

RESOLUTION NO. R-2007- 1237

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1992-047.5  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY  
RESOLUTION NO. R-93-646  
APPROVING THE PETITION OF ROPICO INC.  
PETITION NO. 1992-047

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 1992-047.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 26, 2007; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1992-047.5 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. The adoption of Ord. 2003-067, creating a new Unified Land Development Code, included provisions that do not require the rezoning of the subject site as required by condition number L.1. of Resolution No. R-93-646, and condition number 2 of Resolution No. R-99-2066 unless an application for a new Conditional Use or the subdivision of property is requested.
2. In Plan Amendment Round 2008-001, the Planning Division will initiate an amendment to the subject site to change the existing LR-2 FLU designation to the more appropriate INST FLU designation.
3. ULDC Table 3.C.1.A-15, FLU Designation and Corresponding Standard Zoning Districts indicates that the AR District is consistent with the INST FLU designation.

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 1992-047.5, to approve a Development Order Amendment to delete conditions of approval, amending the development orders previously granted by the approval of the petition of Ropico Inc., Petition No. 1992-047, confirmed by the adoption of Resolution R-93-646, which approved a Class A Conditional Use allowing an assembly, non-profit, and Resolution R-99-2066 which approved a Development Order Amendment to amend conditions of approval on property legally described in Exhibit A, being located on the northwest corner of the intersection of Lake

Worth Road and Lyons Road, in the Agricultural Residential (AR) Zoning District, is approved subject to the following conditions of approval:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.

2. Condition number L.1. of Resolution No. R-93-646 which currently states:

The property owner shall rezone the property to a more appropriate zoning district when it becomes available. (PLANNING)

Is hereby deleted.

3. Condition number 2 of Resolution No. R-99-2066 which currently states:

Prior to January 1, 2001, the property owner shall submit a rezoning application and receive approval of a rezoning to a district which is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code, and which permits the existing Conditional Use. (DATE: MONITORING - Zoning)

Is hereby deleted.

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:

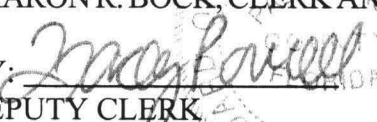
ADDIE L. GREENE, CHAIRPERSON	<u>Aye</u>
JOHN F. KOONS, VICE CHAIR	<u>Aye</u>
KAREN T. MARCUS	<u>Aye</u>
<del>WARREN H. NEWELL</del>	<u>—</u>
MARY MCCARTY	<u>Aye</u>
BURT AARONSON	<u>Aye</u>
JESS R. SANTAMARIA	<u>Aye</u>

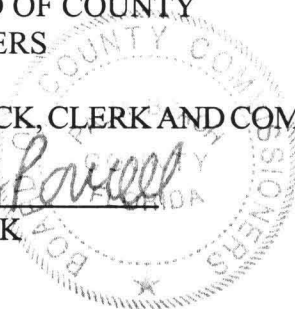
The Chair thereupon declared the resolution was duly passed and adopted this 26th day of July, 2007.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

BY:   
COUNTY ATTORNEY

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



Filed with the Clerk of the Board of County Commissioners on the 26th day of July, 2007.

EXHIBIT A

LEGAL DESCRIPTION

NATIONAL MUSEUM OF POLO AND HALL OF FAME

Tract 56, LESS the east 100 feet and the South 15 feet, and that portion as conveyed to the County of Palm Beach as in Deed Book 897, page 186, Palm Beach County Records as follows: From the SW Corner of Tract 56, Block 25, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, pages 45 to 54 incl., Palm Beach County Public Records, run 15 Northerly along the West line of said Tract 56 to POINT OF BEGINNING. From Point of Beginning continue 41.67 ft. Northerly along the West line of said Tract 56 to a point; thence run 660 ft., more or less, N 89 26' 29" E to a point on the East line of said Tract 56; thence run 41.86 feet Southerly along the East line of Tract 56, to a point 15 ft. Northerly from the SE corner thereof; thence run 660 feet more or less, S 89 27' 29" W. along a line parallel to and 15 ft. Northerly from the South line of said tract, to a POINT OF BEGINNING; AND, the East 100 feet of TRACT 55, LESS than part more particularly described in Deed Book 1035, page 592, Palm Beach County Records, as follows: Starting at the SW corner of Tract 55 run along the West line 56.48 ft., thence N 89 26' 29" E to the East line of Tract; thence South along the East line of tract 56.67 ft. to the SE corner of Tract 55; thence S 89 27' 29" W along South line of Tract to point beginning, all in Block 25, Palm Beach Farms Company Plat No. 3, according to the plat thereof on file in the office of Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 2, pages 45 to 54 inclusive.

Combined with the following:

The west 45.28 ft. of the east 130.28 ft. of the north 199.81 ft. of tract 55, block 25, PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof as recorded in the office of the Clerk of Circuit Court in and for Palm Beach County, Florida in Plat Book 2, page 47.

Combined with the following:

The east 100 ft. of tract 55, block 25 PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof as recorded in the office of the Clerk of Circuit Court in and for Palm Beach County, Florida in Plat Book 2, page 47, subject to the right of way of Lake Worth Road.

Combined with the following:

The east 100 ft. of Tract 56, less right-of-way of State Road 802, in Block 25, of PALM BEACH FARMS COMPANY PLAT NO. 3, recorded in Plat Book 2, Pages 45-54, Palm Beach County, Florida.