

RESOLUTION NO. R-2006- 0923

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1994-13.6
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY GRANTED A DEVELOPMENT ORDER AMENDMENT
BY RESOLUTION NO. R-2005-1122
APPROVING THE APPLICATION OF CHIMU, INC.
APPLICATION NO. DOA2004-293.

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; and

WHEREAS, the notice and hearing requirements as provided for in Article 2.E. of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1994-13.6 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 25, 2006; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1994-13.6 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. authorizes the Board of County Commissioners to approve Development Oder Amendments; and

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

1. Resolution No. R-2005-1122, a development order amendment, was approved on June 15, 2005.
2. A traffic impact study at that time documented compliance with the Countywide Traffic Performance Standards.
3. Based on this, the property owner could have requested approval of a condition of approval (but did not) which would extend the deadline to commence development by up to three years from amendment approval.
4. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the 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. SR 1994-13.6, to approve a Development Order Amendment to amend conditions of approval, amending the development order previously granted by the approval of the petition of Chimu, Inc., Application No. DOA2004-293, confirmed by the adoption of Resolution R-2005-1122, which approved a Development Order Amendment, on the southwest one-quarter of the southeast one-quarter of the southwest one-quarter of Section 1, Township 45 South, Range 42 East, less the

Status Report SR 1994-13.6
Project Number 5000-287

right-of-way conveyed to the County of Palm Beach on October 12, 1959 in Official Records Book 415, page 181, Public Records of Palm Beach County, Florida. Containing 8.94 acres more or less. Subject to easements, restrictions, reservations and rights-of-way of record, being located on the north side of Hypoluxo Rd., approx. 0.25 mile west of Military Trail, in the Multiple Use Planned Development District, is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. The previously established deadline to commence development pursuant to Article 2.E. of the Unified Land Development Code is hereby extended to June 15, 2008. (DATE: MONITORING - Bldg)

Commissioner Marcus 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:

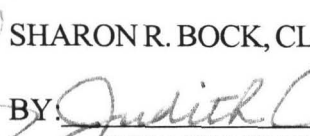
TONY MASILOTTI, CHAIRMAN	—	Aye
ADDIE L. GREENE, VICE CHAIRPERSON	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	

The Chair thereupon declared the resolution was duly passed and adopted this 25th day of May, 2006.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 25th day of May, 2006.