

RESOLUTION NO. R-2007- 0229

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. CR 1992-048C/E11  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-2004-2014  
WHICH APPROVED THE DEVELOPMENT ORDER AMENDMENT OF  
MUSLIM COMMUNITY OF PALM BEACH COUNTY, INC.  
PETITION NO. 1992-048(C)

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 Article 2.E. of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report CR 1992-048C/E11 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 22, 2007; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 1992-048C/E11 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. 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. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code
2. Condition of approval E.10. required compliance prior to the issuance of a building permit and certificate of occupancy.
3. The project is complete and will not require an additional building permit or certificate of occupancy.
4. The amendment of condition E.10. to make it a time certain condition of approval will ensure that it is monitored for compliance.

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 1992-048C/E11, to amend Conditions of Approval of Resolution No. R-2004-2014, the Development Order Amendment of the Muslim Community of Palm Beach County, Inc., Petition No. 1992-048(C), which approved a Development Order Amendment (DOA) to add land area and modify/delete conditions of a previously approved Conditional Use A which allowed a church or place of worship, on property legally described as

**LEGAL DESCRIPTION OF PARCEL "A"**

THE EAST 120 FEET OF SOUTH 322 FEET OF THE WEST 1 / 2 OF THE WEST 1 / 2 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 1 / 2) OF THE EAST HALF (E 1 / 2) OF THE WEST HALF (W 1 / 2) 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.

CONTAINING 69, 817 SQUARE FEET (1.60 ACRES) MORE OR LESS, AND SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

**LEGAL DESCRIPTION OF PARCEL "B"**

**TRACK 'A'**

THE EAST ½ OF THE WEST 1 / 4, OF THE SOUTHWEST 1 / 4, OF THE NORTHWEST 1 / 4, SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE NORTH 40.00 FEET THEREOF, FOR RIGHT OF WAY FOR PURDY LANE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA

**TRACK 'D'**

THE SOUTHERLY 347 FEET OF THE NORTHERLY 707 FEET OF THE WEST ½ OF THE EAST ½, OF THE WEST 1/2 , OF THE SOUTHWEST ¼, OF THE NORTHWEST ¼, OF SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS OVER THE WESTERLY 20 FEET THEREOF.

TRACTS 'A' AND 'D' CONTAINING 275, 186 SQUARE FEET (6.31 ACRES) MORE OR LESS, AND SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD, being located on the north and south sides of Purdy Lane, approximately 300 feet east of Haverhill Road, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Condition Number E.10. of Resolution No. R-2004-2014 which currently states:

The Property owner shall construct:

- a right turn lane west approach on Purdy Lane at Haven Road.
- b Haven Road from Purdy Lane south to the Project's south entrance into the east parking lot.
- c left turn lane east approach on Purdy Lane at Haven Road.
- d Construction of a, b, and c, shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
- e Permits required by Palm Beach County for the construction of a, b, and c, shall be obtained prior to the issuance of the first Building Permit. (BLDG

PERMIT: MONITORING-Eng)

- f. Construction for the improvements of a, b, and c shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

Is hereby amended to state:

The Property owner shall construct:

- a. right turn lane west approach on Purdy Lane at Haven Road.
- b. Haven Road from Purdy Lane south to the Project's south entrance into the east parking lot.
- c. left turn lane east approach on Purdy Lane at Haven Road.
- d. Any and all costs associated with this construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.
- e. Prior to February 22, 2008, construction for the improvements of a, b, and c shall be completed. (DATE: MONITORING-Eng)

Commissioner Marcus moved for approval of the Resolution.

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

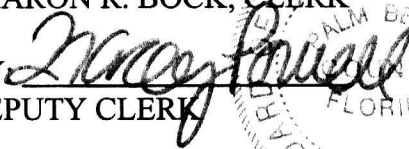
ADDIE L. GREENE, CHAIRPERSON	— Aye
JOHN F. KOONS, VICE CHAIR	— Aye
KAREN T. MARCUS	— Aye
WARREN H. NEWELL	— Aye
MARY MCCARTY	— Aye
BURT AARONSON	— Aye
JESS R. SANTAMARIA	— Aye

The Chair thereupon declared the resolution was duly passed and adopted this 22nd day of February, 2007.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY:   
COUNTY ATTORNEY

SHARON R. BOCK, CLERK  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 22nd day of February, 2007.