

RESOLUTION NO. R-2014- 1105

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2013-03129  
(CONTROL NO. 1986-00124)  
a Requested Use  
APPLICATION OF Bass Pro Outdoor World LLC - Jamie Carroll  
BY Shutts and Bowen, LLP, AGENT  
(World Wide Sportsman)

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;

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied;

WHEREAS, Zoning Application DOA/R-2013-03129 was presented to the Board of County Commissioners at a public hearing conducted on July 24, 2014;

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 recommendation of the Zoning Commission;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) 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 the request;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Requested Use; and,

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 DOA/R-2013-03129, the petition of Bass Pro Outdoor World LLC - Jamie Carroll, by Shutts and Bowen, LLP, agent, for a Requested Use to allow Vehicle Sales and Rental (boat sales 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 24, 2014, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 24, 2014.

Filed with the Clerk of the Board of County Commissioners on July 29th, 2014.


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


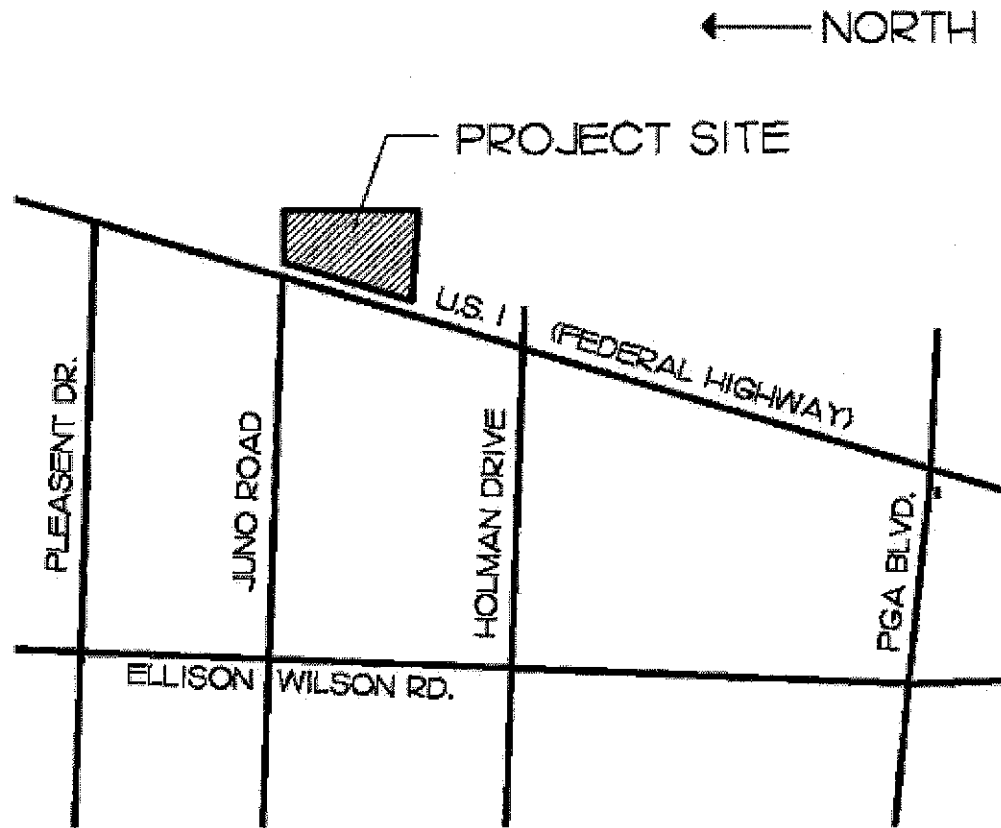


EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 42 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF U.S. HIGHWAY NO. 1 (NORTH FEDERAL HIGHWAY) (STATE ROAD NO. 5) WITH THE NORTH LINE OF SAID NORTHWEST 1/4; THENCE SOUTH 89°13'02" EAST ON SAID NORTH LINE 62.30 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°13'02" EAST ON SAID NORTH LINE 292.60 FEET TO THE NORTHWEST CORNER OF LOT 18 OF "HIDDEN KEY NORTH", RECORDED IN PLAT BOOK 28, PAGE 129, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 01°08'10" WEST ON THE WEST LINE OF SAID LOT 18 AND LOTS 19, 20, 21, 22 AND 23 OF SAID "HIDDEN KEY NORTH", 672.13 FEET TO THE INTERSECTION WITH THE NORTH LINE OF THE PARCEL OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 15353, PAGE 1902, OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 85°38'52" WEST ON SAID NORTH LINE AND ON THE NORTH LINE OF THE PARCELS OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2936, PAGE 1450 AND IN OFFICIAL RECORDS BOOK 20480, PAGE 248, OF THE PUBLIC RECORDS OF SAID COUNTY, 456.93 FEET TO THE SOUTHEAST CORNER OF ADDITIONAL RIGHT-OF-WAY FOR U.S. HIGHWAY NO. 1 RECORDED IN OFFICIAL RECORDS BOOK 5630, PAGE 207 OF SAID PUBLIC RECORDS; THENCE ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 1 THE FOLLOWING 3 NUMBERED COURSES AND DISTANCES: 1) NORTH 16°24'36" EAST 139.94 FEET; 2) NORTH 88°46'31" WEST 12.43 FEET; 3) NORTH 16°24'36" EAST 528.34 FEET TO THE POINT OF BEGINNING

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Requested Use

##### USE LIMITATIONS

1. No bars, lounges, or package stores shall be permitted on the site. This condition shall not preclude sale of alcoholic beverages in a full service restaurant or gourmet food store. (ONGOING: ZONING - Zoning)

2. The Vehicle Sales and Rental Requested Use approval shall be limited to Boat Sales only. (ONGOING: ZONING - Zoning)

##### COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: ZONING - 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; the 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 Unified Land Development Code 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 of Approval; 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 the Code Enforcement Special Master 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 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning) (ONGOING: ZONING - Zoning)

##### DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.