

RESOLUTION APPROVING ZONING APPLICATION CA-2016-01226
(CONTROL NO. 2010-00502)
a Class A Conditional Use
APPLICATION OF Royal Palm Investments & Finance LLC
BY Frogner Consulting, Inc., AGENT
(Boca Pawn & Jewelry)

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 CA-2016-01226 was presented to the Board of County Commissioners at a public hearing conducted on June 22, 2017;

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 a Class A Conditional Use;

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 CA-2016-01226, the Application of Royal Palm Investments & Finance LLC, by Frogner Consulting, Inc., Agent, for a Class A Conditional Use to allow a Pawn Shop 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 June 22, 2017, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Paulette Burdick, Mayor	-	Aye
Commissioner Melissa McKinlay, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Dave Kerner	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on June 22, 2017.

Filed with the Clerk of the Board of County Commissioners on June 28, 2017.


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 PORTION OF LOT 99, BLOCK 81, "PALM BEACH FARMS COMPANY PLAT NO. 3", AS RECORDED IN PLAT BOOK 2 AT PAGE 53 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINE OF SOUTHWEST 66TH AVENUE AND CENTERLINE OF SOUTHWEST 14TH STREET, AS SHOWN ON THE PLAT "SANDAL COVE, SECTION ONE", AS RECORDED IN PLAT BOOK 28 AT PAGES 225 AND 226 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH $0^{\circ} 54' 55''$ EAST ALONG THE SAID CENTERLINE OF SOUTHWEST 66TH AVENUE, A DISTANCE OF 75 FEET; THENCE SOUTH $89^{\circ} 05' 05''$ WEST A DISTANCE OF 40 FEET TO A POINT OF THE WEST RIGHT-OF-WAY LINE OF SAID SOUTH 66TH AVENUE AND THE POINT OF BEGINNING; THENCE; SOUTH $0^{\circ} 54' 55''$ EAST ALONG THE SAID WEST RIGHT-OF-WAY LINE FOR 125 FEET; THENCE RUN SOUTH $89^{\circ} 05' 05''$ WEST ALONG A LINE PARALLEL TO AND 150 FEET SOUTH OF AS MEASURED AT RIGHT ANGLES TO THE SOUTH RIGHT-OF-WAY LINE OF AFOREDESCRIBED S.W. 14TH STREET FOR 230 FEET; THENCE RUN NORTH $0^{\circ} 54' 55''$ WEST ALONG A LINE PARALLEL TO AND 230 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO THE AFORESAID WEST RIGHT-OF-WAY LINE OF S.W. 66TH AVENUE FOR 150 FEET; THENCE RUN NORTH $89^{\circ} 05' 05''$ EAST ALONG THE AFOREDESCRIBED SOUTH RIGHT-OF-WAY LINE OF S.W. 14TH STREET FOR 205 FEET TO A POINT OF CURVATURE; THENCE RUN EASTERLY, SOUTHEASTERLY SOUTHERLY ALONG A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 25 FEET AND A CENTRAL ANGLE OF 90° FOR AN ARC DISTANCE OF 39.27 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

AKA 9836 SANDAL FOOT BOULEVARD, BOCA RATON, FLORIDA PARCEL ID NUMBER:
00-42-43-27-05-81-0994

EXHIBIT B
VICINITY SKETCH

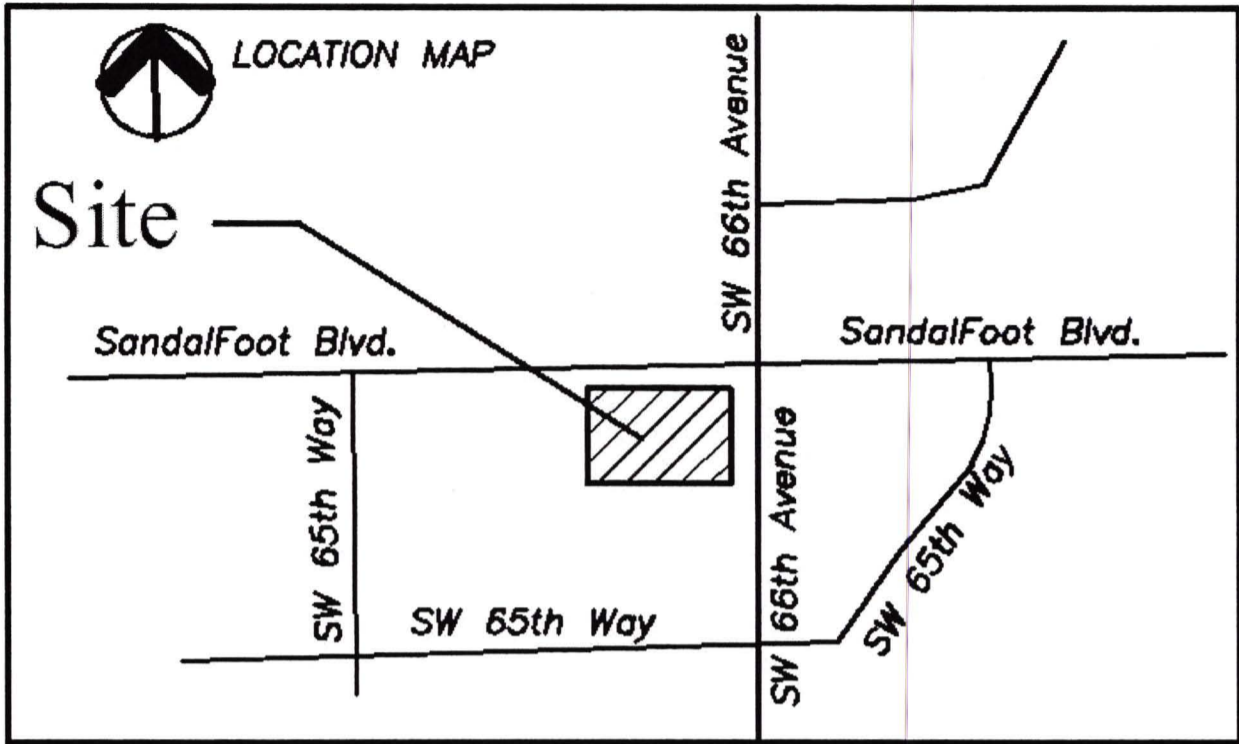


EXHIBIT C

CONDITIONS OF APPROVAL

Conditional Use Class A - Pawnshop

ALL PETITIONS

1. Development of the site is limited to the use approved by the Board of County Commissioners. The approved Preliminary Site Plan is dated April 13, 2017. All modifications to the Development Order must be approved by the Board of County Commissioners or Zoning Commission, unless the proposed changes are required to meet Conditions of Approval. (ONGOING: ZONING - Zoning)

USE LIMITATIONS

1. Total gross floor area for the Pawnshop shall be a maximum of seven hundred sixty (760) square feet and be located on the first floor west corner bay of the two story commercial building. (ONGOING: ZONING - Zoning)

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: MONITORING - 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: MONITORING - Zoning) (ONGOING: ZONING - Zoning)

DISCLOSURE

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