

RESOLUTION NO. R-2000- 0576

RESOLUTION APPROVING ZONING PETITION DOA78-242(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF PBC BCC FD&O
BY AUDREY WOLF, AGENT
(BOCA WOODS COUNTRY CLUB)

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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA78-242(B) was presented to the Board of County Commissioners at a public hearing conducted on March 23, 2000 and April 27, 2000; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), 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 made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 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 Petition DOA78-242(B), the petition of PBC BCC FD&O, by Audrey Wolf, agent, for a Development Order Amendment (DOA) to delete land area 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 attached as EXHIBIT B, attached hereto and made a part hereof, was approved on March 23, 2000 and April 27, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

Maude Ford Lee, Chair	-	Aye
Warren Newell, Vice Chair	-	Absent
Karen T. Marcus	-	Aye
Carol A. Roberts	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 27, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

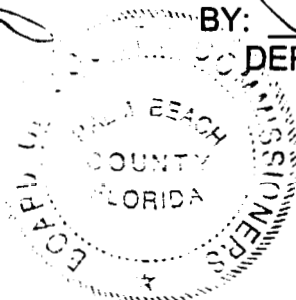


EXHIBIT A
LEGAL DESCRIPTION

A PARCELOF LANDSITUATE, LYINGAND BEING IN PALMBEACHCOUNTY, FLORIDA,
MORE PARTICULARLY DESCRIBEDAS FOLLOWS:

COMMENCINGAT THE SOUTHEAST CORNER OF THE SECTION23 SOUTH, RANGE
41 EAST; THENCE SOUTH89°44'02" WEST ALONG THE SOUTHLINE OF SECTION23,
A DISTANCE OF 974.84 FEET; THENCE NORTH01'14'56" WEST, 100.01 FEET TO A
POINT ON THE NORTH RIGHT-OF-WAYLINE OF PALMETTO PARK ROAD AND THE
POINT OF BEGINNING; THEN CONTINUE NORTH01°14'56" WEST, 567.63 FEET TO A
POINT ON THE SOUTHLINE OF TRACT 54, SAID SECTION23, FLORIDA FRUITLANDS
COMPANY SUBDIVISIONNO. 2, AS RECORDED IN PLAT BOOK 1, PAGE 102, SHEET
4 OF 4, PUBLIC RECORDS OF PALM BEACH COUTY, FLORIDA; THENCE SOUTH
89°44'24" WEST ALONG SAID SOUTH LINE OF TRACT 54, A DISTANCE OF 346.58
FEET; THENCE SOUTH01°14'22" EAST ALONG THE WEST LINE OF TRACT 55 AND 56,
A DISTANCE OF 567.66 FEET TO A POINT ON THE NORTH RIGHT-OF-WAYLINE OF
PALMETTO PARK ROAD; THENCE NORTH89°44'02" EAST ALONG SAID NORTHLINE,
346.67 FEET TO THE POINT OF BEGEGINNING.

AND

TRACT P, BOCA WOODS COUNTRY CLUB PLAT 4, ACCORDING TO THE PLAT
THEREOF, RECORDED IN PLAT BOOK 48, PAGE 16, PUBLIC RECORDS OF PALM
BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

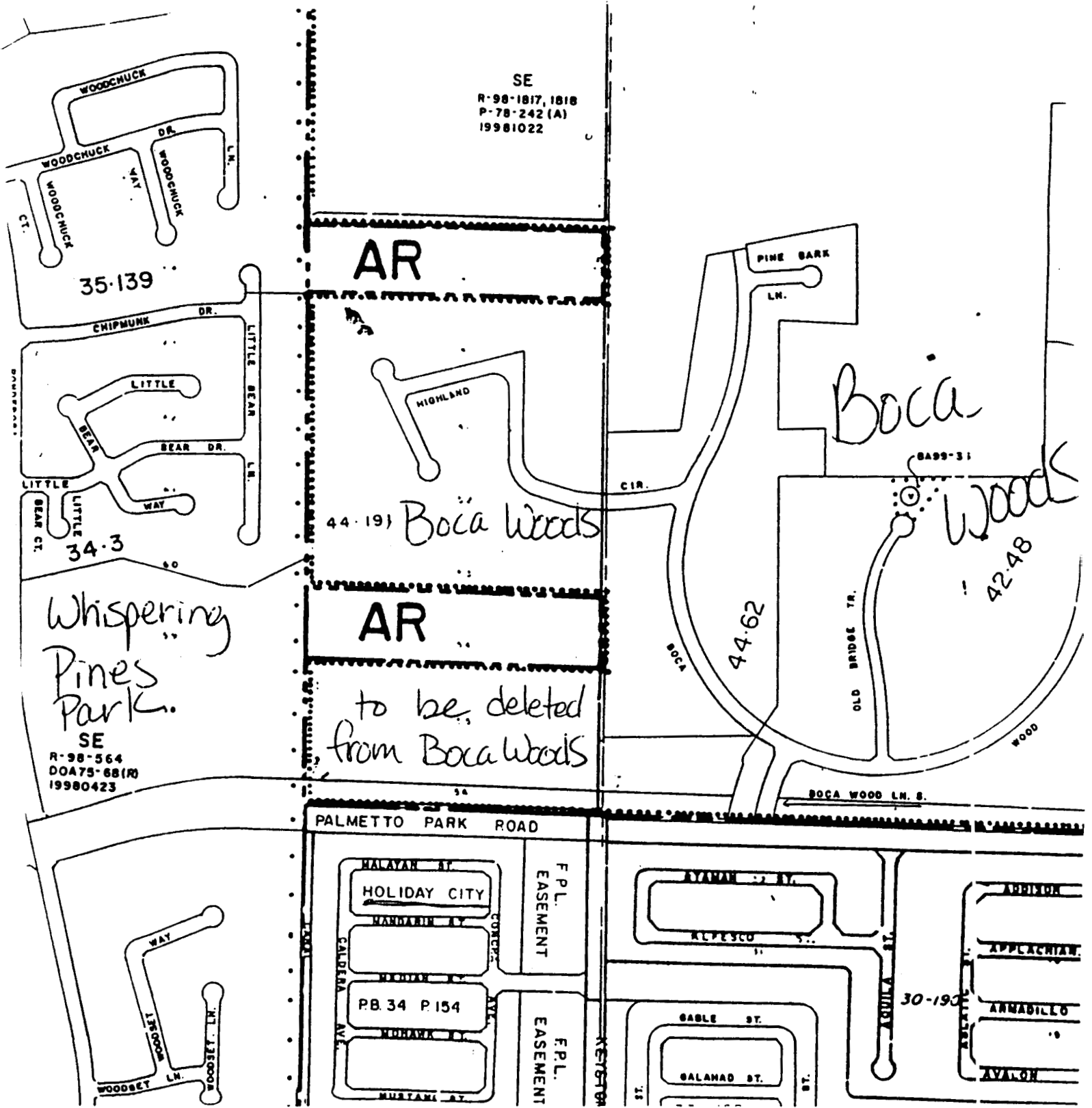


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. All conditions of approval contained in Resolution R-78-1595, Petition 78-242, and Resolutions R-98-1817, R-98-1818, Petition 78-242(A), shall remain in full force and effect. (MONITORING)

B. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner 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; 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 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 a majority vote of the Code Enforcement Board 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 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)