

RESOLUTION NO. R-2002- 2202

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1996-087.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-97-964
WHICH APPROVED A REZONING TO A PLANNED DEVELOPMENT DISTRICT FOR
NEW PINE GLEN
PETITION NO. 1996-087

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 SR 1996-087.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 9, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1996-087.2 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 project does not meet the Countywide Traffic Performance Standards because Haverhill Road south of Purdy Lane is a three-lane section that is more than ten percent over capacity and thus the project does not qualify for "de minimus" project traffic impact.
2. The project is therefore not consistent with the Unified Land Development Code because it does not meet the Countywide Traffic Performance Standards.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
4. With the new condition of approval, development cannot commence until the project meets the Countywide Traffic Performance Standards.

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 1996-087.2, to amend Conditions of Approval of Resolution No. R-97-964, the development order which rezoned property to the Multiple Use Planned Development District (MUPD) with self-service storage facility and truck rental (requested uses), the petition of New Pine Glen, Petition No. 1996-087, which rezoned property to the Multiple Use Planned Development

District (MUPD) with self-service storage facility and truck rental (requested uses), property being legally described as:

A PARCEL OF LAND LYING IN SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF ABBEY PARK PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 46, PAGES 180 AND 181, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°29'54" WEST, DEPARTING THE BOUNDARY OF SAID PLAT, A DISTANCE OF 16.00 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF FOREST HILL BOULEVARD, AS RECORDED IN OFFICIAL RECORDS BOOK 6624, PAGE 1024, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, FOR A POINT OF BEGINNING.

THENCE, SOUTH 88°30'06" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF FOREST HILL BOULEVARD, A DISTANCE OF 653.83 FEET; THENCE, SOUTH 45°00'06" EAST, CONTINUING ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID FOREST HILL BOULEVARD, A DISTANCE OF 55.07 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY RIGHT-OF-WAY LINE OF HAVERHILL ROAD, AS RECORDED IN OFFICIAL RECORDS BOOK 6624, PAGE 1024, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA; THENCE, SOUTH 01°30'06" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, AND ALONG A LINE 54.50 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 226.29 FEET; THENCE, SOUTH 02°18'44" WEST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, A DISTANCE OF 172.89 FEET; THENCE, SOUTH 01°30'06" EAST, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, AND ALONG A LINE 66.00 FEET WEST OF, AS MEASURED AT RIGHT ANGLES TO, THE EAST LINE OF SAID SECTION 11, A DISTANCE OF 160.00 FEET; THENCE, SOUTH 88°29'54" WEST, DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE OF SAID HAVERHILL ROAD, A DISTANCE OF 76.91 FEET; THENCE, SOUTH 75°55'26" WEST, A DISTANCE OF 222.97 FEET; THENCE NORTH 80°30'06" WEST, A DISTANCE OF 307.51 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.49 FEET; THENCE, WESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 23°50'00", A DISTANCE OF 41.80 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 56°40'06" WEST, A DISTANCE OF 66.05 FEET; THENCE, NORTH 14°01'12" WEST, A DISTANCE OF 14.56 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY, HAVING A RADIUS OF 239.00 FEET, AND WHOSE RADIUS POINT BEARS NORTH 63°45'58" WEST; THENCE, NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 35°17'08", A DISTANCE OF 147.19 FEET TO THE POINT OF TANGENCY; THENCE, NORTH 09°03'06" WEST, A DISTANCE OF 187.15 FEET; THENCE, NORTH 01°29'45" EAST, A DISTANCE OF 226.77 FEET TO THE POINT OF BEGINNING.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD, being located on the southwest corner of Forest Hill Boulevard and Haverhill Road, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. No building permit shall be issued until a contract is let for the construction of Haverhill Road north

and south of Cresthaven Boulevard from three to five lanes, or a CRALLS designation is adopted for this section of Haverhill Road. (BLDG PERMIT: MONITORING - Eng)

Commissioner Masiolotti moved for approval of the Resolution.

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

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

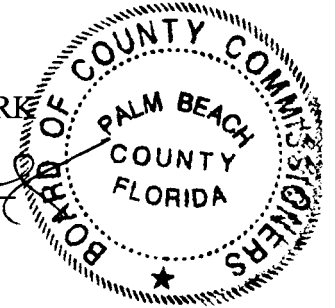
The Chair thereupon declared the resolution was duly passed and adopted this 9 day of December, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: [Signature]
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 16 day of January, 2003.