

RESOLUTION NO. R-2014-0374

RESOLUTION APPROVING ZONING APPLICATION Z/DOA-2013-02915
(CONTROL NO. 1998-00012)
an Official Zoning Map Amendment
APPLICATION OF Wellington Preparatory School Property L, Wellington Preparatory
School, LLC
BY Miller Land Planning, AGENT
(Wellington Preparatory School)

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;

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, as amended), have been satisfied;

WHEREAS, Zoning Application Z/DOA-2013-02915 was presented to the Board of County Commissioners at a public hearing conducted on March 27, 2014;

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;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) 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 the request;

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

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B; and,

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/DOA-2013-02915, the application of Wellington Preparatory School Property L, Wellington Preparatory School, LLC, by Miller Land Planning, agent, for an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) 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 March 27, 2014 subject to the Voluntary Commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Burdick 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 Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 27, 2014.

Filed with the Clerk of the Board of County Commissioners on April 1, 2014.

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
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
FLORIDA

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

Being a portion of Tract 44, Block 25, Palm Beach Farms Co. Plat No. 3, Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida, being described as follows:

Begin at the southeast corner of said Tract 44; thence S89°29'19"W, along the south line of said Tract 44, 194.75 feet; thence N00°05'23"W, 85.00 feet; thence N89°29'19"E, along a line parallel and 85.00 feet north of the said south line of Tract 44, 195.00 feet; thence S00°04'43"E, along the east line of said Tract 44, 85.00 feet to the Point of Beginning.

TOGETHER WITH:

Commencing at the north east corner of Tract 55, Block 25, Plat Book 45-54, of the Public Records of Palm Beach County, Florida.

Running thence along the northerly line of Tract 55, Block 25, south 89°04'24" west, 330 feet to the Point and Place Of Beginning; running thence south 00°55'38" east 270.00 feet; running thence south 89°04'24" west, 35.00 feet; running thence north 00°55'36" west, 270.00 feet to the north line of Tract 55, Block 25 mentioned above; running thence north 89°04'24" east, 35.00 feet to the Point and Place of Beginning.

TOGETHER WITH:

Commencing at the north east corner of Tract 55, Block 25, Plat Book 2, Pages 45-54, of the Public Records of Palm Beach County, Florida.

Running thence along the northerly line of Tract 55, Block 25, south 89°04'24" west, 195.00 feet to the Point and Place Of Beginning; running thence south 89°04'24" west, 170.00 feet; running thence north 00°55'36" west, 85.00 feet; running thence north 89°04'24" east, 170.00 feet; running thence south 00°55'36" east, 85.00 feet to the Point and Place Of Beginning.

Containing 0.92 acres, more or less

EXHIBIT B
VICINITY SKETCH

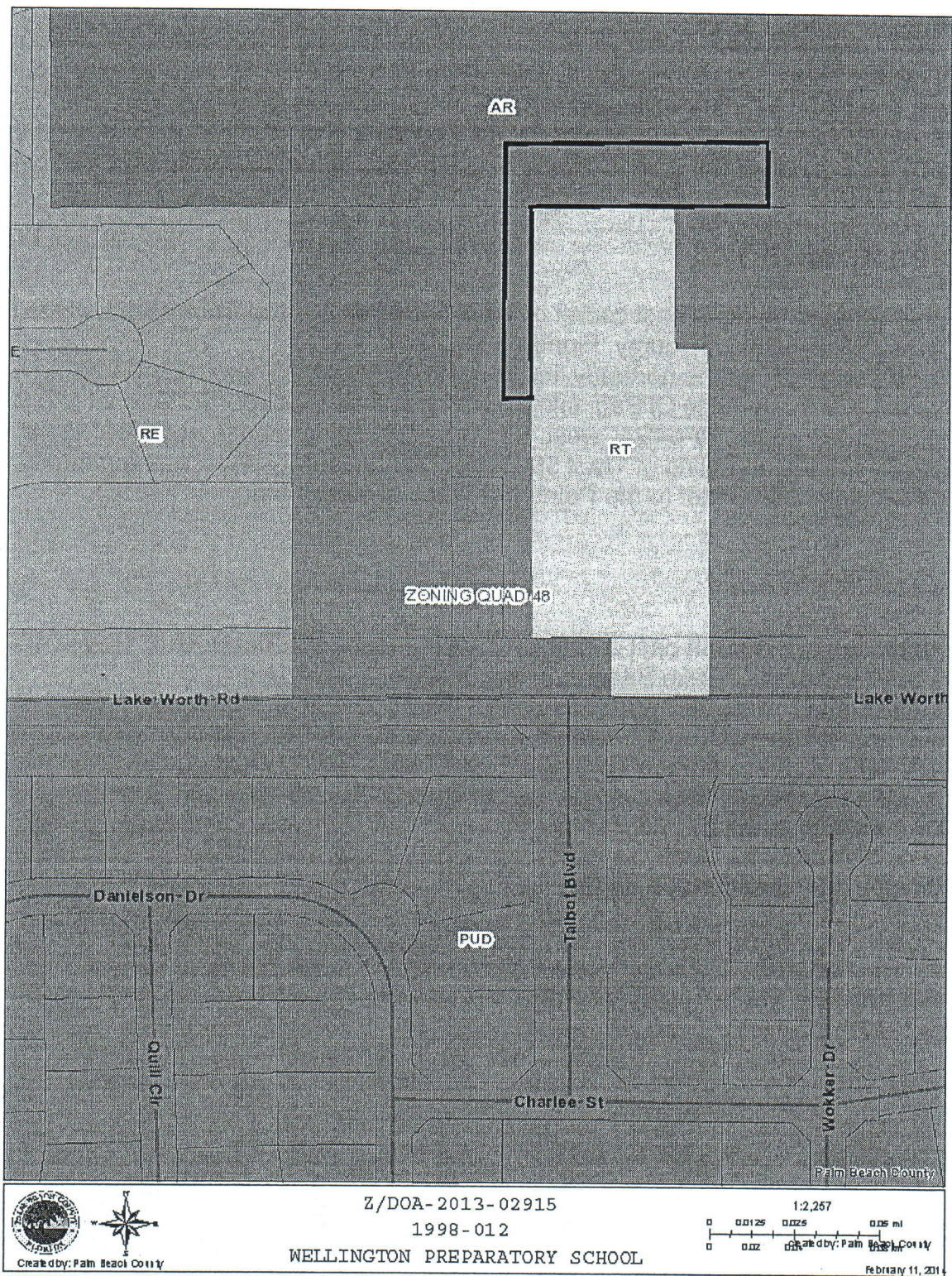


EXHIBIT C

VOLUNATARY COMMITMENTS

Official Zoning Map Amendment

ARCHITECTURAL REVIEW

4. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the School shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated November 20, 2012. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning) (DRO: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.