

RESOLUTION NO. R-2002- 0294

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 94-68.3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-95-5
WHICH APPROVED THE SPECIAL EXCEPTION OF
LAURA MOUNT
PETITION NO. 94-68

WHEREAS, the Board of County Commissioners, as the governing body, 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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR94-68.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 28, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 94-68.3 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The conditional use is not consistent with the Unified Land Development Code because it has not been reviewed for consistency with Section 6.6.E. "Architectural Guidelines" of the Unified Land Development Code.
2. With the new condition of approval requiring the project to be certified for compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, the conditional use will be consistent with the Unified Land Development Code.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County 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 the recommendation of Status Report No. SR 94-68.3, to amend Conditions of Approval of Resolution No. R-95-5, the Special Exception of Laura Mount, Petition No. 94-68, which approved a Class A Conditional Use allowing a self storage facility on property legally described in Exhibit A, being located on the northwest corner of Lake Worth Rd. and Engle Rd., approx. 0.1 mile east of Congress Ave. in the CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. *All* previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, the property owner shall submit an application to the Development Review Committee for review and certification that the project is in compliance with Section 6.6.E. of the Palm Beach County Unified Land Development Code, "Architectural Guidelines." (BLDG PERMIT: MONITORING - Zoning)

Commissioner Marcus moved for approval of the Resolution.

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

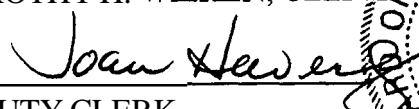
WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Absent
MARY MCCARTY	—	Aye

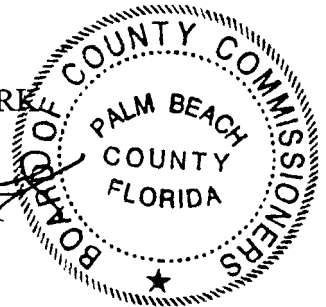
The Chair thereupon declared the resolution was duly passed and adopted this 28 day of February, 2002.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 12 day of March, 2002.

EXHIBIT A
LEGAL DESCRIPTION

The **North** 300 feet of the **South** 325 feet of the **East** 183.7 feet of **Tract** 107 and the **North** 300 feet of the **South** 325 feet of the **West** 116.3 feet of **Tract** 108, all in **Model Land Co.** Subdivision of **Section 20**, **Township 44 South**, **Range 43 East**, **Palm Beach County**, **Florida**, **Plat Book 5**, at **Page 79**;

Together with:

A parcel of land in the **Southwest 1/4** of **Section 20**, **Township 44 South**, **Range 43 East**, **Palm Beach County**, **Florida**, more particularly described as follows:

Commencing at the **Southwest** corner of said **Section 20**; thence **S 87°40'08" E** (**All** bearings on an assumed meridian) along the **South** line of said **Section 20** a distance of **843.10 feet**; thence **N 01°17'01" E** a distance of **165.00 feet** to the point of beginning; thence continuing **N 01°17'01" E** a distance of **175.05 feet**; thence **S 87°40'08" E** a distance of **318.26 feet**; thence **S 01°56'06" W** a distance of **296.00 feet**, more or less to a point on the northerly future right-of-way line of **Lake Worth Road**; thence **N 87°40'08" W** along said **North** right-of-way line a distance of **214.90 feet**; thence **N 01°17'01" E** a distance of **121.00 feet**; thence **N 87°40'08" W** a distance of **100.00 feet** to the point of beginning;

TOGETHER WITH that easement granted in that certain **Easement Agreement** between **Herwart Hugel a/k/a Herv Hugel** and **Lindsley Stores, Inc.**, dated **November 25, 1980** and recorded **November 26, 1980**, in **Official Records Book 3414, Page 1357**, of the **Public Records of Palm Beach County, Florida**.