

RESOLUTION NO. R-85-260

RESOLUTION APPROVING ZONING PETITION 84-129, 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. 84-129 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th of September 1984; 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, the Board of County Commissioners made the following findings of fact:

1. The proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.
2. Additional buffering requirements must be imposed because of potentially negative impacts of this use on adjacent residential properties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 27th of September 1984, that Petition No. 84-129 the petition of JUPITER PRESBYTERIAN CHURCH IN AMERICA, INC., By Reverend Richard L. Gillen, for a SPECIAL EXCEPTION TO ALLOW A CHURCH AND ACCESSORY BUILDINGS AND STRUCTURES INCLUDING A CHILD DAY CARE CENTER on Lots 12, 13 and 14, Will Bush's Addition to Jupiter in Section 3, Township 41 South, Range 42 East as recorded in Plat Book 23, Page 233. Said property located on the west side of Bush Road approximately .3 mile south of Indiantown Road in an RH-Residential Multiple Family District (High Density) was approved as advertised subject to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be amended to reflect:

- a) The placement of solid wood or masonry fence six feet in height along the portions of the northern and western property lines where the outdoor play areas abut neighboring properties. These fences shall be placed so that the hedge materials shown on the submitted site plan can be located between the property line and fence.
- b) Paved parking areas.

2. The developer shall relocate and/or preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect any individual trees and/or preservation areas during site clearing and construction.

3. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.

4. The developer shall construct concurrent with onsite paving and drainage improvements, pursuant to a paving and drainage permit issued from the office of the County Engineer, Busch Road from Indiantown Road South to the project's entrance road.

5. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this project is \$1,975.00.

6. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

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

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 27th of September 1984,

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy Sprague  
County Attorney

