

RESOLUTION NO. R-98-406

RESOLUTION APPROVING ZONING PETITION DOA80-24(A)  
DEVELOPMENT ORDER AMENDMENT  
PETITION OF **B/E** AREOSPACE  
BY SARA LOCKHART, AGENT  
(**B/E** AREOSPACE)

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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

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

WHEREAS, Zoning Petition DOA80-24(A) was presented to the Board of County Commissioners at a public hearing conducted on March 26, 1998; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified 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 Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, 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.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. **This Development** Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, 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 Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 DOA80-24(A), the petition of B/E Areospace, by Sara Lockhart, agent, for a Development Order Amendment (DOA) to add land (**0.75** acres) 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 attached as EXHIBIT B, attached hereto and made a part hereof, was approved ~~on~~ **March 26, 1998**, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Lee moved for the approval of the Resolution.

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

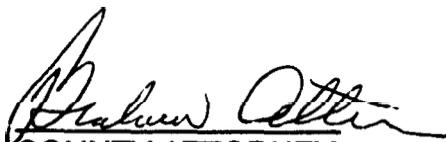
Burt Aaronson, Chair	--	Aye
Maude Ford Lee, Vice Chair	--	Aye
Ken Foster	--	Absent
Karen T. Marcus	--	Absent
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared ~~that the~~ resolution was duly passed and adopted on March 26, 1998.

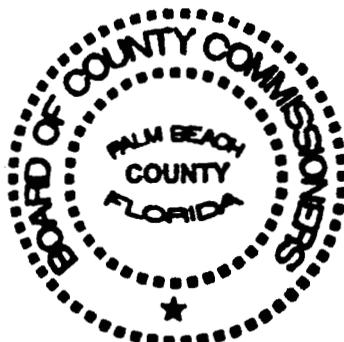
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY **ITS** BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



## EXHIBIT A

### LEGAL DESCRIPTION

#### DESCRIPTION:

COMMENCE AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTH QUARTER OF THE SOUTH HALF OF SECTION 5, TOWNSHIP 46 SOUTH, RANGE 43 EAST, AND THE EAST RIGHT OF WAY LINE OF STATE ROAD NO. 9; THENCE NORTHERLY, ALONG SAID EAST RIGHT OF WAY LINE A DISTANCE OF 50.61 FEET; THENCE EASTERLY AND PARALLEL TO AND 48.0 FEET NORTH OF AS MEASURED AT RIGHT OF ANGLES TO THE SAID NORTH LINE OF THE SOUTH QUARTER OF THE SOUTH HALF OF SECTION 5, A DISTANCE OF 276.30 FEET TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF THE FOLLOWING DESCRIBED PROPERTY; THENCE CONTINUE EASTERLY, ALONG SAID PARALLEL LINE, A DISTANCE OF 208.54 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE OF 120°24'14" MEASURED FROM WEST TO NORTHEAST, A DISTANCE OF 138.00 FEET TO A POINT; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE PRECEDING COURSE, A DISTANCE OF 162.57 FEET TO A POINT; THENCE SOUTHWESTERLY AT AN ANGLE OF 76°23'30", MEASURED FROM SOUTHEAST TO SOUTHWEST, A DISTANCE OF 55.32 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY, ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 69.09 FEET AND A CENTRAL ANGLE OF 91°37'13", A DISTANCE OF 110.48 FEET TO A POINT; THENCE SOUTHWESTERLY, ALONG A LINE RADIAL TO SAID CURVE, A DISTANCE OF 108.31 FEET TO THE POINT OF BEGINNING.

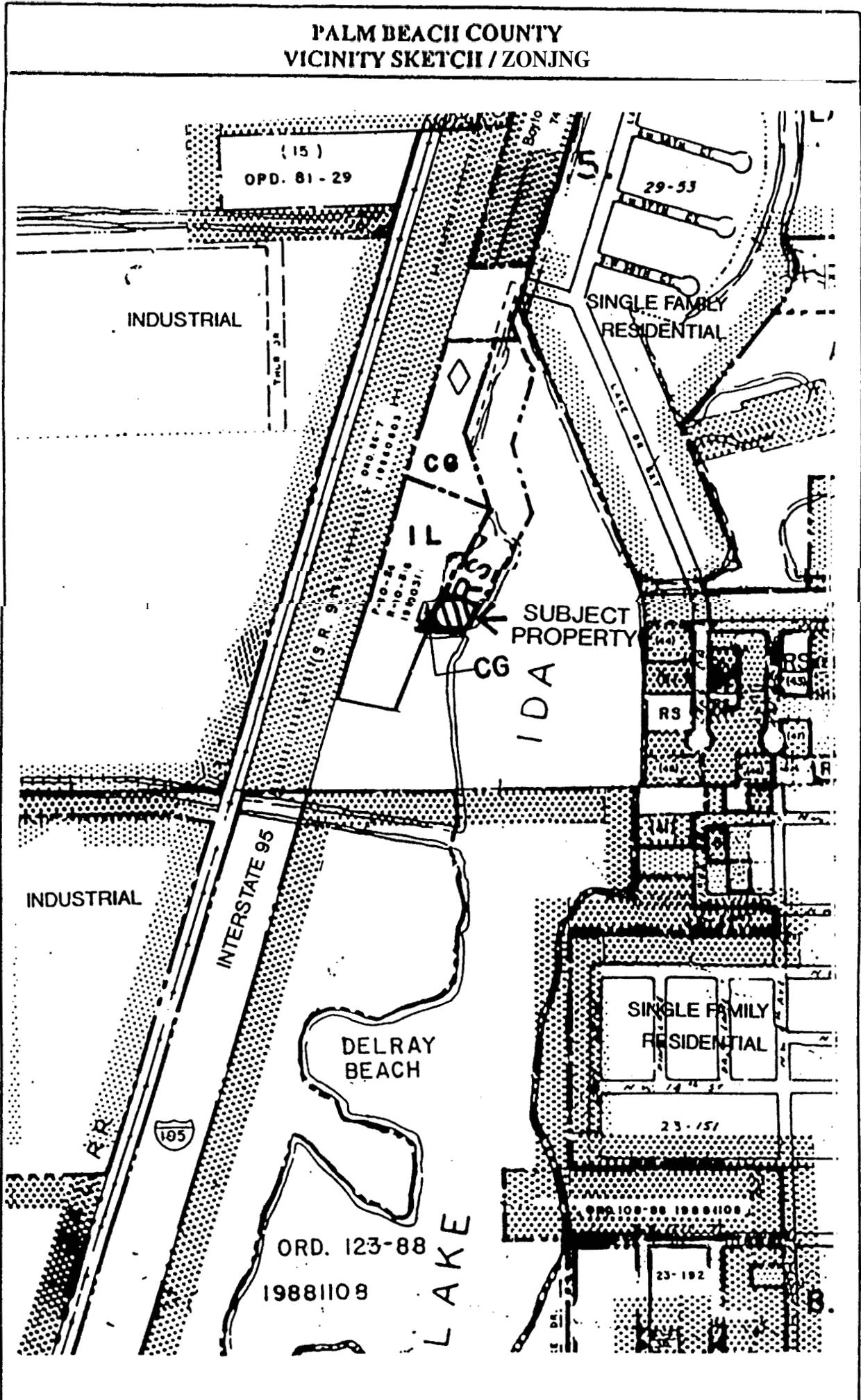
### Legal Description for Parent Tract

A parcel of land in Section 5, Township 46 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows:

Commence at the intersection of the North line of the South Quarter (SQ) of the South Half (SH) of said Section 5 with the East right of way line of State Road No. 9 (Interstate 95); thence S. 18°31'15" W., (assumed) along said East right of way line, 329.39 feet; thence S. 89°58'35" E., and parallel with the said North line of the South Quarter (SQ) of the South Half (SH) of Section 5, a distance of 300.00 feet; thence N. 18°31'15" E., and parallel with the said East right of way line of State Road No. 9 a distance of 380.00 feet to a line 48.00 feet North of and parallel with the said North line of the South Quarter (SQ) of the South Half (SH) of Section 5; thence N. 89°58'35" W., along said parallel line 23.59 feet; thence N. 18°26'25" E., a distance of 108.34 feet to the point of tangency of a curve concave to the Northwest thence Northeasterly along the arc of said curve, having a central angle of 91°37'13" and a radius of 69.09 feet a distance of 110.48 feet to the end of said curve thence N. 16°49'12" E., along a line tangent to said curve a distance of 94.23 feet to a point of curvature of a curve concave to the Southeast having a central angle of 49°03'34" and a radius of 67.65 feet thence Northeasterly along the arc of said curve a distance of 57.92 feet to the end of said curve thence N. 65°52'46" E., along a line tangent to said curve, a distance of 90.85 feet to a point of curvature of a curve concave to the Northwest having a central angle of 53°45'58" and a radius of 106.26 feet thence Northeasterly along the arc of said curve a distance of 99.69 feet to a point thence N. 59°34'14" W., a distance of 460.29 feet to a point in the East right of way line of Interstate Road No. 95 (formerly known as Florida State Road No. 9) thence S. 18°31'15" W., along said right of way line a distance of 710.28 feet to the Point of Beginning- aforesaid.

EXHIBIT B

PALM BEACH COUNTY  
VICINITY SKETCH / ZONING



Petition Number: 80-24(A)  
Zoning Quad Page \_\_\_\_\_  
Date: Oct. 15, 1997



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### A. PLANNING

1. The 0.75 acre site subject of Small Scale Land Use amendment 98-SCA 95 IND 1 shall be limited to the following:
  - a. Office and indoor storage use only. No manufacturing uses shall be permitted; and
  - b. Existing building square footage. (ONGOING: PLANNING)

#### B. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violations of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of approval. (ONGOING: MONITORING - Zoning)
2. 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; revocation of any concurrency; 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 non-compliance, 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)