

RESOLUTION NO. R-2023- 0056

RESOLUTION APPROVING ZONING APPLICATION DOAW-2021-01652  
(CONTROL NO. 1981-00082)  
a Type 2 Waiver  
APPLICATION OF SSC Property Holdings, LLC  
BY Bohler Engineering, AGENT  
(Public Storage - Military)

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 pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application DOAW-2021-01652 was submitted on behalf of SSC Property Holdings, LLC, by Bohler Engineering, Agent, for a Development Order Amendment to reconfigure the Site Plan; and to reduce square footage; and a Type 2 Waiver to reduce minimum Fenestration and Storefronts was presented to the Board of County Commissioners at a public hearing conducted on January 11, 2023.

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 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Type 2 Waiver;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC 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 DOAW-2021-01652, the Application of SSC Property Holdings, LLC, by Bohler Engineering, Agent, for a Type 2 Waiver to reduce minimum Fenestration and Storefronts for on 9.31 acres, on a parcel of land generally described as shown on the legal description 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 January 4, 2023, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor	- Aye
Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Michael Barnett	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on January 11, 2023.

Filed with the Clerk of the Board of County Commissioners on January 11, 2023.

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

JOSEPH ABRUZZO,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

**PARCEL I**

A PARCEL OF LAND, LYING, BEING AND SITUATE IN PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 349.00 FEET OF THE EAST 303.00 FEET; AND LESS THE EAST 60.00 FEET FOR ROAD RIGHT-OF-WAY PURPOSES LESS THE EASTERLY 60.00 FEET THEREOF FOR MILITARY TRAIL RIGHT-OF-WAY.

AND

**PARCEL II**

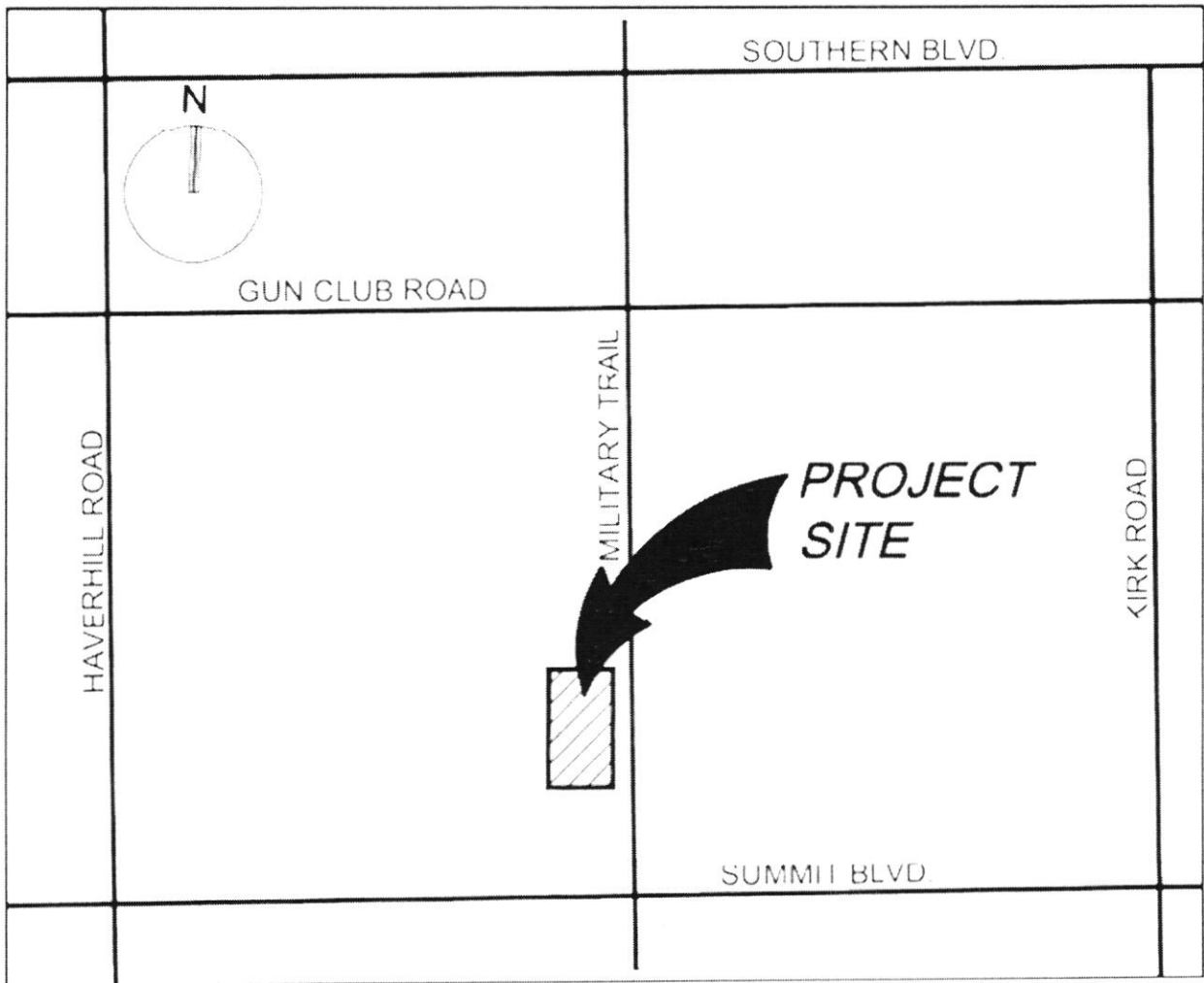
THE NORTH 349.00 FEET OF THE EAST 303.00 FEET OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST; LESS THE EAST 60.00 FEET THEREOF FOR ROAD RIGHT-OF-WAY PURPOSES.

ALSO KNOWN AS

THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE EAST 60.00 FEET FOR ROAD RIGHT-OF-WAY PURPOSES.

CONTAINING 405,690 SQUARE FEET OR 9.313 ACRES.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Type 2 Waiver

##### ALL PETITIONS

1. The approved Preliminary Site Plan and Architectural Elevations are dated May 26, 2022. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

##### ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Limited Access Self Storage Building shall be revise to include spandrel glass windows to achieve a minimum of 70% store front on the first floor of the east façade and 35% fenestration (window covering) of the second and third floors of the eastern Façade. The windows shall be of a material and color that gives the appearance as a window, i.e. blue, grey, etc. (DRO/BLDG PERMIT: ZONING - Zoning)

2. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Limited Access Self Storage Building shall be revised to include spandrel glass windows to include achieve a minimum of 15% storefront and fenestration of the north and south facades for each floor. The windows shall be of a material and color that gives the appearance as a window, i.e. blue, grey, etc. (DRO/BLDG PERMIT: 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: ZONING - Zoning)

##### DISCLOSURE

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