described in the Affidavit of Waiver recorded in Official Records Book 19501, Page 273 of the Public Records of Palm Beach County, Florida.

VICINITY SKETCH

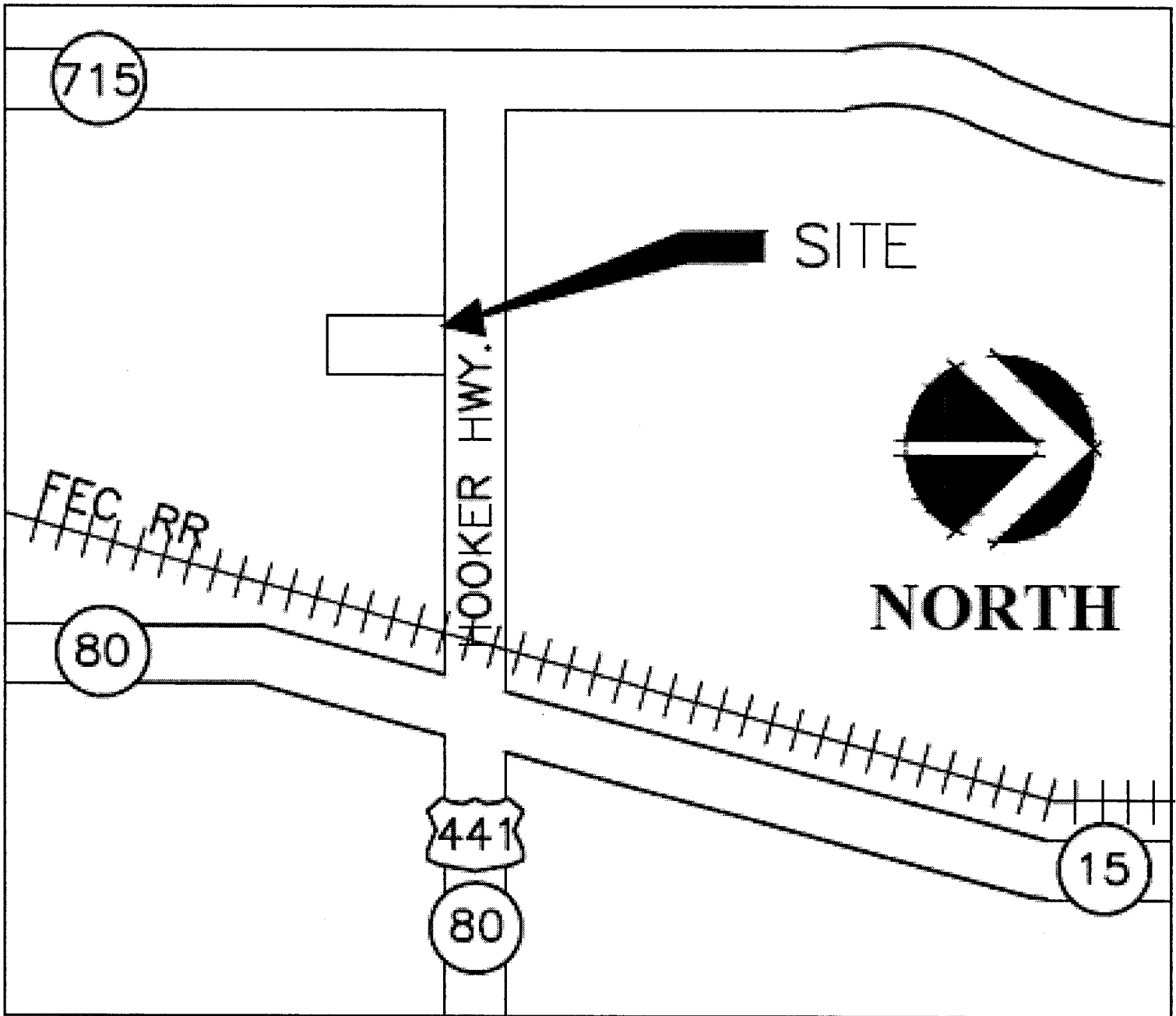


EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

#	ULDC Section	Code	Required	Proposed	Requested Deviation
	Art. 5.B.1.A.2.c.2.c		Barbed Wire is not permitted for Government Service uses (except Prisons)	To allow the use of barbed wire along the top of the proposed fence for the West Region Operations Center (Government Services use) on the eastern portion of the site.	To allow the use of barbed wire along the top of the proposed fence for the West Region Operations Center (Government Services use) on the eastern portion of the site.
	Article 7, Table 7.C.3.1, Glades Tier Interior Landscaping		Interior landscaping – 1 tree every 1,500 sf of lot area and 3 shrubs per 1,500 sf of lot area	No interior landscaping due to limited physical space and conflicts with security and operations.	To allow for a reduction in interior landscape, up to 311 trees and 933 shrubs
	Article 7, Table 7.C.3.1, Glades Tier Perimeter Buffer Landscaping		4 layers of shrubs	2 layers of shrubs	2 layers of shrubs