

RESOLUTION NO. R-89- 702

RESOLUTION APPROVING ZONING PETITION NO. 87-54 (A)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF DELRAY BEACH, FLORIDA,
CONGREGATION OF JEHOVAH'S WITNESSES INC.

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. 87-54(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 25, 1988 ; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 87-54(A), the petition of DELRAY BEACH, FLORIDA, CONGREGATION OF JEHOVAH'S WITNESSES, by Rinaldo J. Perez, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying on the North 300 feet of the West 1/2 of the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 46 South, Range 42 East, less the West 40 feet thereof for road Right-of-way, being located on the east side of Barwick Road, approximately 200 feet north of Ridgewood Road, in a RS-Single Family Residential Zoning 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. The petitioner shall comply with all previous conditions of approval, unless expressly modified herein.
3. Prior to approval of a septic tank permit, the project's site plan shall be amended to indicate the location of the septic tank and location of vegetation preservation.
4. Prior to site plan certification the petitioner shall submit a tree survey of the site.
5. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval (or prior to issuance of Building Permit for straight rezoning).
6. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
7. Condition No. 3 of Zoning Petition No. 87-54 which presently states:

"3. Since sewer service is available at the site, septic tank shall not be approved for use on said property."

Is hereby deleted.
8. Failure to comply with the conditions herein may result in the denial or revocation of a building permit: the issuance of a stop work order: the denial of a Certificate of Occupancy on any building or structure: or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violations of the Palm Beach County Zoning Code.

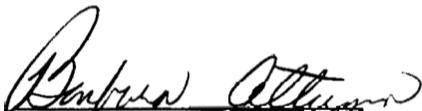
Commissioner Marcus moved for approval of the petition. The motion was seconded by Commissioner Watt and, upon being put to a vote, the vote was as follows:

| | | |
|-------------------|----|--------|
| Carol A. Roberts | -- | Absent |
| Carol J. Elmquist | -- | Aye |
| Karen T. Marcus | -- | Aye |
| Dorothy Wilken | -- | Absent |
| :Jim Watt | -- | Aye |

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of August 25, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

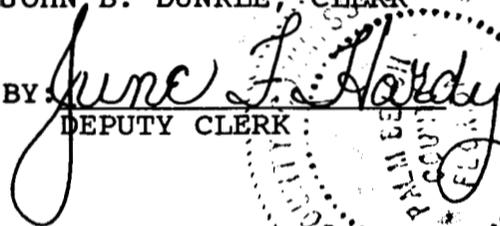
BY :


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :


DEPUTY CLERK

