

RESOLUTION NO. R-97- 661

RESOLUTION APPROVING ZONING PETITION Z84-105(A)  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF GSG INVESTMENTS  
BY DAIRELL J. SNAPP III, AGENT  
(EASTERN METALS)

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 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended), have been satisfied; and

WHEREAS, Zoning Petition Z84-105(A) was presented to the Board of County Commissioners at a public hearing conducted on May 22, 1997; 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 made 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 requirements of the Palm Beach County Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. 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;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11 (Adequate Public Facilities Standards) of the Palm Beach County Unified Land Development Code; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 Petition Z84-105(A), the petition of GSG Investments, by Dairell J. Snapp III, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Residential High Density (RH) Zoning District 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 May 22, 1997 subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

Burt Aaronson, Chair	--	Absent
Maude Ford Lee, Vice Chair	--	Aye
Ken Foster	--	
Karen T. Marcus	--	Aye
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted on May 22, 1997.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Charles Altman*  
COUNTY ATTORNEY

BY: *Joan Haverly*  
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

**LEGAL DESCRIPTION**  
**(O.R.B. 8593, PG. 924)**

PARCEL 1:

THE EAST 100 FEET OF THE SOUTH 75.0 FEET OF THE NORTH **314.0** FEET OF TRACT **84**, MODEL LAND COMPANY SUBDIVISION OF SECTION 20, TOWNSHIP **44** SOUTH, RANGE **43** EAST, RECORDED IN PLAT BOOK 5, PAGE 79, PUBLIC RECORDS ~~OF~~ PALM BEACH COUNTY, FLORIDA.

CONTAINING 0.17 ACRES MORE OR LESS

**LEGAL DESCRIPTION**  
**(O.R.B. 8593, PG. 926)**

PARCEL 3:

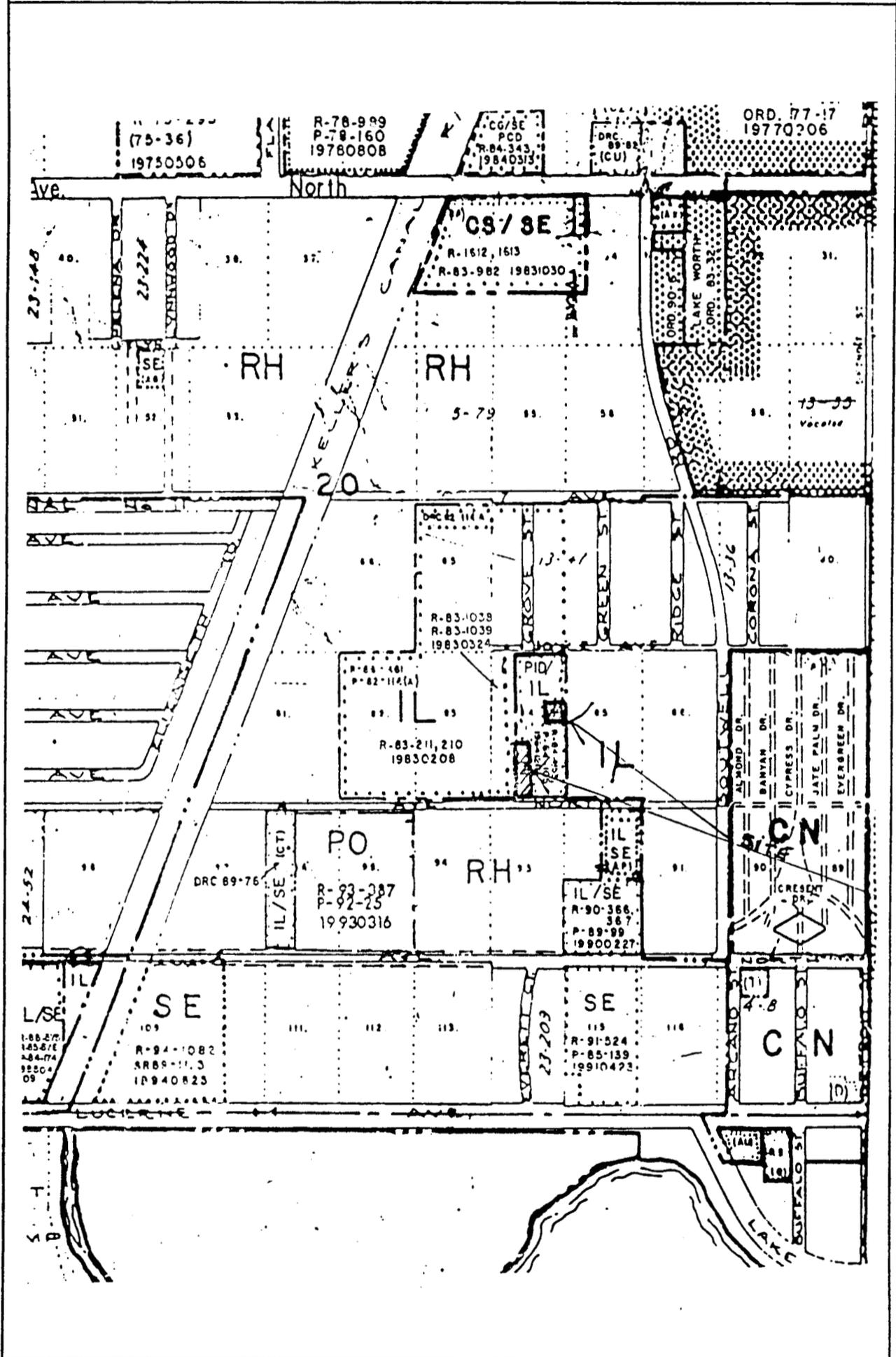
THAT PORTION OF TRACT **84**, IN THE MODEL LAND COMPANY'S SUBDIVISION, OF SECTION 20, TOWNSHIP **44** SOUTH, RANGE **43** EAST, IN PLAT BOOK 5, PAGE 79, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT **84**; THENCE RUNNING EAST ALONG THE SOUTH BOUNDARY LINE OF SAID TRACT A DISTANCE OF 132 FEET TO THE POINT OF BEGINNING; THENCE RUNNING NORTH ON A LINE PARALLEL TO THE EAST AND WEST BOUNDARY LINES OF SAID TRACT FOR A DISTANCE ~~OF~~ 250 FEET; THENCE EAST ON A LINE PARALLEL WITH THE NORTH AND SOUTH BOUNDARY LINES OF SAID TRACT A DISTANCE OF 56 FEET; THENCE SOUTH ON A LINE PARALLEL TO THE EAST AND WEST BOUNDARY LINES OF SAID TRACT A DISTANCE OF 250 FEET; THENCE WEST ALONG THE SOUTH BOUNDARY LINE OF SAID TRACT FOR 56 FEET TO THE POINT OF BEGINNING.

CONTAINING **0.32** ACRES MORE OR LESS

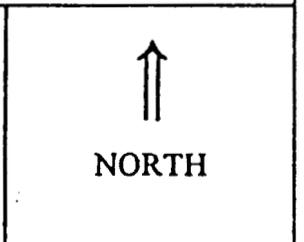
**21-105A**

EXHIBIT B

PALM BEACH COUNTY  
VICINITY SKETCH/ZONING



Petition Number: 84-105  
 Zoning Quad Page \_\_\_\_\_  
 Date: Jan. 31 1997



## EXHIBIT C

### VOLUNTARY COMMITMENTS

NOTE: Petition 84-105 was administratively abandoned on June 24, 1996, by Resolution R-96-823.

#### A. UNITY

1. Prior to May 30, 1998 the petitioner shall record in the public record a unity of title for Parcels 1, 2 and 3, as indicated in the survey exhibit dated January 22, 1997 for the entire subject property. The unity shall be recorded in a form and manner acceptable to the County Attorney and shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DATE: MONITORING - Zoning)

#### E. ENGINEERING

1. The property owner ~~has~~ shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed for 4th Avenue North, 35 feet from centerline for Parcel C on or before **January 1, 1998** or prior to the issuance of the first Building Permit whichever shall first occur. Right of way conveyance shall be along the projects entire frontage and shall be free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (DATE / BLDG PERMIT: MONITORING / Eng)

#### F. COMPLIANCE

1. 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; 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 ULDC at the time of the finding of noncompliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; 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 a majority vote of the Code Enforcement Board 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 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

**Appeals** of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)