

RESOLUTION NO. R-2016- 0409

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2015-01227
(CONTROL NO. 1983-00045)
an Official Zoning Map Amendment
APPLICATION OF JCL Management LLC
BY Urban Design Kilday Studios, AGENT
(Southern Station)

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 pursuant to 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-2015-01227 was presented to the Board of County Commissioners at a public hearing conducted on March 24, 2016;

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 ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for an Official Zoning Map Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the 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-2015-01227, the Application of JCL Management LLC, by Urban Design Kilday Studios, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the General Commercial (CG) Zoning District, on a parcel of land generally described as shown on the legal description 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, 2016, subject to the Conditions of Approval described in EXHIBIT C-1, attached hereto and made a part hereof.

Commissioner Vana moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on March 24, 2016.

Filed with the Clerk of the Board of County Commissioners on April 14th, 2016.

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

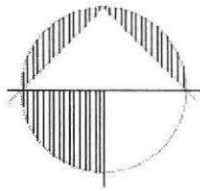
DESCRIPTION:

THAT CERTAIN PARCEL OF LAND IN TRACT 42, BLOCK 6 OF "THE PALM BEACH FARMS CO. PLAT NO. 3" ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; TOGETHER WITH A PORTION OF "SOUTHERN BOULEVARD PINES NO. 2" ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 18 AT PAGE 71, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO KNOWN AS EXHIBIT "A" OF THE AFFIDAVIT OF WAIVER, AS RECORDED IN OFFICIAL RECORD BOOK 24390, PAGES 1885 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 42; THENCE RUN NORTH 89 DEGREES 00 MINUTES 44 SECONDS EAST ALONG THE NORTH LINE OF SAID TRACT 42 FOR A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 00 DEGREES 56 MINUTES 52 SECONDS WEST, ALONG A LINE 35 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 42, FOR A DISTANCE OF 15.00 FEET; THENCE RUN NORTH 89 DEGREES 00 MINUTES 44 SECONDS EAST ALONG A LINE 15 FEET NORTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 42 FOR A DISTANCE OF 239.96 FEET; THENCE RUN SOUTH 00 DEGREES 57 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 367.36 FEET TO A POINT LYING ON THE NORTHERLY EXISTING RIGHT-OF-WAY LINE OF STATE ROAD NO. 80 (SOUTHERN BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93120-2543; SAID POINT ALSO LYING 15 FEET EAST OF THE EAST LINE OF BLOCK ONE OF SAID PLAT OF "SOUTHERN BOULEVARD PINES NO. 2". THENCE RUN NORTH 88 DEGREES 21 MINUTES 12 SECONDS WEST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 165.14 FEET; THENCE RUN NORTH 00 DEGREES 56 MINUTES 52 SECONDS WEST FOR A DISTANCE OF 38.20 FEET; THENCE RUN NORTH 88 DEGREES 21 MINUTES 16 SECONDS WEST, ALONG A LINE 125 FEET NORTH OF AND PARALLEL TO THE ORIGINAL NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 80 CONVEYED BY DEED RECORDED IN DEED BOOK 1027, PAGE 398, PALM BEACH COUNTY RECORDS, FOR A DISTANCE OF 75.08 FEET; THENCE RUN NORTH 00 DEGREES 56 MINUTES 52 SECONDS WEST ALONG A LINE 35.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID TRACT 42 FOR A DISTANCE OF 303.11 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 83,964 SQUARE FEET, (1.9275 ACRES) MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



LOCATION MAP

N.T.S.

EXHIBIT C-1

CONDITIONS OF APPROVAL

Official Zoning Map Amendment

DISCLOSURE

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