

RESOLUTION NO. R-2003-1126

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 1992-048B/E5.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-2000-1704
WHICH APPROVED THE DEVELOPMENT ORDER AMENDMENT OF
MUSLIM COMMUNITY OF PALM BEACH COUNTY, INC.
PETITION NO. 1992-048(B)

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report CR 1992-048B/E5.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 24, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 1992-048B/E5.2 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. There is a demonstrated need for additional right-of-way at the intersection of Purdy Lane and Haverhill Road.
2. The property which is subject to this resolution is affected by the need for additional right-of-way.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County 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 the recommendation of Status Report No. CR 1992-048B/E5.2, to amend Conditions of Approval of Resolution No. R-2000-1704, the Development Order Amendment of Muslim Community of Palm Beach County, Inc., Petition No. 1992-048(B), which added land area and modified/deleted conditions of a previously approved Conditional Use A which allowed a church or place of worship, on THE EAST 120 FEET OF THE SOUTH 322 FEET OF THE WEST ½ OF THE WEST ½ OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE SOUTH 40 FEET FOR ROAD RIGHT OF WAY

AND

THE WEST HALF (W ½) OF THE EAST HALF (E ½) OF THE WEST HALF (W ½) OF THE NORTHWEST QUARTER (NW 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 1082.93 FEET THEREOF, LESS THE SOUTH 40 FEET FOR ROAD RIGHT OF WAY, being located on the north side of Purdy Lane, approximately 300 feet east of Haverhill Road in the Residential Single Family Zoning District, is approved, subject to the following conditions:

- I. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the recordation of the plat the property owner shall convey to Palm Beach County **Land Development Division** by warranty deed additional right of way for the construction of a right turn lane on Purdy Lane at Haverhill Road. This right-of-way shall be a minimum of 147 feet in storage length, eleven feet in width and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include "Corner Clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (PLAT: ENG)
3. Prior to the recordation of the plat the property owner shall convey a temporary roadway construction easement along Purdy Lane to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (PLAT: ENG)

Commissioner Koons moved for approval of the Resolution


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

KAREN T. MARCUS, CHAIR	—	Aye
TONY MASILOTTI, VICE CHAIRMAN	—	Absent
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Absent
MARY MCCARTY	—	Absent
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24 day of July, 2003.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS
DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

Filed with the Clerk of the Board of County Commissioners on the 22 day of August, 2003.