

RESOLUTION NO. R-87-415

RESOLUTION APPROVING ZONING PETITION 80-187(C), 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. 80-187(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 23, 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 required site plan modification, 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 24th day of March, 1987, that: Petition No. 80-187(C), the petition of TRINITY ASSEMBLY ~~OF~~ GOD, By George Amato, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A CHURCH, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-187(B), TO INCREASE SQUARE FOOTAGE AND TO ALLOW A CHILD DAY CARE FACILITY on Tract 9, in the Northwest 1/4, of Section 12, Township 45 South, Range 42 East. The amended Plat of Mary A. Lyman Subdivision. Said property located on the west side of Military Trail (S.R. 8091, Petition No. 80-187(C)

approximately .3 miles south of Hypoluxo Road in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a. One (1) of three (3) alternative perimeter landscape strips.
 - b. Required number of trees.
 - c. Paved parking for the day care center staff shall be located to the northwest corner of the daycare facility.
 - d. Day care data (number of students, number of staff, required and proposed recreation and building areas).
 - e. A program to eradicate all prohibited vegetation.
3. The property owner shall construct the project's south entrance road on Military Trail as an exit only as per the County Engineer's approval concurrent with onsite paving and drainage improvements.
4. 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 the proposed day care and office addition presently is \$11,118.00 (415 trips X \$26.79 per trip).
5. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$2,780.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$13,898.00 to be paid prior to the issuance of the first building permit or prior to July 1, 1987 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$2,780.00 shall be credited toward the increased Fair Share Fee.

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

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

The foregoing resolution was declared duly passed and adopted this 24th day of March, 1987 confirming action of October 23, 1986.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldings
 Deputy Clerk

APPROVED AS TO FORM
 AND LEGAL SUFFICIENCY

[Signature]
 County Attorney