

ORIGINAL

RESOLUTION APPROVING RECOMMENDATION OF
 STATUS REPORT NO. CR 89-41/10.2
 TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-89-1630
 WHICH APPROVED THE SPECIAL EXCEPTION OF
 THOMAS V. DAILY
 PETITION NO. 89-41

WHEREAS, the Board of County Commissioners, as the governing body, 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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 402.6 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.6, Status Report CR 89-41/10.2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on February 27, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 89-41/10.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.6 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. CR 89-41/10.2, amending Conditions of Approval of Resolution No. R-89-1630, the Special Exception of Thomas V. Daily, Petition No. 89-41, which permits a church and rectory, and accessory buildings and structures on Parcel 1: A portion of the Southwest 1/4 of the Northwest 1/4 of Section 29, Township 41 South, Range 43 East, described as follows: Beginning at a monument marking the Southeast corner of the Northwest 1/4 of said Section 29; thence run in a northerly direction along a 1/4 section line 300.00 feet to the Point of Beginning; thence run in a westerly direction parallel to the South line of the Northwest 1/4 of said Section 29 a distance of 136.06 feet to a point marking the Southwest corner of said Parcel 1; thence run in a northerly direction parallel to the East line of the Northwest 1/4 of said Section 29 a distance of 150.00 feet to a point marking the Northwest corner of said Parcel 1; thence run in an easterly direction parallel to the South line of the

Northwest 1/4 of said Section 29 a distance of 1326.06 feet to a point marking the Northeast corner of said Parcel 1; thence in a southerly direction along the East line of the Northwest 1/4 of said Section 29 a distance of 150.00 feet to the Point of Beginning; Parcel 2: The North 150.00 feet of the South 600.00 feet of the East 1/2 of the Northwest 1/4 of said Section 29; Parcel 3: The North 80.00 feet of the South 680.00 feet of the East 1/2 of the Northwest 1/4 of said Section 29, being located on the west side of Prosperity Farms Road, approximately 1 mile south of Donald Ross Road in a RS-Single Family Residential District Zoning District, is approved, as amended, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. The property owner shall construct a left turn lane, south approach on Prosperity Farms Road at the project's entrance road prior to the issuance of any certificate of occupancy other than those issued prior to February 18, 1992. All land development permits for the construction of the left turn lane shall be obtained prior to issuing any building permits for additional space or phases. Palm Beach County, at its option, may require the property owner to either (a) construct the left turn lane if traffic volumes, accidents, or a combination of the two warrant construction of the left turn lane, or (b) require payment of the sum equal to the total expense associated with the construction of the left turn lane by the County, at its expense, in conjunction with the widening of Prosperity Farms Road before the property owner has constructed the left turn lane. If the county elects either option, the property owner shall commence construction, or deliver the requested sum, within ninety (90) days from receipt of notification from the County.

Commissioner Roberts moved for approval of the Resolution.

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

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Aye
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Aye
MARY MCCARTY	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 28th day of April, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:

Barbara Alter

MILTON T. BAUER, CLERK

BY:

Judith B. Crossbie

