

RESOLUTION NO. R-2006-2559

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1981-024A.3
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY REZONED
WITH A CONDITIONAL OVERLAY ZONE BY
RESOLUTION NO. R-1999-1215
APPROVING THE PETITION OF FLORIDA GARDENS LAND DEVELOPMENT CO.
PETITION NO. 1981-024A

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 Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report SR 1981-024A.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on November 27, 2006; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1981-024A.3 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. of the Palm Beach County Unified Land Development Code 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. Resolution No. R-1999-1215 was approved more than seven years ago.
2. Time extensions totaling four years have previously been approved.
3. Development has not commenced on the last 254 square feet.
4. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code

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. SR 1981-024A.3, to approve a Development Order Amendment to amend Conditions of Approval of Resolution No. R-1999-1215 the development order previously granted by the approval of the petition of Florida Gardens Land Development Co., Petition No. 1981-024A, which approved a Zoning Map Amendment and a Conditional Overlay Zone, on property legally described as SECTION 28, TOWNSHIP 44, RANGE 42, LOTS 49, 50 AND 51 OF THE UNRECORDED PLAT OF FLORIDA GARDENS NO. 3, BEING DESCRIBED AS FOLLOWS: THE SOUTH 300 FEET OF THE NORTH 330.20 FEET OF TRACT 9, BLOCK 29, LESS THE EAST 40

FEET THEREOF, TOGETHER WITH THE SOUTH 300 FEET OF THE NORTH 330.20 FEET OF THE EAST 10 FEET OF TRACT 10, BLOCK 29, OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK NO. 2, PAGES 45-54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY FOR LAKE WORTH ROAD AS RECORDED IN ROAD PLAT BOOK NO. 5, PAGES 125-138, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;

CONTAINING 88,029 SQUARE FEET OR 2.02 ACRES, MORE OR LESS, being located on the S.W. corner of Lake Worth Road and Ohio Road, in the Community Commercial Zoning District with a Conditional Overlay Zone (COZ), is approved subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. The maximum number of square feet that may be constructed is 14,446. (DRC: ZONING)

Commissioner Marcus moved for approval of the Resolution.

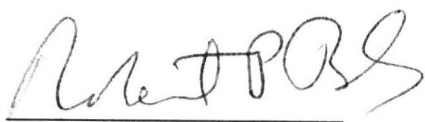
The motion was seconded by Commissioner Koons and, upon being put to a vote, the vote was as follows:

ADDIE L. GREENE, CHAIRPERSON	—	Aye
JOHN F. KOONS, VICE CHAIR	—	Aye
KAREN T. MARCUS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
JESS R. SANTAMARIA	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of ~~November~~ December, 2006.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 8th day of December, 2006.