

RESOLUTION NO. R-2009- 1362

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2009-00565
(CONTROL NO. 2005-00599)
REQUESTED USE
APPLICATION OF FOUR JR CORPORATION
BY LAND RESEARCH MANAGEMENT, INC., AGENT
(NORTHLAKE CLF)

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; and

WHEREAS, the Board of County Commissioners, pursuant to Article 2 (Development Review Process) 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 Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Application DOA/R-2009-00565 was presented to the Board of County Commissioners at a public hearing conducted on August 27, 2009; and

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 recommendations of the Zoning Commission; and

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

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Requested Use complies with relevant and appropriate portions of Article 4.B, Supplementary Use Standards of the Palm Beach County Unified Land Development Code. This Requested Use also meets applicable local land development regulations.
3. This Requested Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Requested Use has a concurrency determination and complies with Article 2.F (Concurrency) of the ULDC.
5. This Requested Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
7. This Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development

characteristics.

- 9. This Requested Use, with conditions as adopted, is consistent with the applicable Neighborhood Plans.
- 10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Requested Use.

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 R-DOA/R-2009-00565, the application of Four Jr Corporation, by Land Research Management, Inc., agent, for a Requested Use to allow a Requested Use to allow a Congregate Living Facility Type III. in the MUPD 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 August 27, 2009, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Burt Aaronson 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:

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
District 7	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on August 27, 2009.

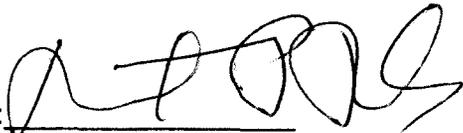
Filed with the Clerk of the Board of County Commissioners on September 10, 2009.

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 OF PARCEL OF LAND LOCATED IN SECTION 14, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF THOSE LANDS DESCRIBED IN OFFICAL RECORD BOOK 10471, PAGES 349 THROUGH 352, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

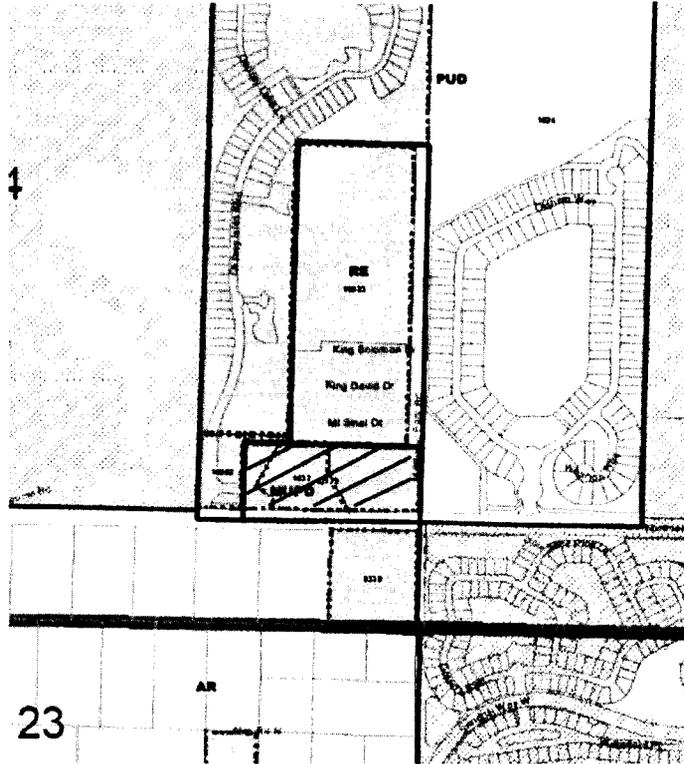
COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 14, TOWNSHIP 42 SOUTH, RANGE 41 EAST; THENCE RUN SOUTH 01° 28' 43" WEST, ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 4214.42' TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 01° 28' 43" WEST, ALONG SAID EAST LINE, A DISTANCE OF 397.99' TO THE NORTH RIGHT-OF-WAY LINE OF NORTH LAKE BOULEVARD, AS NOW LAID OUT AND IN USE; THENCE NORTH 89° 02' 40" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1068.34', THENCE NORTH 01° 50' 08" EAST, DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 409.18'; THENCE SOUTH 88° 26' 41" EAST, A DISTANCE OF 1065.75' TO THE POINT OF BEGINNING.

CONTAINING 430,584 SQUARE FEET OF 9.885 ACRES, MORE OR LESS.

BEARINGS SHOWN ON SURVEY ARE BASED ON THE EAST LINE OF SECTION 14, TOWNSHIP 42 SOUTH, RANGE 41 EAST, BEARING SOUTH 01° 28' 43" WEST

EXHIBIT B
VICINITY SKETCH

PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH



Application No. 2009-565
Zoning Quad 58
Date April 27, 2007

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NORTH