

RESOLUTION NO. R-2009- 1354

RESOLUTION APPROVING ZONING APPLICATION Z/DOA-2009-01524
(CONTROL NUMBER 1997-00058)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF INDIAN TRAIL IMPROVEMENT DISTRICT
BY WAYNE VILLAVASO LANDSCAPE ARCHITECTURE INC., AGENT
(HAMLIN EQUESTRIAN PARK)

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, as amended, 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 Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application Z/DOA-2009-01524 was presented to the Board of County Commissioners at a public hearing conducted on August 27, 2009; 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, 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 has considered the findings in the staff report and the following findings of fact:

1. This Development Order Amendment 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 Development Order Amendment complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Development Order Amendment also meets applicable local land development regulations.
3. 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.
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 Development Order Amendment has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
6. 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.

7. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Development Order Amendment, 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 Development Order Amendment, with conditions as adopted, is consistent with applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Development Order Amendment.

WHEREAS, Article 2.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 Z/DOA-2009-01524, the application of Indian Trail Improvement District, by Wayne Villavaso Landscape Architecture Inc., agent, for a Development Order Amendment to to add land area (2.59 acres) to Hamlin Park. 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 August 27, 2009, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	

The Chairperson thereupon declared that the resolution was duly passed and adopted on August 27, 2009.

Filed with the Clerk of the Board of County Commissioners on September 4, 2009

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

BY:


COUNTY ATTORNEY

SHARON BOCK, CLERK, &
COMPTROLLER

BY:


DEPUTY CLERK



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EXHIBIT A

LEGAL DESCRIPTION

TRACT NO. AE-98, SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, ALSO DESCRIBED AS: THE EAST 239 FEET OF THE WEST 1324 FEET LESS THE SOUTH 4930 FEET OF THE WEST ½ OF SECTION 20 TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROAD AND DRAINAGE PURPOSES TO INDIAN TRAIL WATER CONTROL DISTRICT OVER THE NORTH 40 FEET AND THE SOUTH 30 FEET AND EAST 30 FEET.

TOGETHER WITH:

TRACT NO. AE-97, SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, ALSO DESCRIBED AS: THE EAST 209 FEET OF THE WEST 1085 FEET LESS THE SOUTH 4930 FEET OF THE WEST ½ OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROAD AND DRAINAGE PURPOSES TO INDIAN TRAIL WATER CONTROL DISTRICT OVER THE NORTH 40 FEET AND THE SOUTH 30 FEET.

TOGETHER WITH:

TRACT NO. AE-58, SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, ALSO DESCRIBED AS: THE EAST 209 FEET OF THE WEST 876 FEET LESS THE SOUTH 4930 FEET OF THE WEST ½ OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROAD AND DRAINAGE PURPOSES TO INDIAN TRAIL WATER CONTROL DISTRICT OVER THE SOUTH 30 FEET AND THE NORTH 40 FEET.

TOGETHER WITH

TRACT NO. AE-139, SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, ALSO DESCRIBED AS; THE EAST 239 FEET OF THE WEST 1563 FEET LESS THE SOUTH 4930 FEET OF THE WEST ½ OF SECTION 20, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, SUBJECT TO AN EASEMENT TO INDIAN TRAIL WATER CONTROL DISTRICT FOR ROAD AND DRAINAGE PURPOSES OVER THE NORTH 40 FEET, THE WEST 30 FEET AND THE SOUTH 30 FEET THEREOF

TOTAL AREA=9.57 ACRES

EXHIBIT B
VICINITY SKETCH

