

RESOLUTION APPROVING ZONING PETITION **EAC80-133(B)**
DEVELOPMENT ORDER AMENDMENT
PETITION **OF** BETHANY CHRISTIAN **CHURCH**

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, 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 Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition **EAC80-133(B)** was presented to the Board **of** County Commissioners at a public hearing conducted on July **29, 1993**; 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 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 relevant and appropriate portions **of** Article **6**, Supplementary Use Standards **of** the Palm Beach County Land Development Code.
3. This Development Order Amendment is consistent with the requirements **of** the Palm Beach County Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach county 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 standards imposed on it by applicable provisions **of** the Palm Beach County 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 exemption and therefore complies with Art. **11** (Adequate Public Facility Standards) **of** the Palm Beach County 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 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 EAC80-133(B), the petition **of** BETHANY CHRISTIAN CHURCH, by: SHARON M. GREATHOUSE, AGENT for a DEVELOPMENT ORDER AMENDMENT in the Residential Estate (RE) Zoning District, to delete acreage, previously approved on a parcel **of** land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located **on** a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on July 29, 1993, 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 Foster and, upon being put **to** a vote, the vote was as follows:

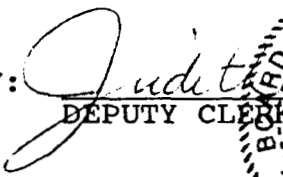
Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Absent
Karen T. Marcus	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 29th day of July, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

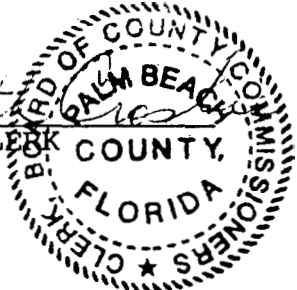


EXHIBIT A

LEGAL DESCRIPTION

TRACT 24, BLOCK 13, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THRU 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH THAT PORTION OF THE WEST 1/3 OF SECTION 13, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LYING EASTERLY OF SAID TRACT 24, BLOCK 13, LESS THE EASTERLY 40 FEET FOR ROAD PURPOSES, AND LESS THE NORTH 120.0 FEET THEREOF. ALSO LESSING THEREFROM THE RIGHT OF WAY FOR L.W.D.D. CANAL L-5, AS RECORDED IN OFFICIAL RECORD BOOK 3696, PAGE 661, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

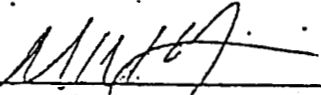

Mason H. Wharton, Jr. P.L.S. No: 3029
1461 S.E. Nancy Ln.
Port St. Lucie, Fl.

EXHIBIT B
VICINITY SKETCH

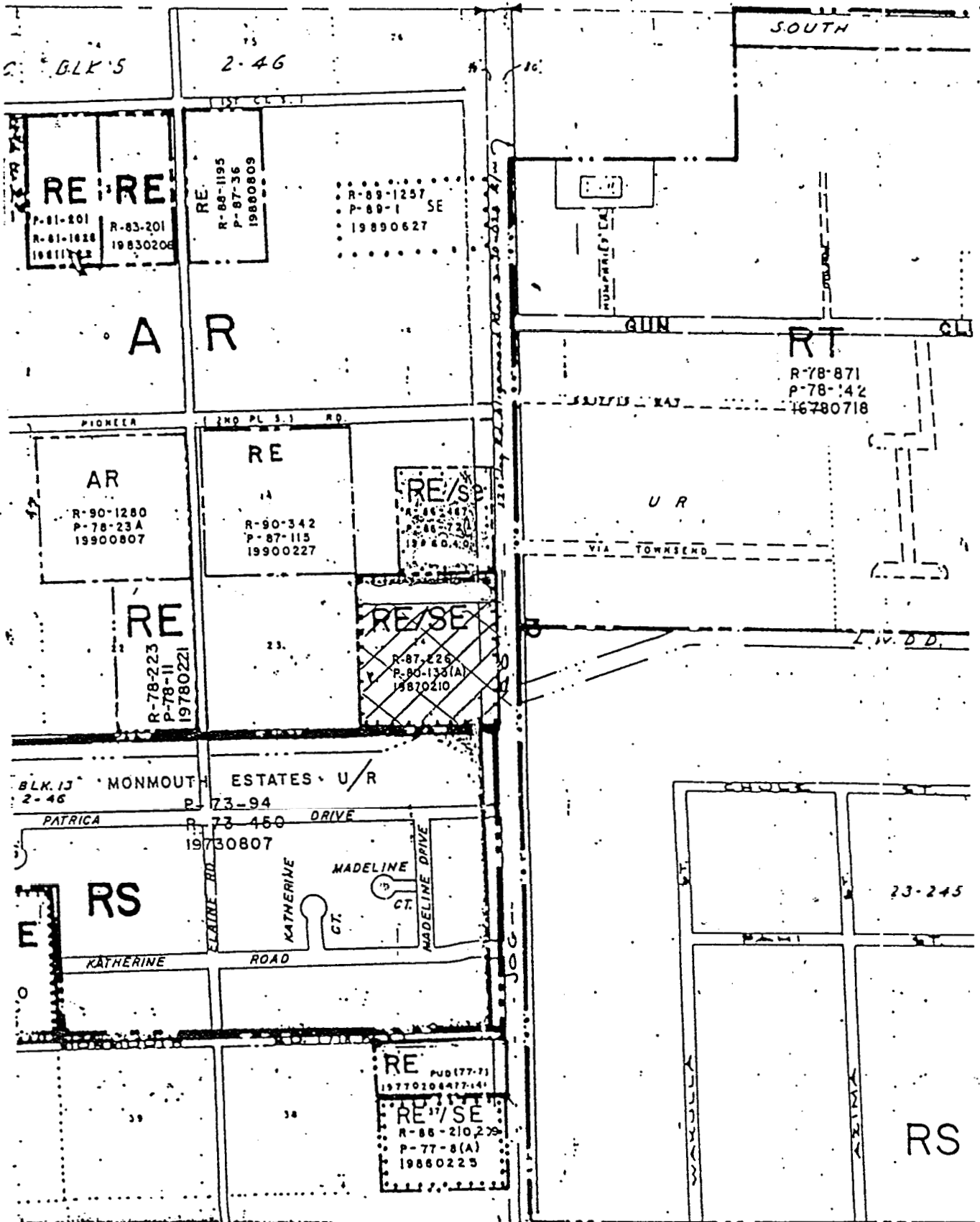


EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. Condition No. 1 of Resolution R-87-226, which currently states:

The developer shall comply with all previous conditions of approval unless modified herein.

Is hereby amended to state:

All previous conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, including original deadlines established pursuant to Section 5.8 of the Palm Beach County Unified Land Development Code, as amended, unless expressly modified. (MONITORING)

2. Condition No. 5 of Resolution R-80-1107, which **currently** states:

Petitioner shall seek a variance to allow grass parking.

Is hereby deleted. (REASON: Variance has been obtained)

3. **There shall be no school, other than a Sunday School.** (Previously Condition No. 6 of Resolution R-80-1107) (CODE ENFORCEMENT)

4. **There shall be no outside carnivals.** (Previously Condition No. 7 of Resolution R-80-1107) (CODE ENFORCEMENT)

5. **There shall be no outdoor revivals.** (Previously Condition No. 8 of Resolution R-80-1107) (CODE ENFORCEMENT)

6. Condition No. 9 of Resolution R-80-1107, which currently states:

There shall be no changes to the site plan as submitted.

Is hereby deleted (REASON: no longer applicable)

7. **There shall be no kitchen facilities.** (Previously Condition No. 8 of Resolution R-80-1107) (CODE ENFORCEMENT)

8. Condition No. 2 of Resolution R-87-226, which currently states:

Prior to site plan certification, the site plan shall be amended to reflect the following:

- a. required landscaping along Jog Road.
- b. one (1) of three (3) alternative perimeter landscape strips where necessary.
- c. the required "number" of trees to be preserved or planted.

Is hereby amended to state:

Prior to site plan certification by the Development Review Committee, the petitioner shall amend the site plan to indicate:

- a. Compliance with all applicable landscape requirements of the ULDC and conditions of approval;
 - b. indicate a phasing plan for all required landscape.
(ZONING)
9. **Maximum occupancy of the sanctuary building shall not exceed a seating capacity for 380 persons.** (Previously Condition No. 5 of Resolution R-87-226) (ZONING-CODE ENFORCEMENT)
10. To mitigate the loss of required landscaping associated with the reduction in acreage, the petitioner shall submit a preliminary landscape plan for certification by the Development Review Committee on or before December 31, 1993. (MONITORING)
11. **To** mitigate the loss of required landscaping associated with the reduction in acreage, the petitioner shall comply with all landscape requirements prior to July 31, 1995. (MONITORING)

B. HEALTH

- 1, Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water, **All** existing onsite potable water supply systems must be abandoned in accordance with Palm Beach county ECR-II. (HEALTH)
- 2. Prior to site plan certification by the Development Review Committee, the petitioner shall illustrate the location of the existing septic tank system. The plans and specifications required to modify the system, if necessary, **must** be submitted to the Palm Beach County Health Unit. (HEALTH)
- 3. Condition No. 3 of Resolution R-87-226, which currently states:

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.

Is hereby deleted. (REASON: Conditions is replaced)

E. ENGINEERING

- 1. **Petitioner shall confirm legal access from Jog Road to the satisfaction of the County Attorney's office.** (Previously Condition No. 1 of Resolution R-80-1107) (ENGINEERING/COUNTY ATTORNEY)
- 2. **Petitioner shall construct:**
 - a. **Left turn lane, south approach, at the project's entrance.**
 - b. **Right turn lane, north approach, at the project's entrance, when warranted by the County Engineer.** (Previously Condition No. 2 of Resolution R-80-1107) (ENGINEERING)
- 3. **Petitioner shall contribute Two Hundred Sixty-two Dollars and Fifty Cents (262.50) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s).** (Previously Condition No. 3 of Resolution R-80-1107) (ENGINEERING)

4. The Lake Worth Drainage District will require a 75 foot wide right-of-way across the Southeast corner of Tract 24, Block 13, Palm Beach Farms Co., Plat No. 3, more particularly shown on Sheet 19 of 240 of the Lake Worth Drainage District Right-of-way Map as recorded in the office of the Clerk of the Circuit Court of Palm Beach County. We will accept a Quit Claim Deed or an Easement, on our form, whichever the owner prefers. (Previously Condition No. 4 of Resolution R-80-1107) (ENGINEERING/LWDD)