

RESOLUTION NO. R-2011- 0570

RESOLUTION APPROVING ZONING APPLICATION PDD/R-2010-00977
(CONTROL NO. 1977-00112)
an Official Zoning Map Amendment to a Planned Development District (PDD)
APPLICATION OF WJCCT Inc
BY Beril Kruger Planning Zoning Consultants, AGENT
(West Jupiter Camping Resort)

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; and

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; and

WHEREAS, Zoning Application PDD/R-2010-00977 was presented to the Board of County Commissioners at a public hearing conducted on April 28, 2011; and

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; and

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; and

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; and

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.

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 PDD/R-2010-00977, the application of WJCCT Inc, by Beril Kruger Planning Zoning Consultants, agent, for an Official Zoning Map Amendment to a Planned Development District (PDD) to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Recreation Vehicle Planned Development (RVPD) Zoning District and an On-site Sewage Treatment Plant for an existing campground 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 in EXHIBIT B, attached hereto and made a part hereof, was approved on April 28, 2011 subject to the conditions described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson 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 Karen T. Marcus, Chair	- Aye
Commissioner Shelley Vana, Vice Chair	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Burt Aaronson	- Aye
Commissioner Jess R. Santamaria	- Aye
Commissioner Priscilla A. Taylor	-

The Chairperson thereupon declared that the resolution was duly passed and adopted on April 28, 2011.

Filed with the Clerk of the Board of County Commissioners on May 3, 2011.

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

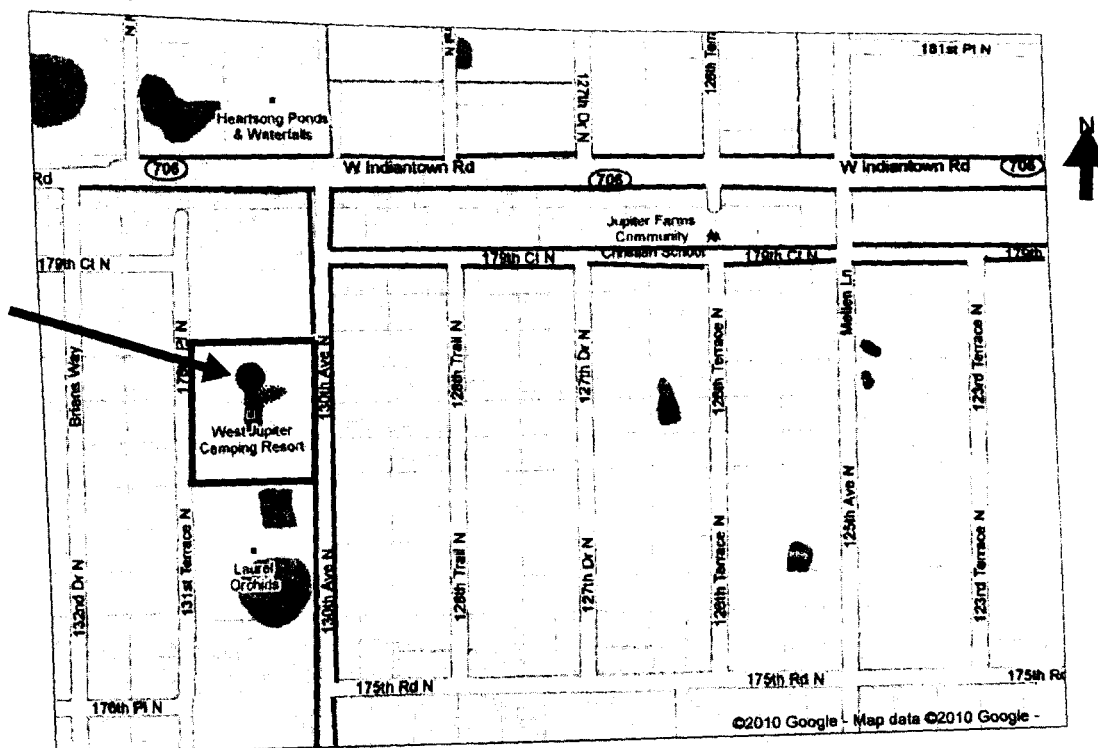


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

The North 642.27 feet of the South 4607.98 feet of the East Quarter of the East half of Section 4, Township 41 South, Range 41 East, Replat of Jupiter Farms and Groves, according to the map or plat thereof, as recorded in Plat Book 24, Page 7, less the East 40 feet as described in Official Records Book 6148, Page 645, of the Public Records of Palm Beach County Florida.

EXHIBIT B
VICINITY SKETCH



130th Ave N. is approximately 5 miles west of the Florida Turnpike.

VACINITY SKETCH

EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-77-095 (Control No. 1977-112), have been consolidated as contained herein.

The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous Condition 2 of Resolution R-77-956 (Control No. 77- 112) which currently states:

The Recreational Vehicle Park shall be developed in accordance with the site plan as presented on August 25, 1977.

Is hereby amended to read:

The approved Preliminary Master Plan is dated February 11, 2011. Modifications to the Development Order inconsistent with the conditions of approval, or changes to the uses or site design beyond the authority of the DRO as established in the ULDC, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ENGINEERING

1. Petitioner shall install a culvert across the canal, parallel to Indiantown Road, and construct a shell rock road in accordance with the requirements of the South Indian River Drainage District. (Previous Condition 1 of Resolution R-1977-956, Control No. 1977-112) (BLDG PERMIT: MONITORING ENG).

[Note: Canal Crossing has been Constructed]

2. Prior to April 28, 2012 or prior to issuance of the first building permit, whichever shall occur first, the property owner shall combine the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (DATE/BLDG PERMIT: MONITORING-Eng)

3. Prior to final site plan approval by the DRO, the plan shall be amended to include adequate radii and t-turnarounds, where appropriate, on all drive aisles. (DRO: ENGINEERING - Eng)

LANDSCAPE - GENERAL

1. Previous Condition 3 of Resolution R-77-956 (Control No. 77- 112) which currently states:

Petitioner shall landscape the outer perimeter of the fence, as represented at the Public Hearing on August 25, 1977.

Is hereby amended to read:

Prior to the final site plan approval by the Development Review Officer (DRO), the property owner shall submit a Landscape Plan or an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)

SIGNS

1. Freestanding signs fronting on 130th Avenue North shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - five (5) feet;
- b. maximum sign face area per side - fifty (50) square feet;
- c. maximum number of signs - one (1); and,
- d. style - monument style only. (BLDG PERMIT: BLDG - Zoning)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy (CO); the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code (ULDC) at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)