

RESOLUTION NO. R-85-647

RESOLUTION APPROVING ZONING PETITION 82-111(A), Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 82-111(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 24th January 1985; and

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

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. With modification to the site plan, this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 24th of January 1985, that Petition No. 82-111(A) the petition of REDEMPTION EVANGELICAL LUTHERAN CHURCH By Pastor Victor Thierfelder for a SPECIAL EXCEPTION TO EXPAND THE SITE PLAN FOR A CHURCH AND SCHOOL INCLUDING ACCESSORY BUILDINGS AND STRUCTURES PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 82-111 on the North 245 feet of Tract 3, Block 6, Together with the East 220 feet of Tract 3, Block 6, Less the North 245 feet and the South 198 feet thereof, both as shown on the plat of Palm Beach Farms Company's Plat No. 3 in Section 33, Township 43 South, Range 42 East, as recorded in Plat Book 2, Page 46, less the West 300 feet of that part of the North 245 feet of said Tract 3, lying East of Pike Road, subject to Lake Worth Drainage District Right-of-way. Together with the West 300 feet of

that part of the North 245 feet of said Tract 3, Block 6, lying East of Pike Road Palm Beach Farms Company's Plat No. 3, Plat Book 2, Page 46, less the West 15 feet as Right-of-way for Pike Road, together with the South 17 feet of the North 262 feet of Tract 3, Block 6, less the East 220 feet thereof, as recorded in Plat Book 2, Page 46, as shown on Plat of Palm Beach Farms Company's Plat No. 3, less the West 15 feet as Right-of-way for Pike Road. Said property located on the southeast corner of the intersection of Pike Road and Belvedere Road in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

1. The developer shall pay a pro rata cost of the construction of a left turn lane at the intersection of Pike Road and Belvedere Road. The amount of \$7,143.00 shall be paid to Palm Beach County within 6 months of Special Exception Approval.
2. The developer shall remove all existing access pavement, for a distance of 5 feet south of the existing paved roadway, within the right of way of Belvedere Road and shall restore this area with material approved by the County Engineer.
3. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
4. Reasonable measures shall be employed during site development to insure that no pollutants from thin property shall enter adjacent or nearby surface waters.
5. Prior to certification by Site Plan Review Committee the site plan shall be corrected to reflect the required parking and circulation dimensions.
6. Prior to certification by Site Plan Review Committee, the Petitioner shall amend the site plan to reflect paved parking or variance relief shall be obtained from the Board of Adjustment.
7. The developer shall comply with all previously imposed conditions of Petition No. 82-111, not modified or amended by this petition.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Spillias, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	--	AYE
Dorothy Wilken, Vice Chairman	--	ABSENT
Kenneth M. Adams, Member	--	AYE
Karen T. Marcus, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 23rd day of April, 1985, confirming action of the 24th January 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Donna McWilliam
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Landy Sprague
County Attorney