

RESOLUTION NO. R-2010- 2050

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. STR-1977-0148-4
TO REVOKE THE REQUESTED USE FOR A PLACE OF WORSHIP APPROVED BY
RESOLUTION NO. R-2007-2136
CONTROL NO. 1977-0148
APPLICATION NO. ZV/PDD/R-2007-00519
THE PETITION OF CASA DE RESTAURACION

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 Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report STR-1977-0148-4 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 9, 2010; and

WHEREAS, the Board of County Commissioners has reviewed Status Report 11/29/2010 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 revoke the Requested Use; and

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

1. Article 2.E. of the Unified Land Development Code (ULDC) requires staff to determine if previously approved development orders have commenced development;
2. Development has not commenced for this approval; and
3. The revocation of a resolution to approve a Requested Use is consistent with the Comprehensive Plan and with the ULDC.

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. STR-1977-0148-4, to revoke a Requested Use for a Place of Worship, pursuant to Resolution R-2007-2136 (Control Number 1977-148), on:

A PARCEL OF LAND LYING ON THE SOUTHEAST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 110 THROUGH 120, INCLUSIVE, LESS THE WEST 10.00 FEET AND THE NORTH 10.00 FEET THEREOF OF THE PLAT OF SKY RANCH AS RECORDED IN PLAT BOOK 21, PAGE 64 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF MILITARY TRAIL (S.R 809) AS SHOWN IN ROAD PLAT BOOK 3, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE WITH NORTH LINE OF THE SOUTH HALF (1/2) OF THE SAID SOUTHEAST QUARTER (1/4) OF SECTION 1; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY FOR 300.00 FEET TO THE NORTH LINE OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 1454, PAGE 577 OF SAID PUBLIC RECORDS; THENCE EASTERLY, PARALLEL WITH SAID NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) FOR 852.48 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN O.R. BOOK 1454, PAGE 577; THENCE NORTHERLY,

ALONG THE EXTENSION OF THE EASTERLY LINE OF SAID PROPERTY FOR 300.00 FEET TO THE SAID NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4); THENCE WESTERLY ALONG SAID LINE FOR 850.39 FEET TO THE POINT OF BEGINNING.

LESS THE WEST 7.00 FEET THEREOF,

located on the Southeast corner of Military Trail and Saturn Avenue, is approved.

The foregoing Resolution was offered by Commissioner Aaronson who moved its adoption. The motion was seconded by Commissioner Vana and, upon being put to a vote, the vote was as follows:

Commissioner Karen T. Marcus, Chair	<u>Aye</u>
Commissioner Shelley Vana, Vice Chair	<u>Aye</u>
Commissioner Paulette Burdick	<u>Aye</u>
Commissioner Steven L. Abrams	<u>Aye</u>
Commissioner Burt Aaronson	<u>Aye</u>
Commissioner Jess R. Santamaria	<u>Aye</u>
Commissioner Priscilla A. Taylor	<u>—</u>

The Chair thereupon declared the resolution duly passed and adopted this 9th day of December, 2010.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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

By: [Signature]
County Attorney

SHARON R. BOCK, CLERK AND COMPTROLLER
By: [Signature]
Deputy Clerk



Filed with the Clerk of the Board of County Commissioners on the 15th day of December, 2010.