

RESOLUTION NO. R-2009- 1044

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2009-00566
(CONTROL NO. 1976-00121)
REQUESTED USE
APPLICATION OF ROSE DIAMOND INVESTMENTS INC
BY LAND RESEARCH MANAGEMENT, INC., AGENT
(QUEEN OF PAWNS)

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-2009-00566 was presented to the Board of County Commissioners at a public hearing conducted on June 29, 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 is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use;
2. This Requested Use complies with applicable standards and provisions of the ULDC for use, layout, function, and general development characteristics. The proposed Class A Conditional Use also complies with all applicable portions of Article 4.B, Supplementary Use Standards;
3. This Requested Use with conditions as adopted, is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development;
4. This Requested Use with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands;
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;
6. This Requested Use with conditions as adopted, will result in logical, timely and orderly development patterns;
7. This Requested Use is consistent with applicable neighborhood plans in accordance with BCC policy;
8. This Requested Use has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC; and
9. This Requested Use has demonstrated changed conditions or circumstances

that necessitate a modification.

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-2009-00566, the application of Rose Diamond Investments Inc, by Land Research Management, Inc., agent, for a Requested Use to allow a Requested Use to allow a Pawnshop. in the CG/SE 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 June 29, 2009.

Commissioner Marcus moved for the approval of the Resolution.

The motion was seconded by Commissioner Burt Aaronson 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

The Chairperson thereupon declared that the resolution was duly passed and adopted on June 29, 2009.

Filed with the Clerk of the Board of County Commissioners on July 7th, 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

PARCEL 1:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE WESTERLY ALONG THE NORTH LINE OF SAID SECTION 27, ALSO BEING THE CENTERLINE OF OKEECHOBEE BOULEVARD, 40.00 FEET TO THE INTERSECTION WITH THE NORTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY OF DREXEL ROAD, AS PRESENTLY LAID OUT AND IN USE; THENCE SOUTHERLY ALONG THE SAID EXTENSION LINE 275.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER DESCRIBED PROPERTY; THENCE CONTINUE SOUTHERLY ALONG THE SAID WEST RIGHT-OF-WAY LINE OF DREXEL ROAD, 691.20 FEET; THENCE WESTERLY ALONG A LINE PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, 600.0 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL WITH THE SAID WEST RIGHT-OF-WAY LINE OF DREXEL ROAD, 646.20 FEET; THENCE EASTERLY ALONG A LINE PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, 193.00 FEET; THENCE NORTHERLY ALONG A LINE PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF DREXEL ROAD, 245.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, THENCE EASTERLY ALONG SAID RIGHT-OF-WAY LINE, 187.00 FEET; THENCE SOUTHERLY ALONG A LINE PARALLEL TO THE WEST RIGHT-OF-WAY LINE OF DREXEL ROAD, 200.00 FEET; THENCE EASTERLY ALONG A LINE PARALLEL TO THE SOUTH RIGHT-OF-WAY LINE OF OKEECHOBEE BOULEVARD, 220.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 2:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 27; THENCE SOUTH 01 DEGREES 52 MINUTES 53 SECONDS WEST (THE EAST LINE OF SAID 27 IS SAID TO BEAR SOUTH 01 DEGREES 52 MINUTES 53 SECONDS WEST, AND ALL OTHER BEARINGS MENTIONED HEREIN ARE RELATED THERETO) ALONG THE EAST LINE OF SAID SECTION 27, ALSO BEING THE CENTERLINE OF DREXEL ROAD, A DISTANCE OF 75.00 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 09 SECONDS WEST, A DISTANCE OF 447.00 FEET TO THE POINT OF BEGINNING OF THE HEREINAFTER FOLLOWING

DESCRIPTION; THENCE SOUTH 01 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 245.00 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 09 SECONDS WEST, A DISTANCE OF 193.00 FEET; THENCE NORTH 01 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 245.00 FEET TO A POINT ON THE SOUTH RIGH-OF-WAY OF OKEECHOBEE BOULEVARD, AS LAID OUT AND NOW IN USE; THENCE SOUTH 88 DEGREES 18 MINUTES 09 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 193.00 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

PARCEL 3:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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WEST, ALONG THE WEST RIGHT-OF-WAY OF DREXEL ROAD (AS LAID OUT AND NOW IN USE) A DISTANCE OF 200.00 FEET; THENCE NORTH 88 DEGREES 18 MINUTES 09 SECONDS WEST, PARALLEL TO THE NORTH LINE OF SECTION 27, A DISTANCE OF 220.00 FEET; THENCE NORTH 01 DEGREES 52 MINUTES 53 SECONDS EAST, PARALLEL TO THE EAST LINE OF SAID SECTION 27, A DISTANCE OF 200.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD, AS LAID OUT AND NOW IN USE; THENCE SOUTH 88 DEGREES 18 MINUTES 09 SECONDS EAST, ALONG THE SAID SOUTH RIGHT-OF-WAY OF OKEECHOBEE BOULEVARD A DISTANCE OF 220.00 FEET. MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 3 EASEMENT ESTATE:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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AND:

A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 43 SOUTH, TOWNSHIP 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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EXHIBIT B
VICINITY SKETCH

