

ORIGINAL

RESOLUTION DENYING ZONING PETITION NO. 78-156(B), TO AMEND THE SITE PLAN OF THE DIOCESE OF PALM BEACH

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, the notice and hearing requirements, as provided for in Chapter 402.5 of the Palm Beach County Zoning Code, have been satisfied; and

WHEREAS, Petition No. 78-156(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on February 27, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the Zoning Code of Palm Beach County, Florida, has considered the evidence and testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

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

1.a. On October 8, 1978, the Board of County Commissioners approved a Special Exception for a Place of Worship to the Diocese of Palm Beach in Petition 78-156, Resolution No. 78-985.

b. On August 21, 1984, the Board of County Commissioners approved an amendment to the Diocese's site plan to include a church and accessory buildings and structures in Petition 78-156(A), Resolution No. 84-1181.

2. These approvals provided and limited access for this use to Lyons Road and Palmetto Park Road.

3. This access is still available, sufficient, and being used.

4. The neighboring property owners relied on no access being permitted onto Ensenada Way.

5. There are no radically changed circumstances which require an additional access point on Ensenada Way.

6. Approval of an additional access onto Ensenada Way would not be in the public interest, would be detrimental to the neighboring property owners, would adversely affect the public health, safety and welfare, and is not consistent with the present and future development in the area.

7. A church/rectory has greater impact than a single-family use.

8. The requested change is not for an additional use, but is for a modification of a condition of a previously granted and continuing special exception.

WHEREAS, Chapter 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.

R92-694

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 78-156(B), the petition of DIOCESE OF PALM BEACH, BY KEVIN MCGINLEY, AGENT, TO AMEND THE SITE PLAN TO ADD AN ADDITIONAL ACCESS ON A PARCEL OF LAND lying on the West 410.00 feet of Tract 8 and the West 410.00 feet of the North ½ of Tract 9 of Block 80, PALM BEACH FARMS COMPANY PLAT NO. 3, Section 29, Township 47 South, Range 42 East, Plat Book 2, Page 53; LESS the North 26.00 feet thereof and also LESS a portion of said Tract 8; COMMENCING at the Northwest corner of said Tract 8, thence South 00°01'45" West along the West line of said Tract 8, a distance of 26.00 feet to the POINT OF BEGINNING; thence South 89°59'03" East, a distance of 43.00 feet, thence South 0°01'45" West, a distance of 43.00 feet thence South 0°01'45" West, a distance of 65.54 feet to a point of curve; thence, southerly along a curve to the right, with a radius of 1,963.86 feet and a central angle of 12°00'43", an arc distance of 411.72 feet to a point on the West line of said Tract 8, thence North 0°01'45" East along the said West line, a distance of 474.24 feet to the POINT OF BEGINNING, and being located ON THE SE CORNER OF THE INTERSECTION OF LYONS ROAD AND WEST PALMETTO PARK ROAD, IN THE AR ZONING DISTRICT, was denied on February 27, 1992, with prejudice.

Commissioner Roberts moved for approval of the Resolution.

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

Karen T. Marcus, Chair	aye
Carole Phillips	absent
Carol A. Roberts	aye
Carol J. Elmquist	aye
Mary McCarty	aye
Ken Foster	aye
Maude Ford Lee	aye

The Chair thereupon declared the resolution was duly passed and adopted this 12th day of May, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

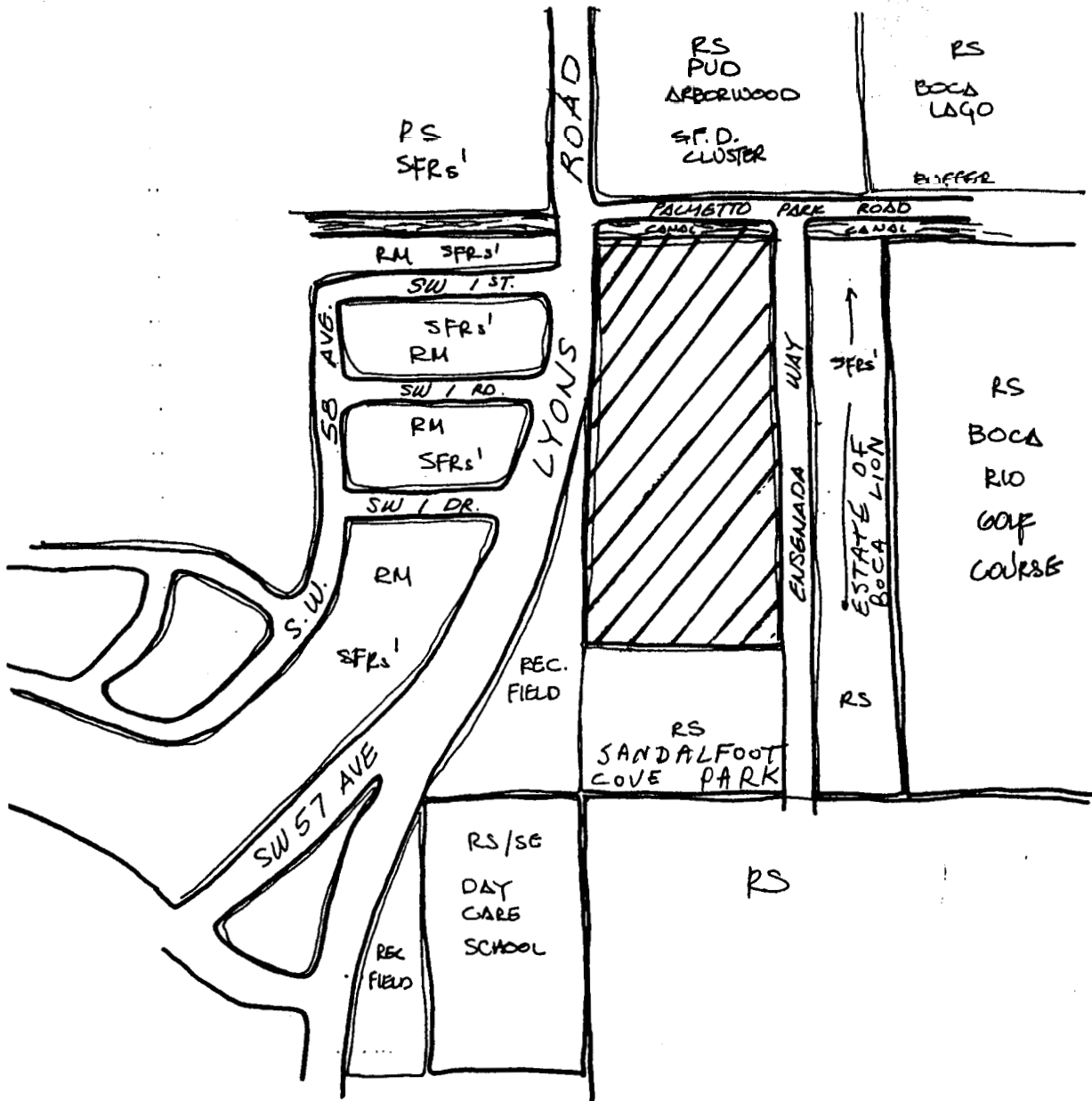
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: Carl Zettelmeier
DEPUTY CLERK

Sec. 29 Twp. 44 Rng. 42
Quadrant Sheet: 54
Aerial Page: 418

Vicinity Sketch



Request:

A SPECIAL EXCEPTION to amend the site plan for a place of worship to permit one additional access point.

PETITION NO: 78-156(B)

BCC DISTRICT: 4