

RESOLUTION NO. R-87-26

RESOLUTION APPROVING ZONING PETITION 86-64, 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. 86-64 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on June 26, 1986 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 site plan modifications or variance relief from the Board of Adjustment, this proposal will be consistent with the requirements of the Zoning Code. The proposal is consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 13th day of ~~January~~ January, 1987, that: Petition No. **86-64**, the petition of AMERICAN LUTHERAN CHURCH, **By** Conrad Schaefer, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHURCH, EDUCATIONAL FACILITY AND A CHILD DAY CARE FACILITY, INCLUDING

12. There shall be no evening church assemblies or church activities conducted out of doors after 10:00 p. m.

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

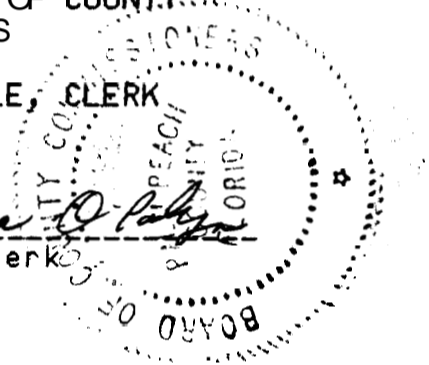
Karen Marcus	-- AYE
Jerry L. Owens	-- ABSENT
Ken Spillias	-- ABSENT
Dorothy Wilken	-- AYE
Kenneth M. Adams	-- AYE

The foregoing resolution was declared duly passed and adopted this 13th day of January, 1987, confirming action of June 26, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Barbara O. Palyn*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Handwritten Signature]

County Attorney

- d) day care center occupancy and corresponding square footages
 - e) fence or wall around the outdoor activity area
 - f) required perimeter landscaping between off-street parking areas and rights-of-way
 - g) breakdown of interior landscape calculations
 - h) project phase lines subject to Health Department approval.
5. The application and engineering plans, calculations etc. to construct well and septic tank must be submitted to the Health Department prior to site plan approval.
 6. This petitioner or successors in interest **will** be allowed to draw building permits on Phase 1 only for **4,500** square feet fellowship hall with a seating capacity of two hundred fifty (250) people. Development shall not be permitted on future phases until the entire site is connected to public water and sewer systems.
 7. 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. The drainage system shall be maintained in an acceptable condition per the County Engineer's approval.
 8. The property owner shall construct a left **turn** lane, south approach on Ellison Wilson Road at the project's south entrance and a right turn lane, north approach on Ellison Wilson Road at the project's north entrance concurrent with onsite paving and drainage improvements for Phase II.
 9. 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. The Fair Share Fee for this project presently is \$1,875 (70 trips X \$26.79 per trip).
 10. There shall be no access to the Site except from Ellison-Wilson Road.
 11. The developer shall provide Alternative Landscape Strip nos. 1 or 2 [500.35E.3.c.(2) and (3)] along the western property line.

ACCESSORY BUILDINGS AND STRUCTURES on that portion of the East 1/2 of the Southeast 1/4 of Section 29, Township 41 South, Range 43 East, being more particularly described as follows: That part of the North 538.39 feet of the South 1876.78 feet of said East 1/2 of the Southeast 1/4, lying Westerly of the West right-of-way for Ellison Wilson Road, as recorded in Official Records Book 539, Page 490, and lying Easterly of the East right-of-way line for Rolling Green Road as recorded in Official Records Book 1068, page 174. Said property located on the west side of Ellison Wilson Road, approximately .6 mile south of Donald Ross Road in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. The developer shall preserve existing vegetation throughout the site (especially south of the proposed southern parking area) and shall incorporate said vegetation into the project design. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification. These preservation areas shall receive appropriate protection from damage and disturbance during the site development and construction phase. The minimum protection shall include highlighting of preservation areas through the installation of stakes installed a maximum of fifty (50) feet apart. Ropes, plastic, tape or ribbons shall be attached to the stakes around the perimeter of the protected area. Marking materials shall not be attached to a protected tree. In addition, individual trees not within a preserved area shall be protected by a barrier, constructed of metal or wood, placed a distance of six feet apart, or at the radius of the dripline, whichever is greater.
2. Prior to site plan certification, the developer shall submit a tree survey indicating all trees which can be used for tree preservation credits (Figure 500.35-3, Landscape Code).
3. The developer shall incorporate existing native vegetation into the project design where possible.
4. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a) maximum 35 foot high sanctuary
 - b) required number of trees to be preserved or Planted
 - c) required alternative perimeter landscape strip