

RESOLUTION NO. R-2008-0697

RESOLUTION APPROVING ZONING APPLICATION Z-2006-1180
(CONTROL NO. 2005-515)
OFFICIAL ZONING MAP AMENDMENT (REZONING)
APPLICATION OF BOYNTON NATIONAL CHAPEL LLC
BY MILLER LAND PLANNING, AGENT
(BOYNTON BEACH NATIONAL CHAPEL)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Zoning Application Z-2006-01180 was presented to the Board of County Commissioners at a public hearing conducted on April 24, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan.
2. This official zoning map amendment (rezoning) is consistent with the stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land.
4. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.
5. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
6. This official zoning map amendment (rezoning) will result in a logical, orderly and timely development pattern.
7. This official zoning map amendment is consistent with applicable Neighborhood Plans.
8. This official zoning map amendment (rezoning) complies with Article 2.F (CONCURRENCY) of the Palm Beach County Unified Land Development Code.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified 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 Zoning Application Z-2006-01180, the application of Boynton National Chapel LLC, by Miller Land Planning, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on April 24, 2008.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	-	Absent
Jeff Koons, Vice Chair	-	Aye
Karen T. Marcus	-	Aye
Robert J. Kanjian	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on April 24, 2008.

Filed with the Clerk of the Board of County Commissioners on 24 day of April, 2008.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

TRACT 1, BLOCK 44, PALM BEACH FARMS COMPANY PLAT NO. 3 ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR THE COUNTY OF PALM BEACH, FLORIDA RECORDED IN PLAT BOOK 2 AT PAGES 45 TO 54 INCLUSIVE.

LESS

LEGAL DESCRIPTION: OF PROPOSED RIGHT-OF-WAY TAKING, BEING A PORTION OF TRACT 1, BLOCK 44 OF PALM BEACH FARMS CO. SECTION 12-45-41, AS RECORDED IN PLAT BOOK 2, PAGES 45 THRU 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHERLY BOUNDARY OF SAID TRACT 1, AND THE WESTERLY RIGHT OF WAY OF S.R. NO. (199) 7, PER ROAD PLAT 1, PAGE 39 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S 89°-00'-00" W, 125.00 FEET ALONG THE NORTHERLY BOUNDARY OF SAID TRACT 1, THENCE S 00°41'00" E 539.83 FEET ALONG A LINE PARALLEL AND 200.00 FEET WEST OF THE BASE LINE OF SAID S.R. NO. (199) 7 TO THE SOUTHERLY BOUNDARY OF TRACT 1; THENCE N 89°09'30"E, 125.00 FEET ALONG THE SOUTHERLY BOUNDARY TO THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF SAID S.R. (199) 7; THENCE N 00°41'00" W, 540.16 FEET ALONG SAID WESTERLY RIGHT OF WAY TO POINT OF BEGINNING. CONTAINING 1.55 ACRES MORE OR LESS,

AND LESS

THAT PART OF TRACT 1, BLOCK 44, PALM BEACH FARMS CO. PLAT NO.3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, SAID PART BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND PALM BEACH COUNTY BRASS DISC MARKING THE NORTHEAST CORNER OF SAID SECTION 12, THENCE SOUTH 89°20'51" WEST, A DISTANCE OF 0.782 METERS (2.57 FEET) TO A POINT ON THE BASELINE OF SURVEY FOR STATE ROAD 7 (US 441) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2525; THENCE SOUTH 00°39'09" EAST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 7.771 METERS (25.50 FEET); THENCE SOUTH 89°20'51" WEST ALONG A LINE AT RIGHT ANGLES TO THE DESCRIBED COURSE, A DISTANCE OF 60.961 METERS (200.00 FEET) TO A POINT ON THE WESTERLY EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 7 (US 441) AND THE POINT OF BEGINNING; THENCE SOUTH 89°12'26" WEST ALONG THE NORTH LINE OF SAID TRACT 1, A DISTANCE OF 10.059 METER (33.00 FEET); THENCE SOUTH 00° 39' 09" EAST, A DISTANCE OF 165.62 METERS (543.36 FEET) TO A POINT ON THE SOUTH LINE OF SAID TRACT 1; THENCE NORTH 88°18'00" EAST ALONG SAID SOUTH LINE, A DISTANCE OF 10.060 METERS (33.01 FEET) TO A POINT ON THE WESTERLY EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 7 (US 441); THENCE NORTH 00° 39' 09" WEST ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 165.458 METERS (542.84 FEET) TO THE POINT OF BEGINNING.

AND LESS

THE NORTH 30.24 FEET OF TRACT 1, BLOCK 44, PALM BEACH FARMS CO. PLAT NO.3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST. SAID LAND IN PALM BEACH COUNTY, FLORIDA CONTAINING 5.23 ACRES (227,658 SQUARE FEET) MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



