

RESOLUTION NO. R-2016- 0675

RESOLUTION APPROVING ZONING APPLICATION Z/DOA-2015-02523
(CONTROL NO. 1975-00168)
an Official Zoning Map Amendment
APPLICATION OF Els For Autism Foundation Inc
BY Cotleur & Hearing, Inc., AGENT
(Els Center for Excellence)

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 applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application Z/DOA-2015-02523 was presented to the Board of County Commissioners at a public hearing conducted on May 26, 2016;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant 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 ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for an Official Zoning Map Amendment;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC 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 Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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-2015-02523, the Application of Els For Autism Foundation Inc, by Cotleur & Hearing, Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the Residential Single Family (RS) Zoning District, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on May 26, 2016, subject to the Conditions of Approval 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 Abrams and, upon being put to a vote, the vote was as follows:

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

The Mayor thereupon declared that the resolution was duly passed and adopted on May 26, 2016.

Filed with the Clerk of the Board of County Commissioners on June 6th, 2016.

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:

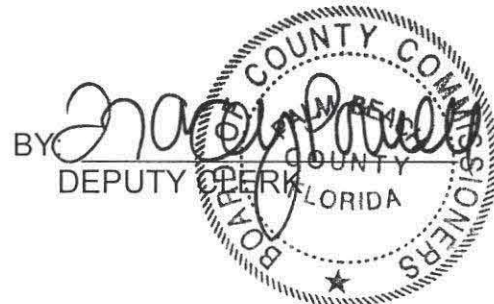

DEPUTY CLERK
BOARD OF COUNTY COMMISSIONERS
PALM BEACH COUNTY
FLORIDA

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

CONSISTING OF THE FOLLOWING PARCELS:

THE NORTH 250 FEET OF THE SOUTH 2610 FEET OF THE EAST 50 FEET OF THE WEST 330 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. (ALSO KNOWN AS LOT 21, FIRST ADDITION TO PALM GARDENS, UNRECORDED.)

THE NORTH 250 FEET OF THE SOUTH 2610 FEET OF THE WEST 50 FEET OF THE EAST 100 FEET OF THE WEST 330 FEET SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. (ALSO KNOWN AS LOT 22, FIRST ADDITION TO PALM GARDENS, UNRECORDED.)

THE NORTH 50 FEET OF THE SOUTH 2610 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. (ALSO KNOWN AS LOT 23, FIRST ADDITION TO PALM GARDENS, UNRECORDED.)

THE UNIMPROVED STREET OF THE FIRST ADDITION TO PALM GARDENS, UNRECORDED MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE EAST 300 FEET OF THE WEST 330 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE SOUTH 2610 FEET THEREOF.

CONTAINING 1.019 ACRES MORE OR LESS

EXHIBIT B

VICINITY SKETCH



EXHIBIT C
CONDITIONS OF APPROVAL

DISCLOSURE

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