

RESOLUTION NO. R-2004-2259

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1998-015.2
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-98-1296
WHICH APPROVED THE SPECIAL EXCEPTION OF
WEST SIDE BAPTIST CHURCH
PETITION NO. 1998-015

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.

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 1998-015.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on October 28, 2004; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1998-015.2 and considered testimony presented by the applicant and other interested parties, 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 add or modify conditions of approval; and

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

1. A certified site plan for the Conditional Use A was approved prior to the amendment of the Unified Land Development Code to require compliance with Architectural Guidelines.
2. The site plan is not consistent with the Unified Land Development Code.
3. With the amendment of conditions of approval, the development order will be consistent with the Unified Land Development Code.
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 Palm Beach County 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 1998-015.2, to amend Conditions of Approval of Resolution No. R-98-1296, the Class A Conditional Use of West Side Baptist Church, Petition No. 1998-015, which approved a Church or Place of Worship, property being legally described as ALL OF SECTION 27, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 5169 FEET AND LESS THE EAST 4838 FEET; SUBJECT TO AN EASEMENT FOR ROAD AND DRAINAGE PURPOSES TO INDIAN TRAIL WATER CONTROL DISTRICT

OVER THE WEST 60 FEET.

SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD, IF ANY, AND TAXES SUBSEQUENT TO 1996.

CONTAINING 120294 SQUARE FEET OR 2.76 ACRES MORE OR LESS, being located on the northeast corner of Orange Boulevard and 130th Avenue in the Agricultural Residential Zoning District , is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Prior to submittal of a building permit application, the property owner shall modify the proposed building elevations to comply with the Unified Land Development Code architectural guidelines. (BLDG PERMIT: ZONING)

Commissioner Masilotti 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:

KAREN T. MARCUS, CHAIR	—	Aye
TONY MASILOTTI, VICE CHAIRMAN	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye

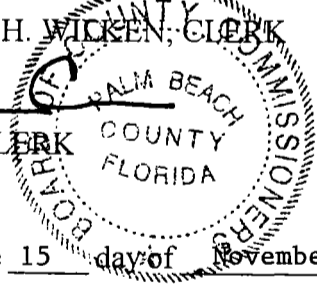
The Chair thereupon declared the resolution was duly passed and adopted this 28 day of October, 2004.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

DOROTHY H. WICKEN, CLERK
 BY: [Signature]
 DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 15 day of November, 2004.