

RESOLUTION NO. R-83-120

RESOLUTION APPROVING ZONING PETITION 82-120, 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. 82-120 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 August 1982; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony represented 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. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of August, 1982, that Petition No. ~~82-120~~ the petition of CHAPEL IN THE SUN By Zel Davis Jr., Attorney, for a SPECIAL EXCEPTION TO ALLOW A CHURCH INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a parcel of land in a portion of the Northeast  $\frac{1}{4}$  of Section 23, Township 42 South, Range 42 East, more particularly described as: Commencing at the Northwest corner of said Section 23 (Said corner being in the Northerly Right-Of-Way line of West Lake Park Road as now laid out and in use); Thence run Westerly along the North line of said Section 23 (said line also being the Northerly Right-Of-Way

line of West Lake Park Road) NE a distance of 600.00 feet to a point; thence run Southerly along a line parallel with the East line of said Section 23 a distance of 107.45 feet to a point in the Southerly Right-Of-Way line of said West Lake Park Road, said point being the Point of Beginning; thence continue Southerly ~~on~~ the preceding described course a distance of 1130.00 feet to a point: thence run Westerly along a line parallel with the North line of said Section 23, a distance of 453.00 feet to a point; thence run Northerly along a line parallel with the East line of said Section 23 a distance of 1130.00 feet to a point (said point being the Southerly **Right-Of-Way** line of said West Lake Park Road); thence run Easterly along the Southerly Right-Of-Way line of said West Lake Park **Road** (said line being parallel with the North Line of said Section 23) a distance of 453.00 feet to the Point of Beginning of the **herin** described parcel, Less Rights-Of-Way for Kelso Drive and Lake Park West Road, as now laid out and in use. Also Less and Except the South 280.00 feet thereof. Said property located on the southeast corner of the intersection of West Lake Park Road (S.R. 809a) and Kelso Drive in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. The developer **shall** take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
2. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
3. The developer shall limit this Petition to one church building with a 300 person maximum occupancy.
4. Developer shall retain **onsite** 85% of the **storm-**water run-off generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
5. Within ninety (90) days of approval the ultimate right-of-way for Northlake Blvd., 80 feet from centerline, shall be conveyed to Palm Beach County. (Approximately an additional 30 feet of right-of-way.)
6. Developer shall align the project's entrance with Howell Lane.
7. The construction of a left turn lane east approach on Northlake Boulevard at the project's entrance road will be required prior to the issuance of a Certificate of Occupancy.

8. Developer shall contribute the sum of Four Hundred and Seventy Dollars (\$470.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the rate of \$.11 per square foot at the time of issuance of the Building Permit(s).
9. Developer shall submit a revised site plan providing for a minimum access width of 15' and parking lot access lanes 25' in width.
10. Developer shall incorporate existing native vegetation to serve as a buffer to adjacent residential development.
11. The rated capacity of the Church shall be tied to parking availability (300 seats, given 100 total spaces displayed and the requirement of one space for three seats).

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

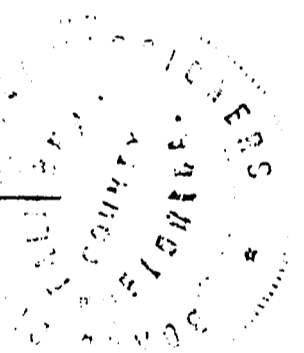
Norman Gregory, Chairman	Absent
Peggy Evatt, Vice Chairman	Aye
Bill Bailey, Member	Aye
Dennis Koehler, Member	Aye
Frank Foster, Member	Absent

The foregoing resolution was declared duly passed and adopted this 25th day of **January**, 1983, confirming action of 26 August 1982.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Grace D. Year*  
 Deputy Clerk



APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

*John Cabell*  
 County Attorney