

RESOLUTION NO. R-2011- 1848

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. STR-1981-0170-1
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY GRANTED A DEVELOPMENT ORDER AMENDMENT
BY RESOLUTION NO. R-2008-1387
APPROVING THE APPLICATION OF ACHVA VAHAVA LLC
CONTROL NO. 1981-0170
APPLICATION NO. DOA/R-2007-01401

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 STR-1981-0170-1 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 1, 2011; and

WHEREAS, the Board of County Commissioners has reviewed Status Report STR-1981-0170-1 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:

1. This property is the subject of a Code Enforcement citation for holding worship services without approvals.
2. The addition of this condition will help bring this property into compliance.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan (Comprehensive Plan) and the Unified Land Development Code (ULDC);

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. STR-1981-0170-1, to approve a Development Order Amendment to amend conditions of approval of Resolution No. 2008-1387 on,

A PARCEL OF LAND LYING IN SECTION 22, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 22, TOWNSHIP 47 SOUTH, RANGE 42 EAST; THENCE SOUTH 00 DEGREES 10 MINUTES 25 SECONDS WEST, 1358.00 FEET ALONG THE WEST LINE OF SECTION 22 TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE CONTINUE SOUTH 00 DEGREES 10 MINUTES 25 SECONDS WEST, 598.00 FEET; THENCE SOUTH 89 DEGREES, 49 MINUTES 35 SECONDS EAST, 15.05 FEET TO A TANGENT CURVE CONCAVE SOUTHERLY, HAVING A CENTRAL ANGLE OF 18 DEGREES 49 MINUTES 24 SECONDS AND A RADIUS OF 331.64 FEET; THENCE 108.95 FEET EASTERLY ALONG THE ARC OF SAID CURVE TO A TANGENT LINE; THENCE SOUTH 71 DEGREE 00 MINUTES 11 SECONDS EAST, 2.54 FEET ALONG SAID TANGENT LINE; THENCE NORTH 63 DEGREES 57 MINUTES 10 SECONDS EAST, 35.38 FEET TO A NON-TANGENT CURVE, BEING CONCAVE EASTERLY, HAVING A CENTRAL ANGLE OF 00 DEGREES 05 MINUTES 19 SECONDS, A RADIUS OF 2271.64 FEET AND A TANGENT BEARING OF NORTH 18 DEGREES 54 MINUTES 30 SECONDS EAST;

THENCE NORTHEASTERLY 3.51 FEET ALONG THE ARC OF SAID CURVE TO A TANGENT LINE; THENCE NORTH 18 DEGREES 59 MINUTES 49 SECONDS EAST, 17.45 FEET TO A TANGENT CURVE CONCAVE EASTERLY HAVING A CENTRAL ANGLE OF 11 DEGREES 06 MINUTES 53 SECONDS, AND A RADIUS OF 1946.47 FEET; THENCE NORTHEASTERLY 377.59 FEET ALONG THE ARC OF SAID CURVE TO A TANGENT LINE; THENCE NORTH 30 DEGREES 06 MINUTES 42 SECONDS EAST, 72.18 FEET ALONG SAID LINE TO A TANGENT CURVE CONCAVE EASTERLY, HAVING A CENTRAL ANGLE OF 00 DEGREES 08 MINUTES 09 SECONDS AND A RADIUS OF 2313.38 FEET; THENCE NORTHERLY 5.49 FEET ALONG THE ARC OF SAID CURVE TO A NON-TANGENT LINE; THENCE NORTH 13 DEGREES 57 MINUTES 22 SECONDS WEST, 34.86 FEET ALONG SAID LINE; THENCE NORTH 58 DEGREES 09 MINUTES 36 SECONDS WEST, 173.95 FEET TO A TANGENT CURVE CONCAVE TO THE SOUTH, HAVING A CENTRAL ANGLE OF 32 DEGREES 12 MINUTES 39 SECONDS AND RADIUS OF 306.54 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE 172.33 FEET TO A TANGENT LINE; THENCE SOUTH 89 DEGREES 37 MINUTES 44 SECONDS WEST; 36.95 FEET, ALONG SAID LINE TO THE POINT OF BEGINNING.

CONTAINING 150,658 SQUARE FEET (3.459 ACRES) MORE OR LESS. SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA

being located on the southwest corner of Powerline Road and Boca Grove Boulevard, in the CS/SE Zoning District, is approved subject to the following conditions as amended:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Condition 3, USE LIMITATIONS, is added to existing conditions as follows:

By January 5, 2012, worship services being conducted on this property without the benefit of proper approvals shall cease until proper approvals are obtained, and the property comes into compliance. (DATE: MONITORING - Code Enforcement)

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

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

The Chair thereupon declared the resolution duly passed and adopted this 1st day of December, 2011.

Filed with the Clerk of the Board of County Commissioners on the 14th day of December, 2011.

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 AND COMPTROLLER

By: [Signature]
County Attorney

By: [Signature]
Deputy Clerk

