

RESOLUTION NO. R-2005- 1623

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1993-019.5
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-93-1025
WHICH APPROVED THE CONDITIONAL USE A OF
SERGE JEROME
PETITION NO. 1993-019

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 1993-019.5 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 25, 2005; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1993-019.5 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. The amendment of conditions of approval will prevent the addition of trips to an overcapacity road link until the contract has been let for its expansion.
2. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code
3. The property owner has had seven years to commence development of the second phase, but has not done so.

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 1993-019.5, to amend Conditions of Approval of Resolution No. R-93-1025, the Development Order Amendment of Serge Jerome, Petition No. 1993-019, which approved a Class A Conditional Use allowing a church or place of worship with accessory day care (30 children), property being legally described in Exhibit A , being located on the south side of Melaleuca Lane, approximatley one block west of Congress Avenue in the RM-Multiple Family Residential (Medium Density) Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)

2. No building permits shall be issued until the contract has been let for Congress Avenue (Melaleuca Lane to Lantana Road) to a six-lane cross section. (BLDG PERMIT: MONITORING - Eng)

Commissioner Newell moved for approval of the Resolution.

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

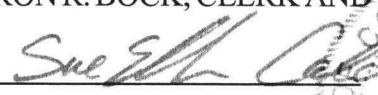
TONY MASILOTTI, CHAIRMAN	—	Aye
ADDIE L. GREENE, VICE CHAIRPERSON	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Absent
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye

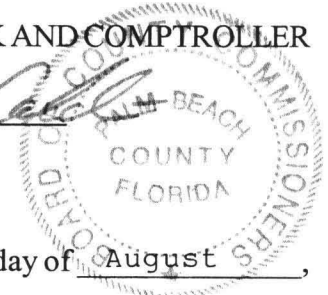
The Chair thereupon declared the resolution was duly passed and adopted this 25th day of August, 2005.

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 25th day of August, 2005.

EXHIBIT A

(legal description)

LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF SUBDIVISION " A " AND " B " OF TRACT 99, LESS THE NORTH 40 FEET OF SUBDIVISION " A ", AND LESS THE EAST 20 FEET OF THE WEST ONE HALF (W 1/2) OF SUBDIVISION " A " AND " B " OF TRACT 99, ACCORDING TO PALM BEACH FARMS COMPANY, PLAT NO. 7, AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 72, TOGETHER WITH, SUBDIVISION " A " OF TRACT 100, LESS THE NORTH 40 FEET THEREOF.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD, IF ANY.