

RESOLUTION NO. R-2014- 0110

RESOLUTION APPROVING ZONING APPLICATION ZV/Z/CA-2013-01077
(CONTROL NO. 1994-00030)
a Class A Conditional Use
APPLICATION OF St Vincent De Paul Regional Seminary
BY Anderson Architecture, Inc, AGENT
(St. Vincent De Paul Regional Seminary)

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, 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;

WHEREAS, Zoning Application ZV/Z/CA-2013-01077 was presented to the Board of County Commissioners at a public hearing conducted on January 30, 2014;

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 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;

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;

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 BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Class A Conditional Use ; and,

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 ZV/Z/CA-2013-01077, the petition of St Vincent De Paul Regional Seminary, by Anderson Architecture, Inc, agent, for a Class A Conditional Use to allow a College (Seminary) in the Institutional and Public Facilities (IPF) Zoning District, on a parcel of land legally described 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 January 30, 2014, subject to the Conditions of Approval described in EXHIBIT C-2, attached hereto and made a part hereof.

Commissioner Abrams moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on January 30, 2014.

Filed with the Clerk of the Board of County Commissioners on February 3rd, 2014.


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

**ST. VINCENT DE PAUL SEMINARY
PALM BEACH COUNTY, FLORIDA**

DESCRIPTION:

THAT PART OF TRACTS 5 THROUGH 12, INCLUSIVE, AND TRACTS 25 THROUGH 32, INCLUSIVE, SUBDIVISION OF SECTION 26, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 6 AT PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHEAST CORNER OF TRACT 8, OF SAID PLAT OF SUBDIVISION OF SECTION 26; THENCE N.00°15'11"W., ALONG THE EAST LINE OF SAID TRACT 8, 695.00 FEET; THENCE S.89°39'49"W., PARALLEL WITH THE SOUTH LINE OF SAID TRACT 8, 35.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°39'49"W., 335.00 FEET; THENCE S.0°15'11"E., PARALLEL WITH THE SAID EAST LINE OF TRACT 8, 134.00 FEET; THENCE S.89°39'49"W., PARALLEL WITH THE SOUTH LINE OF SAID TRACT 8, 847.28 FEET; THENCE S.0°15'11"E., PARALLEL WITH THE EAST LINE OF SAID TRACT 89, 546.00 FEET TO A LINE 15.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF TRACTS 9 AND 32; THENCE S.89°39'49"W., ALONG SAID PARALLEL LINE, 384.81 FEET TO THE EAST LINE OF THE PLAT OF PALM CHASE, AS RECORDED IN PLAT BOOK 49 AT PAGES 51, 52 AND 53 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N.0°57'32"E., ALONG THE SAID EAST LINE, 2442.10 FEET TO THE SOUTH LINE OF PALM CHASE DRIVE, AS RECORDED IN PLAT BOOK 48 AT PAGE 104 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N.88°53'32"E., ALONG SAID SOUTH LINE, 1515.60 FEET TO A LINE 60 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID SECTION 26; THENCE S.0°15'11"E., ALONG SAID PARALLEL LINE, 1781.88 FEET TO THE SAID POINT OF BEGINNING.

EXHIBIT B
VICINITY SKETCH

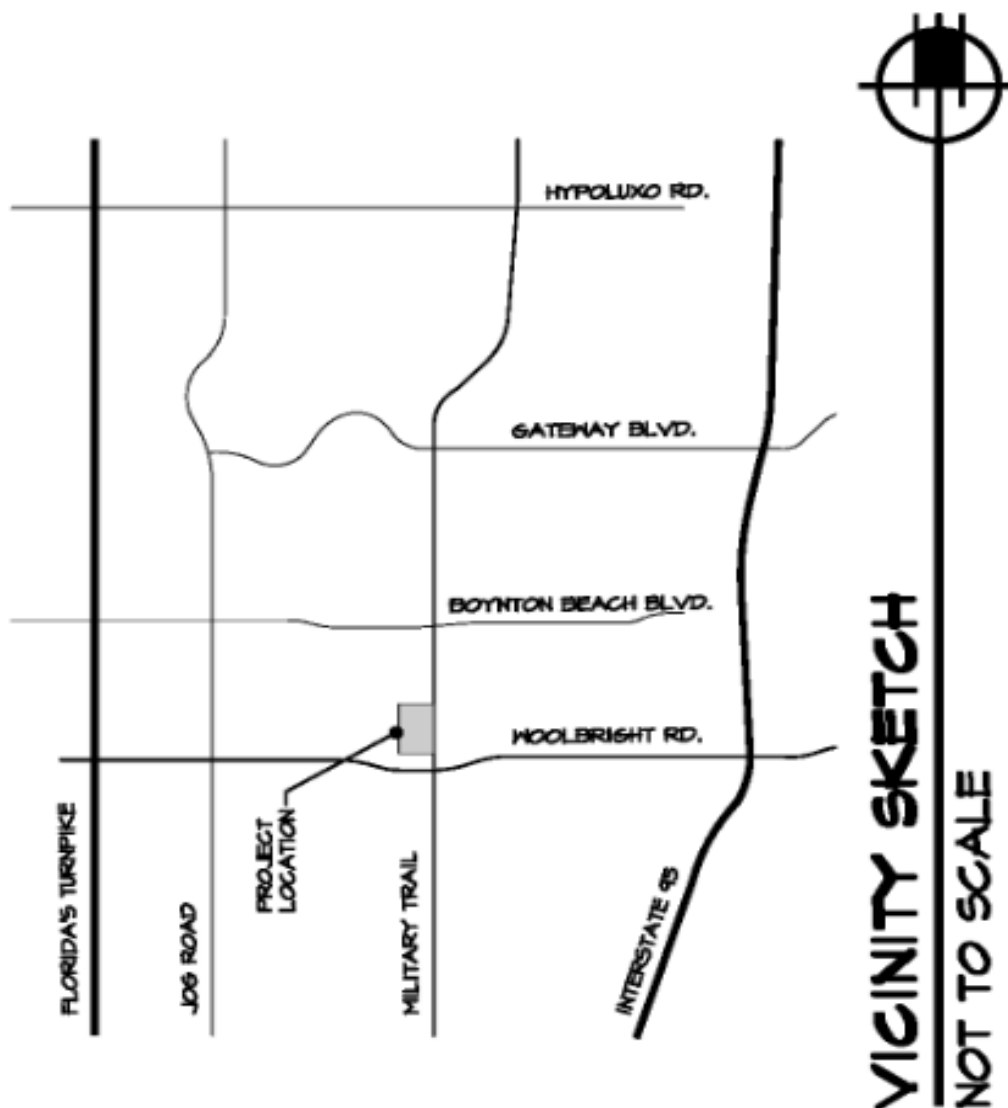


EXHIBIT C-2

CONDITIONS OF APPROVAL

ALL PETITIONS

1. The approved Preliminary Site Plan is dated December 18, 2013. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2018. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)

LANDSCAPE - GENERAL

1. LANDSCAPING ALONG THE WEST PROPERTY LINE ABUTTING SINGLE FAMILY RESIDENTIAL. Prior to Final Approval by the Development Review Officer, the Preliminary Site Plan shall be revised to show landscaping along the west property line to include a fifteen (15) foot wide Type II Incompatibility Buffer for the appropriate line of sight distance along the west property line to screen from view the affected area from the adjacent existing residential uses; or subject to an Alternative Landscape Plan to mitigate existing vegetation. (DRO: LANDSCAPE - 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; 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; the 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 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 of Approval; 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)

DISCLOSURE

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