

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Capital Expenditures	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Operating Costs	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
External Revenues	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
Program Income (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
In-Kind Match (County)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
NET FISCAL IMPACT	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>
ADDITIONAL FTE POSITIONS (Cumulative)	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>	<u>-0-</u>

Is Item Included In Current Budget? Yes No

Budget Account No.: Fund _____ Dept. _____ Org. _____ Object _____
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:

This item has no fiscal impact.

C. Departmental Fiscal Review: *[Signature]*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

No fiscal impact

OFMB *[Signature]* *12-19-08* Contract Dev. and Control *[Signature]* *12/19/08*

B. Legal Sufficiency:

[Signature] *12/22/08*
 Assistant County Attorney

This item complies with current County policies.

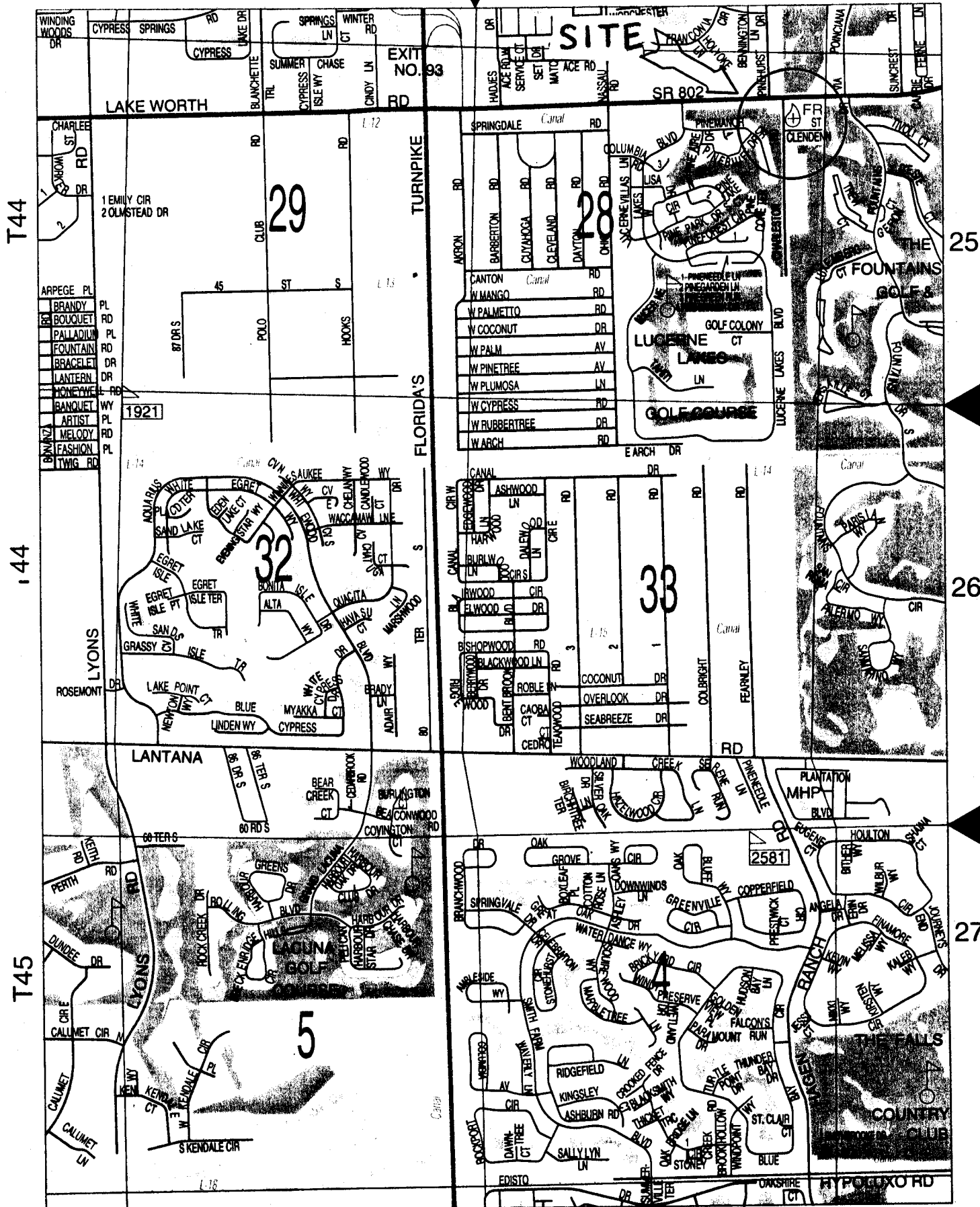
C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

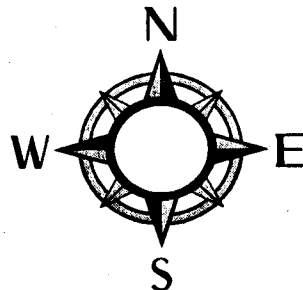
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SEE PG 96

Location Map



RESOLUTION NO. R-2008-

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, RE-DESIGNATING COUNTY OWNED PROPERTY AS RIGHT-OF-WAY, AS NEEDED FOR FIRE STATION # 32 AT THE INTERSECTION OF CHARLESTON ROAD AND CLENDENIN STREET IN SECTION 28, TOWNSHIP 44, RANGE 42.

WHEREAS, Palm Beach County is the owner of certain property, identified in Exhibit "A", attached hereto and made a part hereof, which is the site of new Fire Station # 32 at the northeast corner of the intersection of Charleston Road and Clendenin Street; and,

WHEREAS, Zoning Application Z2008-00624, "Exhibit C" requires that the owner provide a 10 foot Corner Clip at the northeast corner of the intersection of Charleston Road and Clendenin Street; and,

WHEREAS, Palm Beach County is the owner of the property located at the northeast corner of Charleston Road and Clendenin Street; and,

WHEREAS, it is therefore appropriate to re-designate the parcel in Exhibit "A", attached hereto and made a part hereof, as Right-of-Way.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA THAT:

1. This Board adopts and ratifies those matters set forth in the foregoing recitals.
2. That the Chairman of the Board and the Clerk are hereby authorized to designate the County-owned property, identified in Exhibit "A", as Right-of-Way.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and upon being put to a vote, the vote was as follows:

Commissioner John F. Koons, Chairman
Commissioner Burt Aaronson, Vice Chairman
Commissioner Karen T. Marcus
Commissioner Shelley Vana
Commissioner Mary McCarty
Commissioner Jess R. Santamaria
Commissioner Addie L. Greene

The Chairman thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2009.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK AND COMPTROLLER

BY: _____
County Attorney

BY: _____
Deputy Clerk

Exhibit "A"

LEGAL DESCRIPTION

BEING A 10 FOOT ADDITIONAL RIGHT-OF-WAY PARCEL, LYING IN THE SOUTHWEST CORNER OF LOT 13 OF THE PLAT OF KANAWHA PARK, AS RECORDED IN PLAT BOOK 23, PAGE 248 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 13; THENCE NORTH 00°56'46" WEST, ALONG THE WEST LINE OF SAID LOT 13, A DISTANCE OF 10.00 FEET; THENCE, DEPARTING SAID WEST LINE, SOUTH 45°56'16" EAST, A DISTANCE OF 14.14 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 13; THENCE, ALONG THE SOUTH LINE OF SAID LOT 13, SOUTH 89°04'14" WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

ABOVE DESCRIBED PARCEL CONTAINING 50 SQUARE FEET OR 0.00115 ACRES

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON REFER TO THE WEST LINE OF SAID LOT 13 OF THE PLAT OF KANAWHA PARK, SAID LINE IS ASSUMED TO BEAR NORTH 00°56'46" WEST, ALL OTHER BEARINGS ARE RELATIVE THERETO.
2. THIS IS NOT A BOUNDARY SURVEY.

LAND SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT THE SKETCH SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE ACCOMPANYING DESCRIPTION AND COMPLIES WITH THE TECHNICAL STANDARDS SET FORTH IN CHAPTER 61G17-6, F.A.C., BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. NOT VALID UNLESS SEALED WITH SURVEYOR'S EMBOSSED SEAL AND SIGNATURE.

F.R.S. AND ASSOCIATES, INC.

BY: _____

DAVID L. SMITH, P.S.M.
FLORIDA LICENSE NO. 4951
FOR THE FIRM

THIS IS NOT A BOUNDARY SURVEY



F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS

CERTIFICATE OF AUTHORIZATION NO. LB 4241
901 NORTHPOINT PARKWAY, SUITE 301
WEST PALM BEACH, FLORIDA 33407-1953
PHONE (561)478-7178 FAX (561)478-7922

SCALE: N/A

DATE: 10-27-08

DRAWN BY: D.L.S.

APPR. BY: D.L.S.

F.B. N/A

PG. N/A

CADD REF.
T:\DRAW\FIRE STATION 32\
AUTOCAD2008\ADDITIONAL RW.DWG

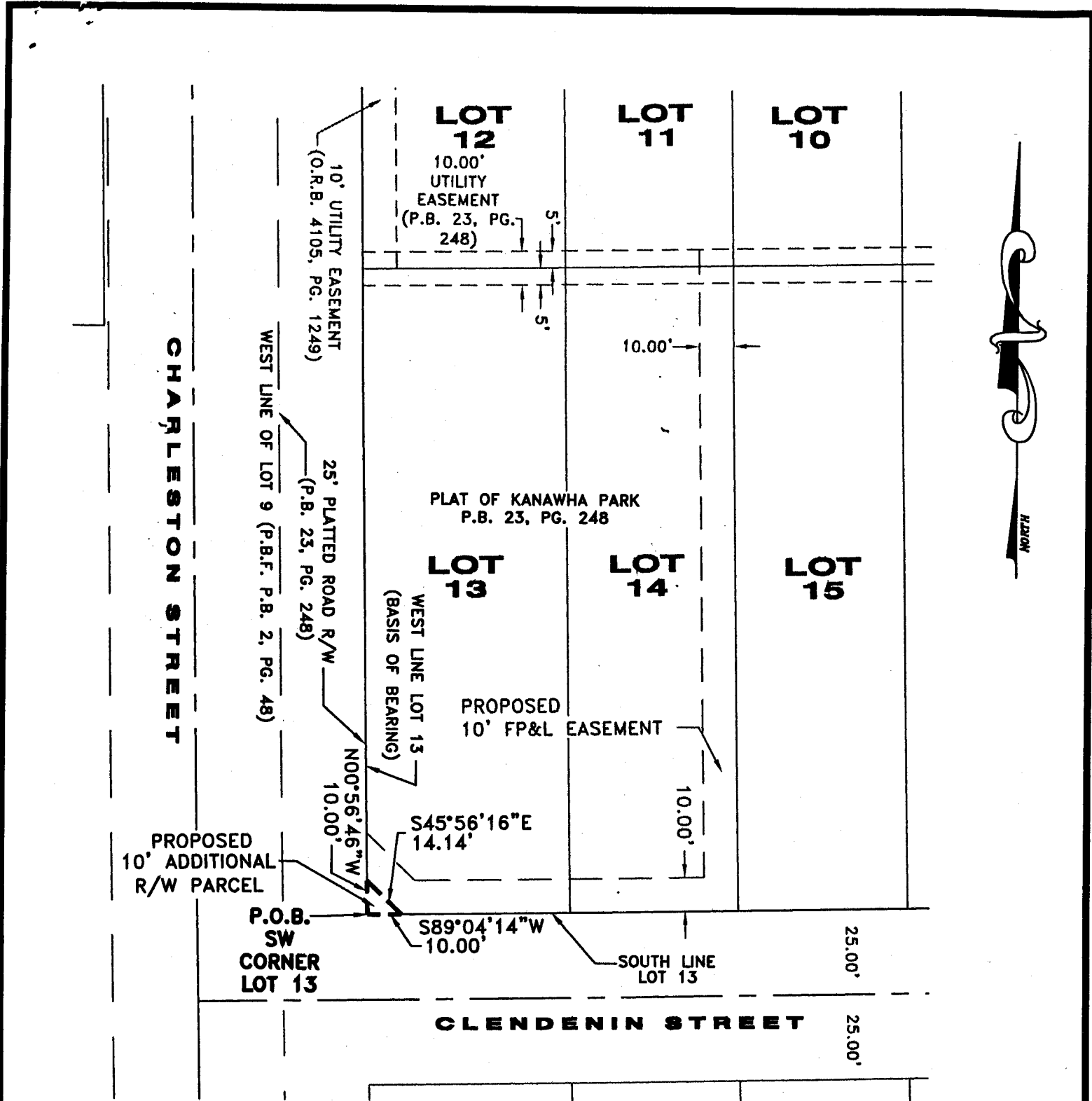
JOB NUMBER:

A 07-002

SHEET 1 OF 2

SKETCH AND LEGAL DESCRIPTION

**PROPOSED ADDITIONAL RIGHT-OF-WAY PARCEL
FOR FIRE STATION 32**



LEGEND

- P.O.B. = POINT OF BEGINNING
- P.B.F. = PALM BEACH FARMS
- P.B. = PLAT BOOK
- PG. = PAGE
- R/W = RIGHT OF WAY
- O.R.B. = OFFICIAL RECORD BOOK

THIS IS NOT A BOUNDARY SURVEY



F.R.S. & ASSOCIATES, INC.
LAND SURVEYORS AND LAND PLANNERS
CERTIFICATE OF AUTHORIZATION NO. LB 4241
901 NORTHPOINT PARKWAY, SUITE 301
WEST PALM BEACH, FLORIDA 33407-1953
PHONE (561)478-7178 FAX (561)478-7922

SCALE: 1" = 40'
DATE: 10-27-08

DRAWN BY: D.L.S.
APPR. BY: D.L.S.

F.B. N/A
PG. N/A

CADD REF.
T:\DRAW\FIRE STATION 32\
AUTOCAD2008\ADDITIONAL RW.DWG

SKETCH AND LEGAL DESCRIPTION
PROPOSED ADDITIONAL RIGHT-OF-WAY PARCEL
FOR FIRE STATION 32

JOB NUMBER:
A 07-002

SHEET 2 OF 2

3012

RESOLUTION NO. R-2008- 1383

RESOLUTION APPROVING ZONING APPLICATION Z2008-00624
(CONTROL NO. 2008-00093)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF PALM BEACH COUNTY - AUDREY WOLF
BY PALM BEACH COUNTY, AGENT
(FIRE-RESCUE STATION #32)

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 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), have been satisfied; and

WHEREAS, Zoning Application Z008-00624 was presented to the Board of County Commissioners at a public hearing conducted on August 28, 2008; 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 recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan.
2. This official zoning map amendment (rezoning) is consistent with the stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

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 Z2008-00624, the application of Palm Beach County - Audrey Wolf, by Palm Beach County, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential Zoning District to the Public Ownership Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on August 28, 2008.

Commissioner Marcus 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:

Addie L. Greene, Chairperson	¥	Aye
Jeff Koons, Vice Chair	¥	Aye
Karen T. Marcus	¥	Aye
Robert J. Kanjian	¥	Aye
Mary McCarty	¥	Absent
Burt Aaronson	¥	Aye
Jess R. Santamaria	¥	

The Chairperson thereupon declared that the resolution was duly passed and adopted on August 28, 2008.

Filed with the Clerk of the Board of County Commissioners on September 2, 2008.

This resolution was filed with the Clerk of the Board of County Commissioners on _____.

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

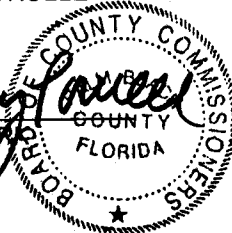
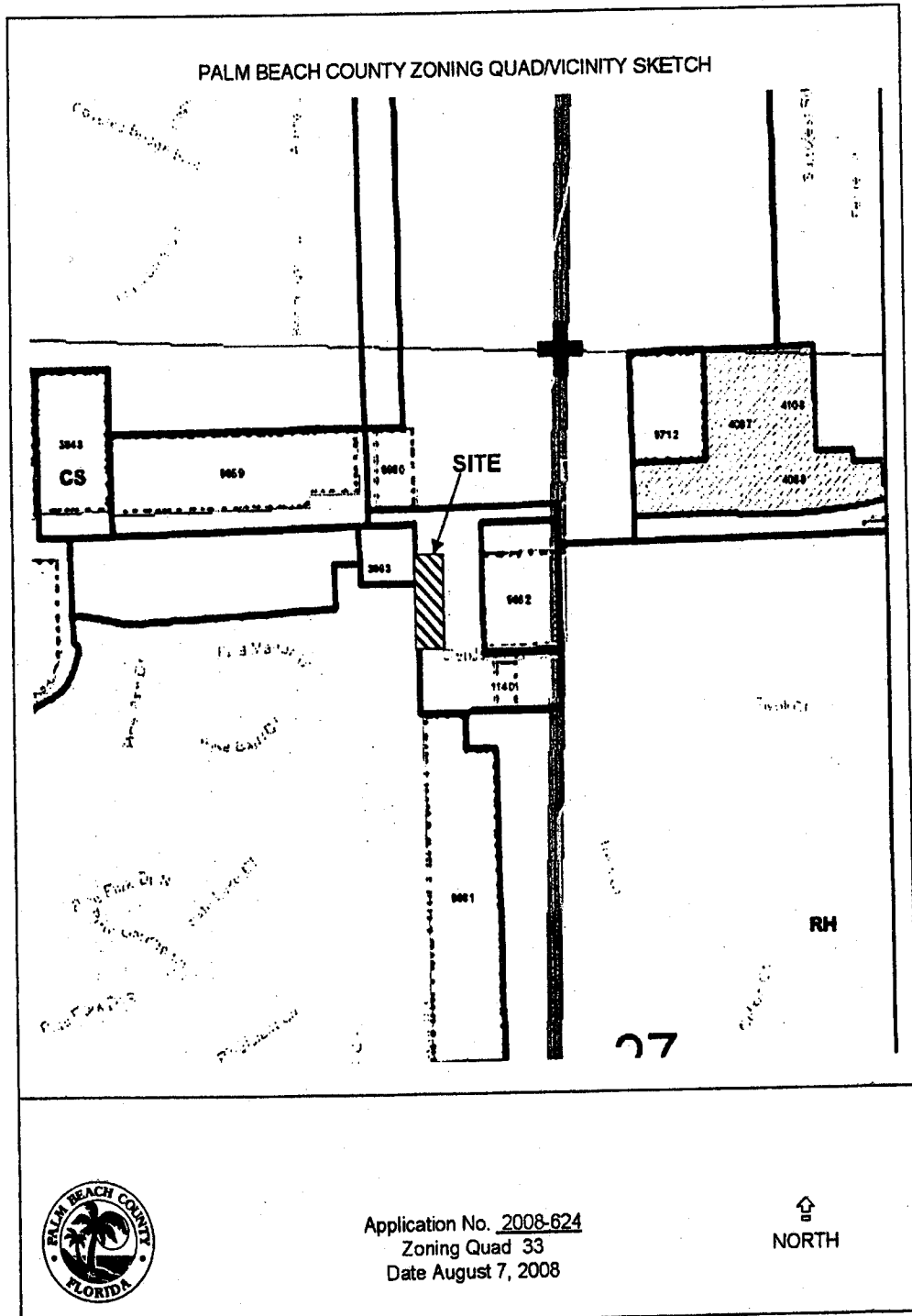


EXHIBIT A
LEGAL DESCRIPTION

BEING ALL OF LOTS 11, 12 13 AND 14, PLAT OF KANAWHA PARK, AS RECORDED IN
PLAT BOOK 23, PAGE 248, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY,
FLORIDA.

CONTAINING 0.934± ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



Application No. 2008-624
Zoning Quad 33
Date August 7, 2008

↑
NORTH

EXHIBIT C
VOLUNTARY COMMITMENTS

ENGINEERING

1. The Property owner shall repave Charleston Street from Lake Worth Road to the project's southernmost driveway connection onto Charleston Street subject to the approval of the County Engineer. Repaving of Charleston Street shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner.

A) Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)

B) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

2. CORNER CLIP DESIGNATION OF RIGHT OF WAY

The property owner shall declare as road right of way a 10 foot corner clip at the northeast corner of the intersection of Charleston Street and Clendenin Street prior to the issuance of a Building Permit. Right of way conveyance shall be free and clear of all encroachments and encumbrances. The property owner shall provide to the County Engineer a sketch and legal description for this designation. (BLDG. PERMIT: MONITORING-Eng)

LANDSCAPING

1. Prior to the issuance of the building permit, the property owner shall obtain deviations for landscaping that does not meet ULDC requirements, or redesign the site to meet ULDC. (BLDG PERMIT: LANDSCAPE - 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 voluntary commitments of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the voluntary commitments 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 voluntary commitments; 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 voluntary commitment of approval.

Departmental administrative actions made pursuant to this condition may be appealed as 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 Circuit Court, Appellate Division, 15th Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)