

RESOLUTION NO. R-2015- 1538

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2015-01229
(CONTROL NO. 2004-00269)
a Class A Conditional Use
APPLICATION OF Florida Fish and Wildlife Conservation
BY Urban Design Kilday Studios, AGENT
(Palm Beach County Shooting Sports Park)

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) (ULDC), have been satisfied;

WHEREAS, Zoning Application Z/CA-2015-01229 was presented to the Board of County Commissioners at a public hearing conducted on October 22, 2015;

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 recommendation of the Zoning Commission;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County ULDC and other provisions requiring that development commence in a timely manner;

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 2.B.2.B for a Class A Conditional Use; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County ULDC 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-2015-01229, the application of Florida Fish and Wildlife Conservation, by Urban Design Kilday Studios, Agent, for a Class A Conditional Use to allow an Outdoor Shooting Range, 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 22, 2015, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on October 22, 2015.

Filed with the Clerk of the Board of County Commissioners on October 26th, 2015.

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 & COMPTROLLER



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

A PARCEL OF LAND IN THE PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK, A SUBDIVISION IN SECTION 6, TOWNSHIP 42 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 103, PAGE 108, PALM BEACH COUNTY FLORIDA , PUBLIC RECORDS. SAID PARCEL OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST (NW) CORNER OF SAID SECTION 6, BEAR SOUTH 00°17'57" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 200.00 FEET TO THE NORTHWEST (NW) CORNER OF SAID PLAT OF PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK; THENCE, NORTH 89°56'58" EAST, ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 200.00 FEET TO A POINT ON A LINE 200 FEET EASTERLY OF, PARALLEL, CONTIGUOUS AND AS MEASURED AT RIGHT ANGLES TO SAID WEST LINE OF SECTION 6; SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE, CONTINUE NORTH 89°56'58" EAST, ALONG THE NORTH LINE OF SAID PLAT, A DISTANCE OF 4284.38 FEET; THENCE, SOUTH 00°03'02" EAST, A DISTANCE OF 1930.02 FEET; THENCE, SOUTH 89°56'58" WEST, A DISTANCE OF 1588.88 FEET; THENCE, NORTH 00°03'02" WEST, A DISTANCE OF 640.00 FEET; THENCE, SOUTH 89°56'58" WEST, A DISTANCE OF 2689.90 FEET TO POINT "A" AND SAID 200 FOOT PARALLEL LINE; THENCE, NORTH 00°17'57" WEST, ALONG SAID 200 FOOT PARALLEL LINE, A DISTANCE OF 1290.03 FEET TO THE POINT OF BEGINNING.

CONTAINING: 6,540,205 SQUARE FEET OR 150.14246 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

Location Map:

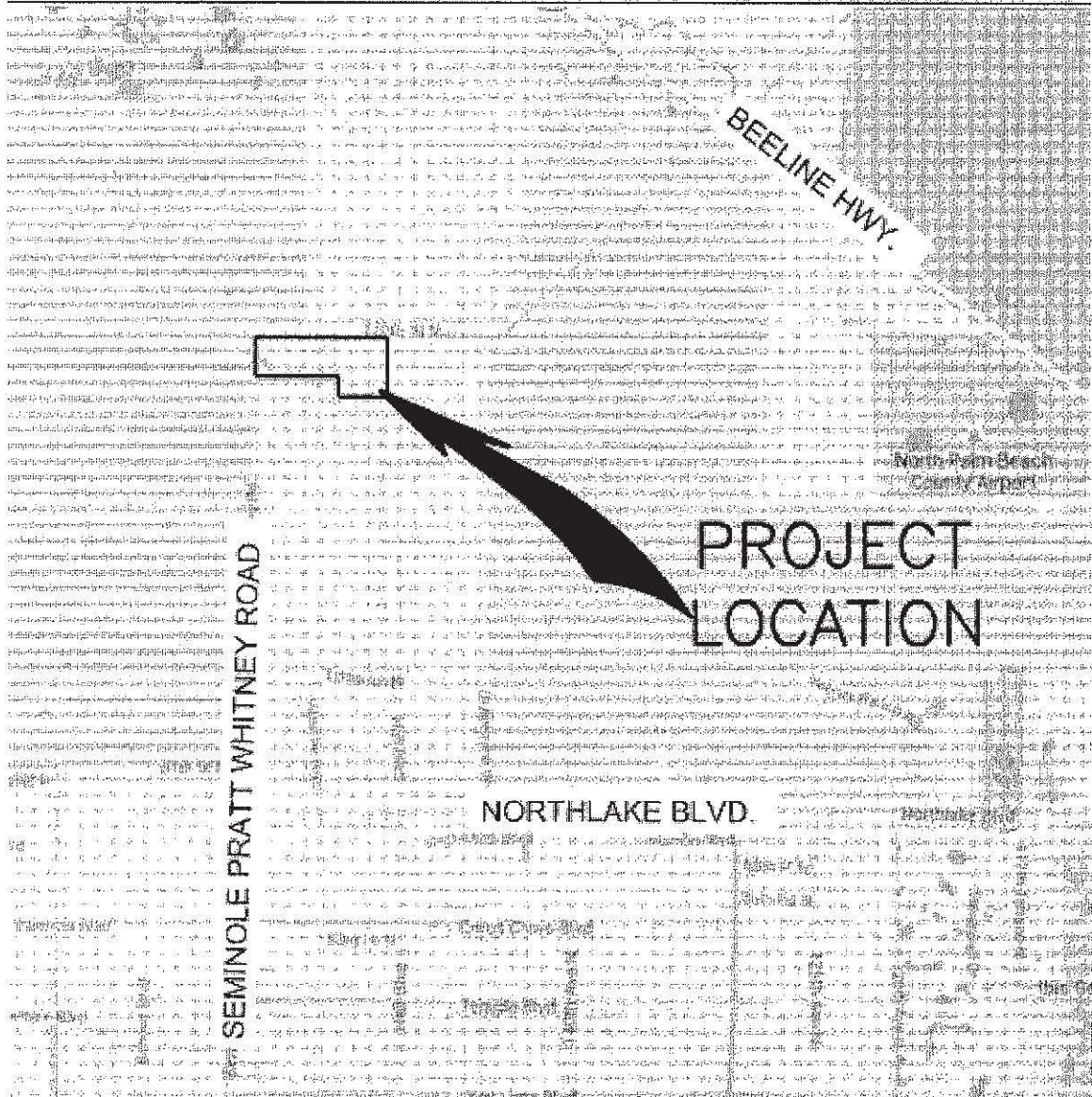


EXHIBIT C

CONDITIONS OF APPROVAL

Conditional Use Class A

ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 19, 2015 and the Preliminary Regulating Plan is dated August 13, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Concession Building shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall be generally consistent with the Architectural Elevations dated July 27, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO/ONGOING: ZONING - Zoning)

ENGINEERING

1. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMPT/PLAT: MONITORING - Engineering)

HEALTH

1. Prior to the issuance of the first building permit, the property owner shall apply for and obtain a permit to construct an onsite sewage treatment and disposal system (OSTDS) for this site. (BLDGPMPT: BUILDING DIVISION - Health Department)

2. Prior to the issuance of the first building permit the property owner shall apply for and obtain a permit to construct a potable water supply well and system for this site. (BLDGPMPT: BUILDING DIVISION - Health Department)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

DISCLOSURE

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