

RESOLUTION NO. R-86-210

RESOLUTION APPROVING ZONING PETITION 77-8(A) , 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 482.5 of the Palm beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 77-8(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2nd December 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 2nd of December 1985, that Petition No. 77-8(A) the petition of THE FIRST BAPTIST CHURCH OF WEST PALM BEACH, INC., By Randy Jacobs, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A CHURCH, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 77-8, TO INCREASE THE BUILDING SQUARE FOOTAGE begin at the Southwest corner of Tract 37, Block 13, Palm Beach Farms Company Plat No. 3, according to the plat thereof in Section 3, Township 44 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54 inclusive, thence North along the westerly boundary of said Tract 37, 412.27 feet, thence North 89 degrees 56'48" East, 553.74 feet to a point, (said point being 40 feet westerly of the North-South 1/4 Section line of Section 3, Township 44 South, Range 42 East), thence South 01 degree 12'36" West parallel with said North-South 1/4 Section line

412.30 feet to the Easterly projectio:: of the Southerly boundary line of said Tract 37, thence South 89 degrees 56'20" West along the Southerly boundary line of said Tract 37, 5515.15 feet to the Southwest corner of said Tract 37, and the Point of Beginning. Subject to a 30 foot Public Easement along the West side of said Tract 37, (O.R Book 550, Page 133). Said property located on the west side of Jog Road, approximately 200 feet north of Summit Boulevard was approved as advertised subject to the following conditions :

1. Prior to site plan certification, the site plan shall be revised to reflect the following:

a) A five (5) foot landscape strip with trees supplemental to the proposed preserved trees, to meet the one tree at forty (48) foot interval requirements, along the eastern property line.

2. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be take:: to protect these preservation areas during site clearing and construction.

3. All facades of the church shall be given architectural treatment consistent with the front of the center to avoid an incompatible appearance impact upon nearby residential development .

4. No dumpster pickup will be permitted between the hours of 8:00 p.m. and 8 a.m.

5. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted at the rear of the parking lot.

6. No parking of any vehicles shall be permitted along the rear of the church except in designated spaces or unloading areas.

7. Security lighting shall be directed away from nearby residences. No exterior lighting shall be placed on standards or on buildings at a height in excess of four feet.

8. 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.

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

10. 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.

11. The property owner shall construct a left turn lane, south approach on Jog Road at the project's south entrance road concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.

12. 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. The Fair Share Fee for this project presently is \$2,009.00 for Phase I (450 seats) (75 trips X \$25.79 per trip), plus an

additional \$1,340.00 for Phase III (750 seats) (50 trips x \$26.73 per trip).

13. Based on the Traffic Performance Standards (Category "B"), the Developer shall contribute an additional \$502.00 for Phase I and an additional \$335.88 for Phase III toward Palm Beach County's existing Roadway Improvement Program, these total funds of (\$837.88) to be paid prior to October 1, 1985 or prior to the issuance of a Building Permit whichever shall first occur.

If the "Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount of \$837.130 shall be credited toward the increased Fair Share Fee.

14. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.

15. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Jog Road.

16. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

17. All meetings and gatherings on the site shall be conducted within the approved structures, not outdoors, with the exceptions of a one day per year gathering, and the outdoor play area accessory to the Sunday School. The play area shall be used only on Wednesday and Sunday.

18. An exact copy of the site plan presented at the Planning Commission hearing shall be submitted to the Zoning Division and landscape treatment shall be installed as shown on that site plan prior to issuance of Certificate of Occupancy.

19. The dumpster shall be relocated away from property lines abutting residential properties.

28. There shall be a six-foot solid wall along the northern and western property lines, with canopy trees 30' on center, on the exterior. The wall shall be located so as to leave sufficient maintenance area for the tree plantings exterior to the wall.

21. Should there prove to be a valid public access easement along the western property line of this site, the petitioner shall modify the site plan to recognize the required base building line and setbacks.

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	NAY

The foregoing resolution was declared duly passed and adopted this 25th day of February, 1986 confirming action of the 2nd December 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN E. DUNKLE, CLERK

BY: Patricia A. Weaver
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Jandy Sprague
County Attorney