

RESOLUTION NO. R-2009- 1219

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. 1994-087  
TO APPROVE A DEVELOPMENT ORDER AMENDMENT  
FOR PROPERTY PREVIOUSLY GRANTED A DEVELOPMENT ORDER AMENDMENT BY  
RESOLUTION NO. R-2006-0274  
APPROVING THE APPLICATION OF DIOCESE OF PALM BEACH, INC. AND PIOUS  
SOCIETY OF THE MISSIONARIES OF ST. CHARLES BOROMERO, INC.  
CONTROL NO. 1994-087

WHEREAS, the Board of County Commissioners (BCC), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, as amended, 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 1994-087 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 23, 2009; and

WHEREAS, the Board of County Commissioners has reviewed Status Report 1994-087 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 Order Amendments; and

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

The amendment of conditions is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code;

Condition E.2 of Resolution R-2006-274 must be amended because the Property Owner is unable to obtain a Building Permit to Commence Development until Condition E.2 is met;

3. Condition E.2 requires the property owner to plat the adjacent parent tract boundary as well as the property owned by the property owner prior to a building permit;
4. The property owner of this petition is unable to plat the adjacent parent tract boundary; and
5. Amending the condition will allow the property owner to obtain a building permit.

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 the recommendation of Status Report No. 1994-087, to approve a Development Order Amendment to amend conditions of approval, amending the development order previously granted by the approval of the application of Diocese of Palm Beach, Inc. and Pious Society of the Missionaries of St. Charles Boromero, Inc., Control No. 1994-087, confirmed by the adoption of Resolution R-2006-0274, which approved a Development Order Amendment to add land area, add square footage and modify a condition of approval on a parcel of land legally described as: THE ENTIRE PLAT OF OUR LADY QUEEN OF PEACE MISSION AS RECORDED IN PLAT BOOK NO. 83, PAGE 90 AND 91, OF THE RECORDS OF PALM BEACH COUNTY, PLUS THE NORTH 328.15 FEET OF TRACT 24, THE NORTH 328.15 FEET OF TRACT 23, AND THE NORTH 328.15 FEET OF THE EAST 149.32 FEET OF TRACT 22, SECTION 19, TOWNSHIP 46 SOUTH, RANGE 42 EAST, THE PALM BEACH FARMS COMPANY PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26, 27, AND 28 OF THE PUBLIC

RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE ROAD RIGHT OF WAY FOR HALF MILE ROAD.

CONTAINING 12.99 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS AND RESERVATIONS OF RECORD, being located approximately 330 feet west of Half Mile Road on the south side of West Atlantic Avenue, in the Agricultural Reserve Zoning District, is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Condition E.2 of Resolution R-2006-0274 which currently states:

*Combining*

Prior to issuance of a building permit, the property owner shall plat as a single building lot by combing the new Boundary of the Pious Society and the adjacent parent tract boundary to the west and south in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDG PERMIT: MONITORING - ENG)

is hereby amended to read:

Prior to issuance of a building permit, the property owner shall combine the new Boundary of the Pious Society into a single lot of record, as approved by the County Engineer, in accordance with provisions of Article 11 of the Unified Land Development Code. (BLDG PERMIT: MONITORING - ENG)

The foregoing Resolution was offered by Commissioner Marcus who moved its adoption. The motion was seconded by Commissioner Burt Aaronson 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 J. Abrams	Aye
Commissioner Jess R. Santamaria	Aye
District 7 Priscilla A. Taylor	Aye

The Chair thereupon declared the resolution duly passed and adopted this 23rd day of July, 2009.

Filed with the Clerk of the Board of County Commissioners on the 27th day of July, 2009.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK AND COMPTROLLER

By:   
County Attorney

By:   
Deputy Clerk

