

RESOLUTION NO. R-2007- 2136

RESOLUTION APPROVING ZONING APPLICATION R2007-519
(CONTROL NO. 1977-148)
REQUESTED USE
APPLICATION OF CASA DE RESTAURACION
BY ANNA S. COTTRELL & ASSOCIATES, AGENT
(CASA DE RESTAURACION)

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 Board of County Commissioners, pursuant to Article 2 (Development Review Process) 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 Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Application R2007-519 was presented to the Board of County Commissioners at a public hearing conducted on November 29, 2007; 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Requested Use complies with relevant and appropriate portions of Article 4.B, Supplementary Use Standards of the Palm Beach County Unified Land Development Code. This Requested Use also meets applicable local land development regulations.
3. This Requested Use, 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.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Requested Use has a concurrency determination and complies with Article 2.F (Concurrency) of the ULDC.

5. This Requested Use, 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.
7. This Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
9. This Requested Use, with conditions as adopted, is consistent with the applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Requested Use.

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 R2007-519, the application of Casa De Restauracion, by Anna S. Cottrell & Associates, agent, for a Requested Use to allow a Place of Worship in the Multiple Use Planned Development 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 November 29, 2007, subject to the conditions of approval described in EXHIBIT C of PDD2007-519, attached hereto and made a part hereof.

Commissioner McCarty 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:

Addie L. Greene, Chairperson	-Absent
Jeff Koons, Vice Chair	-Aye
Karen T. Marcus	-Aye
Robert J. Kanjian	-Aye
Mary McCarty	-Aye
Burt Aaronson	-Aye
Jess R. Santamaria	-Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on November 29, 2007.

Filed with the Clerk of the Board of County Commissioners on November 29th, 2007

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

A PARCEL OF LAND LYING ON THE SOUTHEAST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

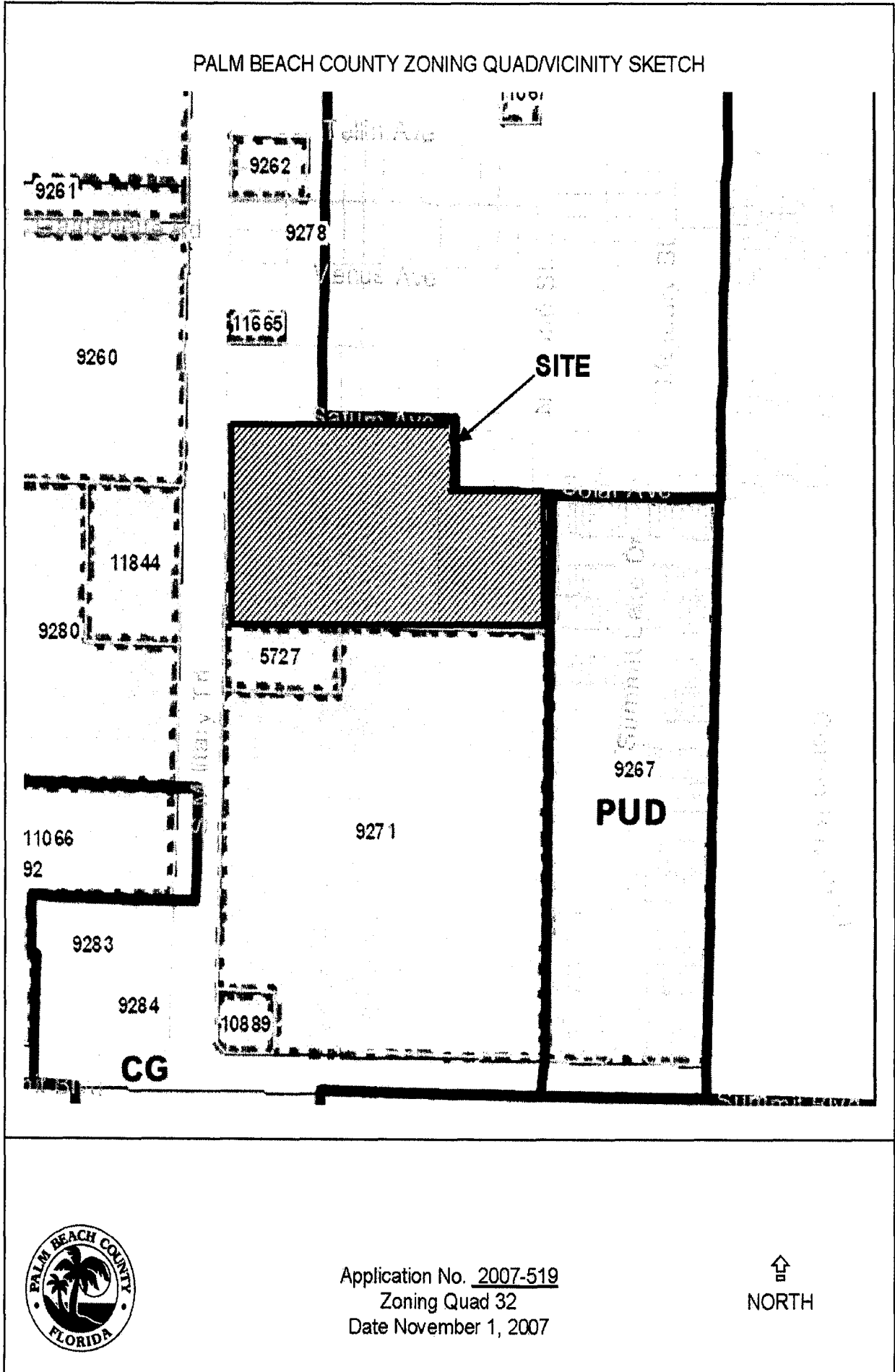
LOTS 110 THROUGH 120, INCLUSIVE, LESS THE WEST 10.00 FEET AND THE NORTH 10.00 FEET THEREOF OF THE **PLAT OF SKY RANCH** AS RECORDED IN PLAT BOOK 21, PAGE 64 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY OF MILITARY TRAIL (S.R 809) AS SHOWN IN ROAD PLAT BOOK 3, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THE WITH NORTH LINE OF THE SOUTH HALF (1/2) OF THE SAID SOUTHEAST QUARTER (1/4) OF SECTION 1; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY FOR 300.00 FEET TO THE NORTH LINE OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 1454, PAGE 577 OF SAID PUBLIC RECORDS; THENCE EASTERLY, PARALLEL WITH SAID NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4) FOR 852.48 FEET TO THE NORTHEAST CORNER OF SAID PROPERTY DESCRIBED IN O.R. BOOK 1454, PAGE 577; THENCE NORTHERLY, ALONG THE EXTENSION OF THE EASTERLY LINE OF SAID PROPERTY FOR 300.00 FEET TO THE SAID NORTH LINE OF THE SOUTH HALF (1/2) OF THE SOUTHEAST QUARTER (1/4); THENCE WESTERLY ALONG SAID LINE FOR 850.39 FEET TO THE POINT OF BEGINNING.

LESS THE WEST 7.00 FEET THEREOF.

EXHIBIT B
VICINITY SKETCH



Application No. 2007-519
Zoning Quad 32
Date November 1, 2007

