

RESOLUTION NO. R-93-898

RESOLUTION APPROVING ZONING PETITION CA93-15  
CLASS A CONDITIONAL USE  
PETITION OF BR RANCH, INC.

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 Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance 92-20) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA93-15 was presented to the Board of County Commissioners at a public hearing conducted on July 29, 1993; 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations) of the Palm Beach County Land Development Code and other provisions requiring that development commence in a timely manner; and

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

1. This Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class A Conditional Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Class A Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach county 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.
5. This Class A Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.
6. This Class A Conditional Use meets applicable local land development regulations.

7. This Class A Conditional Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Class A Conditional Use has a concurrency reservation and therefore complies with Art. 11, Adequate Public Facility Standards.
9. This Class A Conditional 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.
10. This Class A Conditional Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 Zoning Petition CA93-15, the petition of BR RANCH, INC., by: ROBERT CULPEPPER, AGENT for a **CLASS A CONDITIONAL USE** allowing a **MOTION PICTURE PRODUCTIONS STUDIO** in the Commercial Recreation (CRE) 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 July 29, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster moved for the approval of the Resolution.

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

Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Aye
Xen Foster	--	Aye
Maude Ford Lee	--	Absent
Karen T. Marcus	--	<b>Aye</b>
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 29th day of July, 1993.

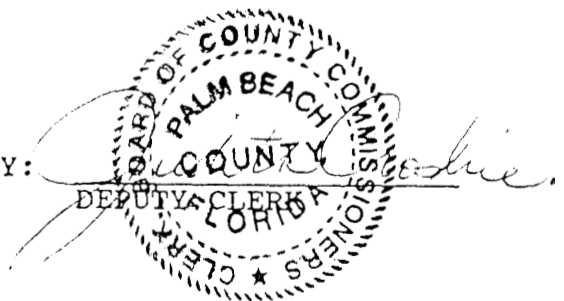
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

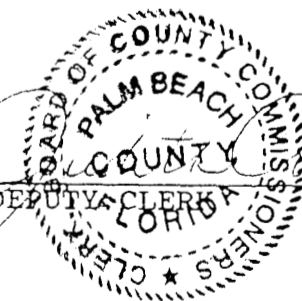


EXHIBIT A  
LEGAL DESCRIPTION

DESCRIPTION AND SKETCH FOR: B R RANCH

PROPERTY DESCRIPTION: A parcel of land in the South Half of the South Half of Section 12, Township 41 South, Range 41 East, Palm Beach County, Florida, being more particularly described as follows:

commencing at the Southeast corner of said Section 12, thence North 89° 56' 35" West along the South line of said Section 12 (the South line of Section 12 is assumed to bear North 89° 56' 35" West and all other bearings stated herein are relative thereto) a distance of 91.10 feet to a point on the westerly right of way line of State Road No. 7 as shown in the Replat of JUPITER FARMS AND GROVES; as recorded in Plat Book 2.1, page 7, Palm Beach County Public Records, and the POINT OF BEGINNING of the hereinafter described parcel of land; thence continue North 89° 56' 35" West along said Section line a distance of 987.07 feet; thence North 00° 03' 25" East, departing said Section line, a distance of 739.60 feet; thence South 89° 56' 14" East a distance of 727.19 feet; thence South 00° 26' 30" East a distance of 71.53 feet; thence North 87° 17' 21" East a distance of 55.12 feet; thence South 02° 46' 37" East a distance of 41.50 feet; thence North 89° 29' 57" East a distance of 20.89 feet; thence South 00° 59' 52" West a distance of 280.10 feet; thence North 89° 29' 57" East a distance of 192.55 feet to a point on the aforesaid westerly right of way line of State Road No. 7; thence South 01° 08' 51" West along said right of way line a distance of 351.09 feet to the Point of Beginning.

Subject to rights of way and easements of record

Containing in all 15.00 acres.

EXHIBIT B  
VICINITY SKETCH

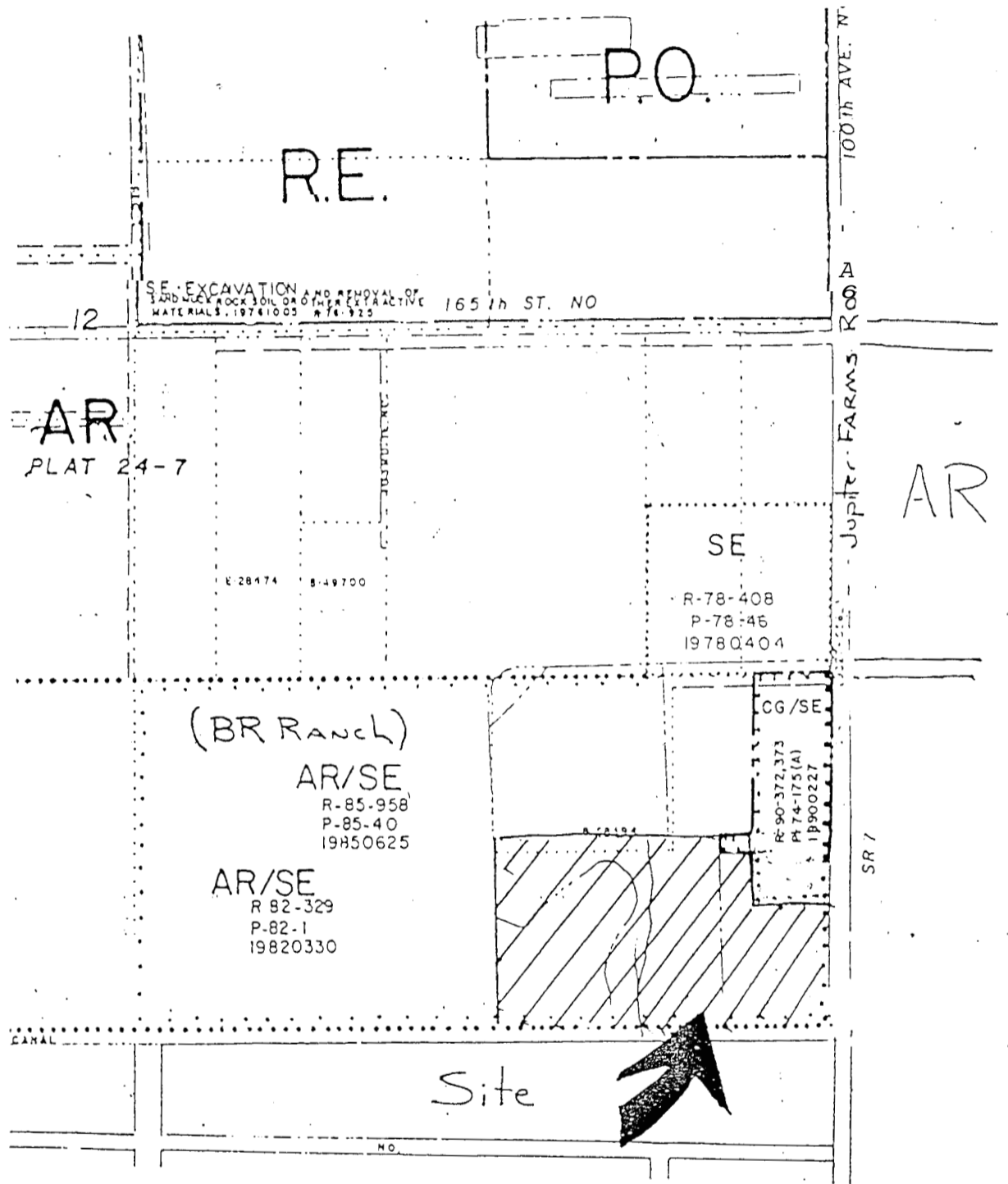


EXHIBIT C

CONDITIONS OF APPROVAL

A. BUILDING AND SITE DESIGN

1. The site shall be limited to **20,375** square feet of building area. Additional square footage may be obtained pursuant to Section 5.4.E.13 (Minor Deviations) to ensure that the intensity as approved at a public hearing will not increase without further public hearing except as allowed by code. (ZONING)

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. Secondary containment for stored Regulated Substances (fuels, oils and other hazardous chemicals) is required. The Department of Environmental Resources Management is willing to provide guidance on appropriate protective measures. (BUILDING /ERM)

C. HEALTH

1. prior to site plan approval by the Development Review Committee, the petitioner must demonstrate that the existing on-site disposal system meets the minimum requirements, as defined under Chapter 10D-6 FAC. (HEALTH)

D. LANDSCAPE - GENERAL

1. Prior to site plan approval by the Development Review Committee, the petitioner must revise the site plan to indicate the minimum landscape requirements of the ULDC to ensure that the site reduces the impacts on the surrounding area and is consistent with the standards of the ULDC. (ZONING)
2. Prior to February 14, 1994, the petitioner shall install the required landscape as depicted on the approved site plan to ensure that the site reduces the impacts on the surrounding area in a timely manner. (MONITORING/ZONING)

E. ENGINEERING

1. If required by the County Engineer, the property owner shall convey to Palm Beach County adequate road drainage easement through the project's internal surface water management system to provide legal positive outfall for all runoff from those segments of Jupiter Farms Road along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along. Said easements shall be no less than **20** feet in width. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge and treatment requirements of the applicable County Water Control District and South Florida Water Management for the combined runoff from the project and District the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of **24** inch closed piping system and appropriate wingwall or other structures. Elevation and location of all construction shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material (MONITORING - Engineering).