

RESOLUTION NO. R-2000- 1944

RESOLUTION APPROVING ZONING PETITION DOA84-152(H)
DEVELOPMENT ORDER AMENDMENT
PETITION OF BOCA SYNAGOGUE INC
BY LAND DESIGN SOUTH, AGENT
(BOCA SYNAGOGUE)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition DOA84-152(H) was presented to the Board of County Commissioners at a public hearing conducted on November 30, 2000; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code 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 Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards; of the Palm Beach County Unified Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.

8. This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code.
9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA84-152(H), the petition of Boca Synagogue Inc, by Land Design South, agent, for a Development Order Amendment (DOA) to add square footage and modify/delete conditions on a parcel of land legally described in EXHIBITA, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on November 30, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

Warren Newell, Chair		Aye
Carol A. Roberts, Vice Chair	—	Absent
Karen T. Marcus		Aye
Mary McCarty		Aye
Burt Aaronson		Aye
Tony Masilotti		Aye
Addie Greene		Aye

The Chair thereupon declared that the resolution was duly passed and adopted on November 30, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

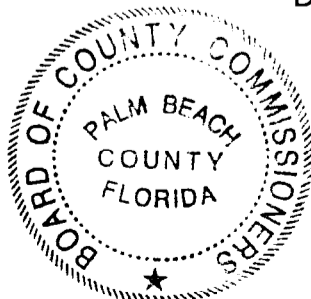


EXHIBIT A
LEGAL DESCRIPTION

TRACT 15 OF BOCA DEL MAR PUD NO.6A PORTION OF SECTION 28, TOWNSHIP 47S,
RANGE 42 E AS RECORDED IN OFFICIAL RECORD BOOK 30 PAGES 142-143.

EXHIBIT B
VICINITY SKETCH

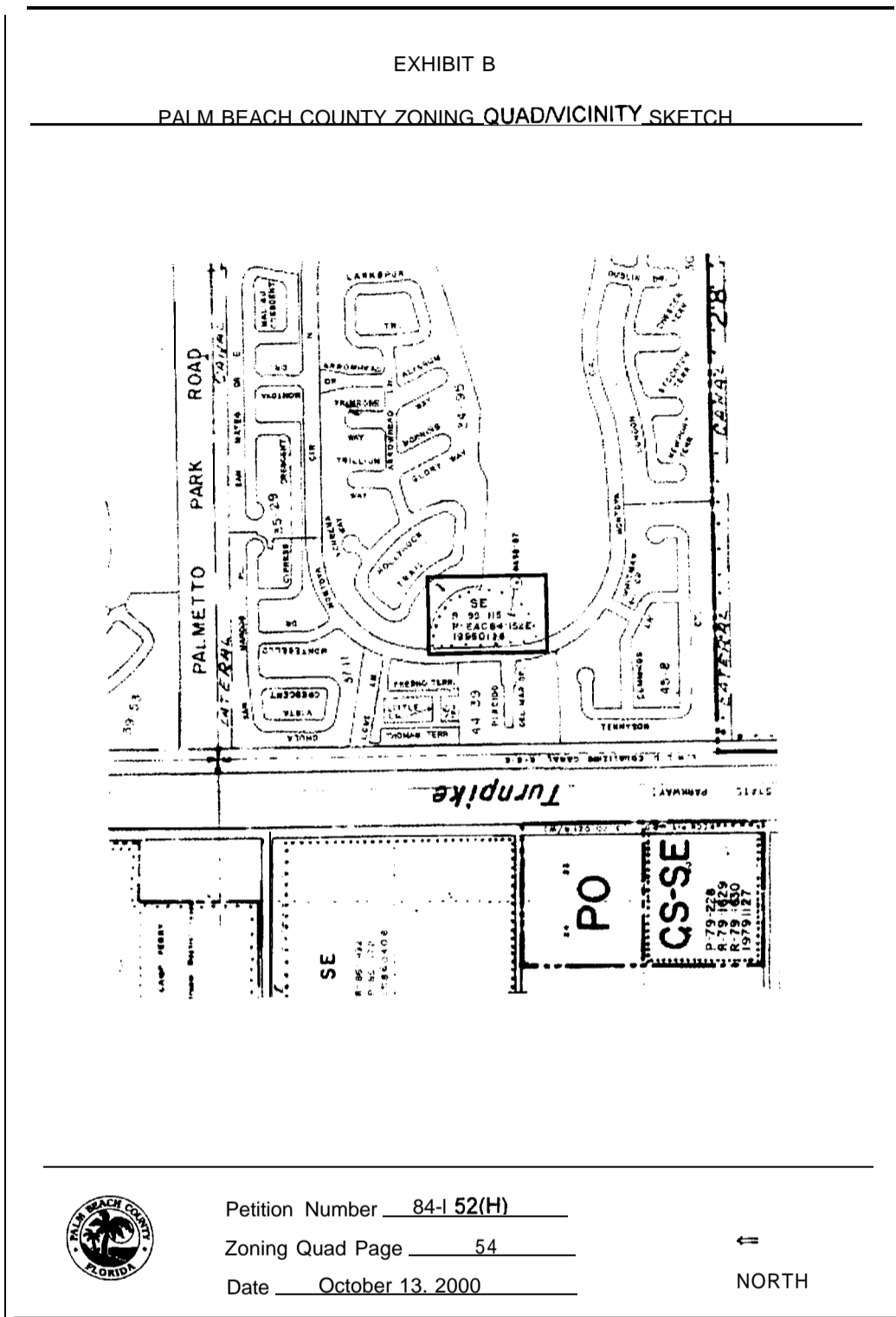


EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified.

A. ALL PETITIONS

1. Condition A.1 of Resolution R95-1 15, Petition 84-152(E)) which currently states:

The Petitioner shall comply with all previous conditions of approval for Petition Nos. 84-152(A-D) as amended.

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolutions R-95-I 15 (Petition 84-152(E)) have been consolidated herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. All conditions of approval contained in Resolution R-87-I 111, Petition 84-152(A); Resolution R-88-I 539, Petition 84-I 52(B); Resolution R-95-I 321.3, Petition 84-152(G); however, shall remain in full force and effect. (MONITORING)

B. BUILDING AND SITE DESIGN

1. Total gross floor area for the private school/youth center shall be limited to a maximum of 15,762 square feet. Expansion shall be limited to an increase of five percent (5%) of the total square footage or 1,000 square feet, whichever is less, subject to approval by Traffic Division or DRC. (DRC: ZONING)
2. The maximum height for the private school/youth center including air conditioning, mechanical equipment and satellite dishes shall not exceed thirty-five (35) feet. All heights shall be measured from finished grade to highest point. (BLDG PERMIT: BLDG - Zoning)
3. All ground or roof mounted air conditioning, mechanical equipment and satellite dishes for the private school/youth and senior center shall be screened from view on all sides by a visually opaque barrier consistent with the color, character and architectural style of the principal structure or equivalent landscape material. (CO: BLDG - Zoning)
4. Prior to the issuance of the building permit of the second story of the private school/youth center, the petitioner shall submit architectural elevations of the school/youth center (including proposed second story and existing building) to the Public Hearing Section, Zoning Division for review. Development shall be consistent with the approved architectural elevations. (DRC: BLDG PERMIT - Zoning)
5. All fenestrations and openings on the northeastern facade of the proposed second story of the school/youth center shall be provided with glass blocks or obscure materials. (DRC: BLDG PERMIT - Zoning)

C. LANDSCAPING - STANDARD

1. Fifty percent (50%) of the canopy trees required to be planted in the perimeter buffer shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14) feet;
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade;
 - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length; and,
 - d. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)

2. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Palm heights: twelve (12) feet clear trunk;
 - b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and,
 - c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)

3. The northern and eastern perimeter of the parking tract shall be landscaped as follows:
 - a. a minimum ten (10) foot wide landscape buffer strip;
 - b. one (1) canopy tree planted every thirty (30) feet on center;
 - c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (CO: LANDSCAPE)

D. PERIMETER LANDSCAPING

1. **All landscaping to be planted along the south property line and on Montoya Circle directly in front of the proposed grassed parking area, shall meet the following minimum standards at time of installation;**
 - a. **Trees: fourteen (14) feet height planted thirty (30) feet on center.**
 - b. **Hedge: thirty (30) inch height planted two (2) feet on center. Hedge material to provide continuous perimeter screening except for proposed vehicular and pedestrian access points.**(BUILDING-Zoning) (Previous Condition F.1 of Resolution R95-115, Petition 84-I 52(E)).

2. The petitioner is required to replace any dead, damaged or missing plant materials on the subject property prior to March 1, 2001. (DATE: LANDSCAPE-Zoning)

E. ENGINEERING

No Engineering conditions.

F. GRASSED PARKING AREA

1. **Approval is limited to the 83 parking spaces arranged in accordance with the site plan presented to the Board of County Commissioners.** (DRC: ZONING) (Previous Condition G.1 of Resolution R95-115, Petition 84-152(E))
2. No outdoor activities shall be permitted on the grassed parking area. (ONGOING: CODE ENF)

G. LIGHTING IN GRASSED PARKING AREA

1. **Lighting shall be limited to only those evenings as approved under Condition A.2.** (CODE ENFORCEMENT)(Previous Condition A.2 of Resolution R95-115, Petition 84-1 52(E)).

Is hereby amended to read:

Lighting shall be limited to only those evenings as approved under Condition H.1. (CODE ENFORCEMENT)

2. **Proposed lighting shall be of low intensity, shielded and directed away from adjacent properties and Montoya Circle.** (CO/ONGOING: BLDG/CODE ENF -Zoning) (Previous Condition H.2 of Resolution R95-115, Petition 84-1 52(E)).
3. **Lighting fixtures shall not exceed fifteen (15) feet in height measured from finished grade.** (CO: BLDG - Zoning) (Previous Condition H.3 of Resolution R95-115, Petition 84-1 52(E)).
4. **Lighting shall be extinguished no later than 10:00 p.m.** (ONGOING: CODE ENF)(Previous Condition H.4 of Resolution R95-115, Petition 84-1 52(E)).

H. USE LIMITATIONS

1. **Use of the proposed grassed parking area shall be limited from sundown Fridays to sundown Saturdays and Orthodox Jewish holidays only. Vehicular access to this portion of the property shall otherwise be closed off and all parking to utilize the existing paved parking spaces.** (CODE ENFORCEMENT) (Previous Condition A.2 of Resolution R95-115, Petition 84-1 52(E))
2. Outdoor speakers or public address systems (except for school bells) shall not be permitted on site. (ONGOING: CODE ENF - Zoning)
3. No overnight parking of vehicles (except for school buses) shall be permitted on the site. (ONGOING: CODE ENF - Zoning)

I. COMPLIANCE

1. **Failure to comply with any of these conditions of approval at any time may result in:**
 - a. **The denial or revocation of a building permit; the issuance of a stop work order; cease and desist 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; and/or

- b. The revocation of the Conditional Use and any/or zoning which was approved concurrently with the Conditional Use;
- c. A requirement of the development to conform with updated standards of development, applicable at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions;
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of Conditional Use, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING) (Previous Condition I.1 of Resolution R95-115, Petition 84-152(E)).

- 2. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)