

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2008-004

A RESOLUTION OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, APPROVING THE RECOMMENDATION OF STATUS REPORT 2004-024; APPROVING AN AMENDMENT TO THE DEVELOPMENT ORDER FOR THE CLASS "A" CONDITIONAL USE PREVIOUSLY APPROVED PURSUANT TO PALM BEACH COUNTY RESOLUTION NO. 2004-2256, PURSUANT TO THE APPLICATION OF COMMUNITIES WEST SEVENTH DAY ADVENTIST CHURCH; DIRECTING THE TOWN CLERK TO TRANSMIT THE RESOLUTION TO THE APPROPRIATE GOVERNMENT OFFICIALS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Loxahatchee Groves, hereinafter referred to as the "Town", is a recently incorporated contiguous rural community in Palm Beach County, Florida; and

WHEREAS, the Board of County Commissioners of Palm Beach County, Florida ("County") had previously approved Resolution No. 2004-2256 on November 15, 2004 related to property owned by the Florida Conference Associates of Seventh Day Adventist Church; and

WHEREAS, pursuant to Article 2.e. of the Town of Loxahatchee Groves Uniform Land Development Code, whether it is a failure to comply with conditions of approval or with the Town requirement for the next step in the development process, the Town Council may review the status of the development and take appropriate action; and

WHEREAS, following a public hearing held on January 22, 2008, the Loxahatchee Groves Town Council has considered the application submitted by Communities West Seventh Day Adventist Church with respect to the granting an amendment to the development order to provide for the deletion of the private school; and

WHEREAS, the Town Council approves an amendment to Resolution No. 2004-2256 to delete the private school as provided in Palm Beach County Resolution No. R-2004-2256 on the parcel of land described as follows:

Approximately 9.48 acres, approximately .5 mile south of Okeechobee Boulevard on the west side of Folsom Road

WHEREAS, Article 2 of the Town of Loxahatchee Groves Uniform Land Development Code requires that the action of the Town Council be adopted by Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES, FLORIDA, THAT:

SECTION 1. The foregoing "WHEREAS" clauses are true and correct and hereby ratified and confirmed by the Town Council.

SECTION 2. The Town Council of the Town of Loxahatchee Groves, Florida hereby approves a development order amendment to the Resolution R-2004-2256 to provide for the deletion of the private school from the previous approval in the Agriculture Residential Zoning District.

SECTION 3. The Town Clerk is hereby directed to provide copies of this Resolution to the Palm Beach County Planning, Zoning, and Building Department and to the applicant or the representative.

SECTION 4. All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

SECTION 5. If any clause, section or other part of this Resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered eliminated and will in no way affect the validity of the other provisions of this Resolution.

SECTION 6. This Resolution shall become effective immediately upon its passage and adoption.

ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 5th day of February, 2008.

TOWN OF LOXAHATCHEE GROVES,
FLORIDA

ATTEST:

Matthew Lyman
TOWN CLERK or Authorized Representative

David Browning
Mayor David Browning

Margaret Herzog
Vice Mayor

APPROVED AS TO LEGAL FORM:

[Signature] 2/5/08
Office of the Town Attorney

[Signature]
Council Member

[Signature]
Council Member

[Signature]
Council Member

STATE OF FLORIDA
COUNTY OF _____

I HEREBY CERTIFY that the foregoing is a true and correct copy of:

C:\Users\Lox_Groves\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\TTQ15YKS\Reso 2008-004 (Status Report 2004-024).doc

Witness my hand and seal this _____ day of _____, A.D. 20__.

W _____
C _____