

RESOLUTION NO. R- 85-1243

RESOLUTION APPROVING ZONING PETITION 85-72, 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. 85-72 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 28th June 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 variance relief, this proposal is 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 28th of June 1985, that Petition No. 85-72 the petition of FAMILY WORSHIP CENTER By Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHURCH INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a parcel of land in Section 3, Township 44 South, Range 42 East, described as:

Beginning at a point in a line parallel to and 220 feet North of (measured at right angles) the South line of Tract 13, Block 13, Palm Beach Farms Company, Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54, inclusive, and said point being 200 feet East of the West line of said Tract 13; Run thence, East on said parallel line 422.40 feet, more or less, to a point in the West right-of-way line of Jog Road; Thence, North on said right-of-way line 220.07 feet, more or less, to

a point in a line parallel to and 440 feet North of (measured at right angles) the South line of said Tract 13;

Thence, West on said parallel line 428.07 feet, more or less to a point 200 feet East of the West line of said Tract 13; Thence, South parallel to the West line of said Tract 13, a distance of 220 feet to the Point of Beginning.

Together with

A parcel of land in Section 3, Township 44 South, Range 42 East, described as follows:

Beginning at a point in the South line of Tract 13, Block 13, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Pages 45 to 54, inclusive, said point being 200 feet East of the Southwest corner of Tract 13, and run East on the South line of Tract 13 and its Easterly extension, a distance of 416.73 feet more or less to a point in the West right-of-way line of Jog Road;

Thence, North along said right-of-way line 220.07 feet to a point in a line parallel to and 220 feet North of (measured at right angles) the South line of Tract 13;

Thence, West along said parallel line 422.40 feet, more or less to a point 200 feet East of the West line of Tract 13;

Thence, South parallel to the West line of Tract 13, a distance of 220.00 feet to the Point of Beginning. Said property located on the west side of Jog Road, approximately .4 mile south of Southern Boulevard (S.R. 80) was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to include:

a) The total square footage for all buildings of the special exception including existing, proposed and future development. There shall not be greater than 20% lot coverage.

b) The areas of tree preservation and method of preservation will be incorporated into the overall design to help maintain existing character and to buffer surrounding land uses.

c) Where internal vehicular use areas are located near adjacent properties a 75% opaque landscape buffer shall be maintained.

2. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.

3. Prior to obtaining a certificate of occupancy the existing frame buildings shall pass all inspections by the County Building Division.
4. Prior to Site Plan Certification, variance relief shall be obtained from the Board of Adjustment for substandard side interior and rear setbacks.
5. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.
6. The Property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this project is \$1,165.00 for the first phase (300) seats and \$1,165.00 for the second phase (an additional 300 seats).
7. The Property owner shall construct a left turn lane south approach on Jog Road at the project's south entrance concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
8. The Property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the issuance of a Building Permit.
9. The Property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Jog Road.
10. 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.
11. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
12. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
13. Permits shall not be issued for the expansion (Phase 11), from 300 seats to 600 seats, until the four laning of Jog Road in this area is completed.
14. Petitioner shall apply for grass parking variance from the Board of Adjustment.
15. All existing native vegetation shall be preserved within a 50 foot buffer along the Jog Road frontage.
16. No outdoor sales, revivals, carnivals or bingo shall be conducted on the premises.
17. Educational facilities shall not be used for a day-care operation.

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:

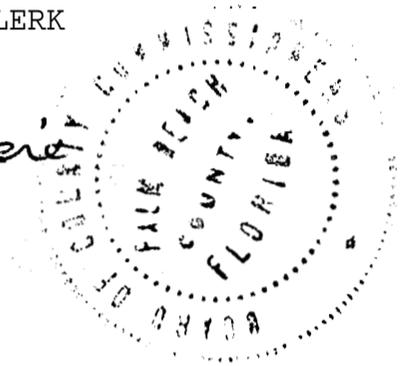
Ken Adams, Chairman -- AYE
Karen T. Marcus, Vice Chairman -- ABSENT
Kenneth Spillias, Member -- AYE
Jerry L. Owens, Member -- AYE
Dorothy Wilken, Member -- AYE

The foregoing resolution was declared duly passed and adopted
this 13th day of August confirming action of the 28th June 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beauvoir
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney