

RESOLUTION APPROVING ZONING APPLICATION PDD/R-2008-01903
(CONTROL NO. 1995-00017)
REQUESTED USE
APPLICATION OF FRIENDS OF CHABAD OF BOCA RATON INC
BY MILLER LAND PLANNING, AGENT
(ADDISON COURT (FRIENDS OF CHABAD))

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 applications relating to zoning; and

WHEREAS, the Board of County Commissioners, pursuant to Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Requested Uses; and

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

WHEREAS, Zoning Application PDD/R-2008-01903 was presented to the Board of County Commissioners at a public hearing conducted on April 23, 2009; and

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

WHEREAS, upon the approval of the rezoning to an MUPD by the BCC, the existing uses are subject to Table 3.E.1.B. (PDD Use Matrix) of the Palm Beach County Unified Land Development Code (ULDC) and that the existing uses of a place of worship and a financial institution permitted by Resolution R-1995-01 as Class B Conditional Uses are hereby renamed and permitted as Requested Uses in an MUPD and are subject to this approval and other provisions addressing uses in a MUPD Zoning District.

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

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

1. This Requested Use is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Requested Use complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Requested Use also meets applicable local land development regulations. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
3. This Requested Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Requested Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
6. This Requested Use, with conditions as adopted, will result in logical, timely and orderly

development patterns.

- 7. This Requested Use, with conditions as adopted, is consistent with applicable Neighborhood Plans.
- 8. This Requested Use has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
- 9. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Requested Use.

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 R-PDD/R-2008-01903, the application of Friends Of Chabad Of Boca Raton Inc, by Miller Land Planning, agent, to allow a Requested Use, a place of worship, daycare general, and financial institution with 4 drive-thru lanes in the MUPD Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 23, 2009.

Commissioner Burt Aaronson moved for the approval of the Resolution.

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

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on April 23, 2009.

Filed with the Clerk of the Board of County Commissioners on May 14, 2009.

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: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK

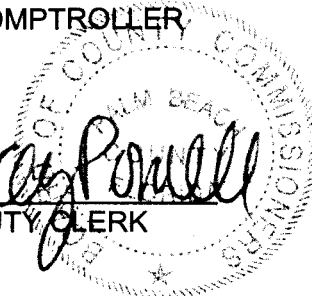


EXHIBIT A

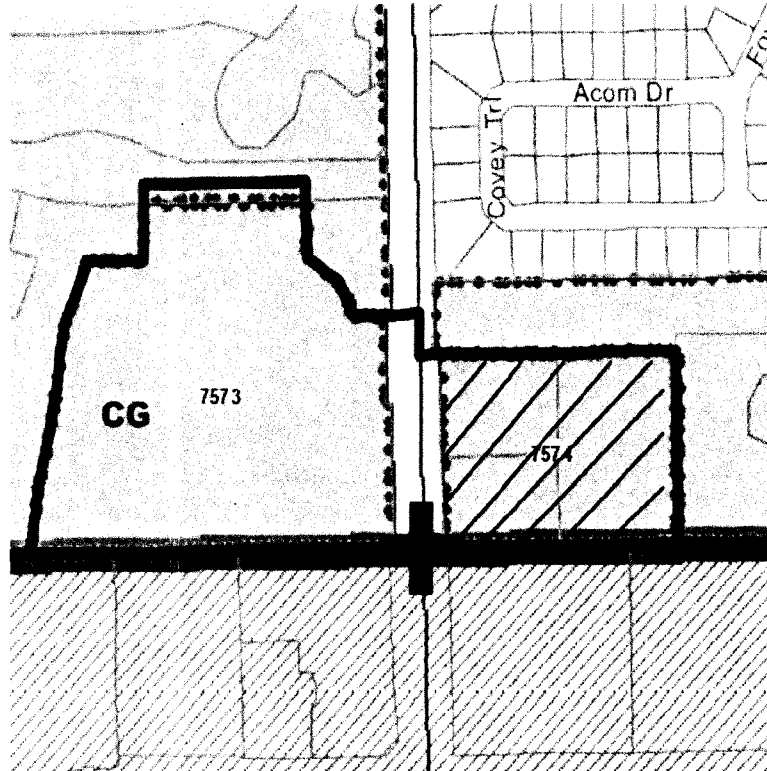
LEGAL DESCRIPTION

Parcel "A", "B" and "C", of ADDISON COURT PLAT 1, according to the Plat thereof as recorded in Plat Book 79, Pages 176 and 177 of the Public Records of Palm Beach County, Florida.

Said lands situate in Palm Beach County, Florida, and containing 266,530 square feet (6.12 acres) more or less.

EXHIBIT B
VICINITY SKETCH

PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH



Application No. 2008-1903
Zoning Quad 37
Date January 14, 2009

