

TOWN OF LOXAHATCHEE GROVES

RESOLUTION NO. 2008-010

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOXAHATCHEE GROVES RESOLUTION APPROVING ZONING APPLICATION DOA-2006-01893 (CONTROL NUMBER 2002-00057) DEVELOPMENT ORDER AMENDMENT APPLICATION OF FIRST HOLINESS CHURCH OF PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AND EFFECTIVE DATE.

(First Holiness Church of the Living God)

WHEREAS, the Council, as the governing body of Loxahatchee Groves, Florida, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the Council, pursuant to Article 2 (Development Review Process) of the Town of Loxahatchee Groves Unified Land Development Code is authorized and empowered to consider, approve, approve with conditions or deny Official Zoning Map Amendments to a Planned Development District; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Town of Loxahatchee Groves Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Application DOA-2006-01893 was presented to the Council at a public hearing conducted on May 6, 2008; and

WHEREAS, the Council has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various county review agencies; and

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

NOW, THEREFORE, be it resolved by the Town Council of the Town of Loxahatchee Groves as follows:

SECTION 1. Each "WHEREAS" clause set forth above is true and correct and herein incorporated by this reference.

SECTION 2. The Town Council has considered the findings in the staff report and makes the following findings of fact:

1. This Development Order Amendment is consistent with the purposes, goals, objectives and policies of the Town of Loxahatchee Groves' Interim

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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 Town of Loxahatchee Groves 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 Town of Loxahatchee Groves 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 Town's Unified Land Development Code.

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 Town of Loxahatchee Groves 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.

SECTION 3. Article 2.A.1.K.3.b Town of Loxahatchee Groves Unified Land Development Code requires that the action of the Town Council of Loxahatchee Groves be adopted by resolution.

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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.

THEREFORE, the Town Council of the Town of Loxahatchee Groves approves Zoning Application DOA-2006-01893, the application of First Holiness Church Of, by Whitney Carroll Plan'ing & Design, agent, for a Development Order Amendment to A Development Order Amendment To reconfigure the site plan. 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 , subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

RESOLVED AND ADOPTED by the Town Council of the TOWN OF LOXAHATCHEE GROVES, Florida this 6th day of May, 2008.

ATTEST:

Matthew Lyman
TOWN CLERK

APPROVED AS TO LEGAL FORM:

DNT
Office of the Town Attorney

TOWN OF LOXAHATCHEE GROVES, FLORIDA

David Browning
Mayor David Browning

Marge Herzog
Vice Mayor

Council Member

Council Member

Council Member



DNT:dnt
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