

RESOLUTION NO. R-89- 1229

RESOLUTION APPROVING ZONING PETITION NO. 74-31(C)  
MODIFICATION OF COMMISSION REQUIREMENTS  
PETITION OF WESTSIDE BAPTIST CHURCH OF BOYNTON BEACH, 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. 74-31(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 27, 1989; 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. 74-31(C), the petition of WESTSIDE BAPTIST CHURCH OF BOYNTON BEACH, INC., by Reverend Ben Tidwell, Jr., Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land in Section 19, Township 45 and Range 43, on Lots 20 through 5, inclusive and Lots 50 through 56 inclusive, Block 8, Lots 50 through 74, inclusive, Block 9; and Lots 2 through 49, inclusive, Block 10, Plat 2-C, West Boynton, according to Plat Book 15, Page 14. Subject to easements, reservations and restrictions of records and to taxes subsequent to the year 1979, being located on the northwest corner of the intersection of Old Boynton Road and Nickels Boulevard and bounded on the west by Holt Street, 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. Condition No. 10 of Petition No. 74-31(C), which presently states:

"10. Maximum occupancy of the day care center shall be limited to 120 students and eight (8) staff."

is hereby amended to read,

"Maximum occupancy of the day care center shall be limited to 120 students."

3. The petitioner shall submit to the Zoning Division, simultaneously with submittal for Site Plan Review Committee, a floor plan of the day care facility to demonstrate the layout of offices, play areas and rest rooms. This plan will be used for informational purposes only.
4. Failure to comply with any conditions of approval 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.

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

Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Absent
Carol Roberts	--	Absent
Ron Howard	--	Aye
Carole Phillips	--	Aye

The foregoing resolution was declared duly passed and adopted this 27th day of June, 1989 confirming action of January 27, 1989.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

*Richard Altman*  
COUNTY ATTORNEY

BY:

*June J. Hardy*  
DEPUTY CLERK

