

RESOLUTION NO. R-88-1632

RESOLUTION APPROVING ZONING PETITION NO. 87-97
SPECIAL EXCEPTION PETITION OF WEST PALM BEACH
COMPANY OF JEHOVAH'S WITNESSES

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. 87-97 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 30, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) 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 proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-97, the petition of WEST PALM BEACH COMPANY OF JEHOVAH'S WITNESSES, by Ambrose A. Hoagland, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLACE OF WORSHIP on a parcel of land lying on Lot 4, Pleasant Valley, in Section 5, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 54, less the West 33.0 feet for road Right-of-Way, also less the following described parcel of land in said Lot 4 and recorded in Official Record Book 1852, Page 1038.

That part of Lot 4 of the Recorded Plat of Pleasant Valley, described as follows: Beginning at a point in the East and West

center line of Section 5, Township 44 South, Range 43 East, (said line assumed to bear North 04 degrees 00' 00" East), a distance of 1309.6 feet North of the center of said Section 5; thence North 57 degrees 00' 00" East, a distance of 298.60 feet, to the Southwesterly Right-of-Way line of the West Palm Beach Canal; thence South 42 degrees 14' 52" East, along said canal Right-of-Way Line, a distance 122.00 feet; thence South 29 degrees 26' 52" East, also along said Right-of-Way Line, a distance of 83.00 feet; thence South 18 degrees 28' 00" West, a distance of 102.91 feet; thence North 78 degrees 00' 00" West, a distance of 350.09 feet, to a point on the North and South center line of said Section 5; thence North 04 degrees 00' 00" East, along said center line, a distance of 25.87 feet to the Point of Beginning, except the West 33 feet taken for road, also subject to all easements of record, located on the southeast corner of the intersection of Fla-Mango Road and Gun Club Road, in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

1. Prior to certification, the site plan shall be amended to indicate the following:
 - a. The required 20 foot dimension between the first parking stall and the property line.
 - b. Required amount of handicap parking spaces with a dimension no less than 12 feet by 20 feet. Appropriate handicap access to the building shall accompany these stalls.
 - c. Required canopy trees within the terminal islands.
 - d. Required hedge in the perimeter landscape strip.
 - e. Required backup distance of 25 feet for all parking stalls.
2. Maximum occupancy of the facility shall be limited to two-hundred-forty-six (246) persons.
3. There shall be no outdoor public address system permitted on site.
4. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable

condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

5. The property owner shall convey for the ultimate right-of-way of Florida Mango Road, 40 feet from centerline (approximately an additional 7 feet) within 90 days of the approval of the Resolution approving this project or prior to issuance of the first Building Permit, whichever shall first occur.
6. The property owner 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 \$1,312.00 (49 trips X \$26.79 per trip).
7. 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.
8. Since water service is available to the property, a well shall not be approved for potable water use on said property.
9. Petitioner shall install native canopy trees 10-12 feet in height planted a maximum of 25 feet on center around all perimeters of the site.
10. Petitioner shall install no more than the minimum number of parking spaces. Any area above the 82 spaces required shall be reserved as off street, with the exception of handicapped spaces, site plan shall be amended to indicate all parking to the rear of the building.
11. On premise signs indicating existence of the place of worship shall be limited to a wall sign a maximum of 10 square feet in area.
12. Petitioner shall submit an alternative Landscape Betterment Plan as provided in Zoning Code, Section 500.35 for the parking spaces abutting the perimeters on the North, South and West sides of the site. A minimum of 50 parking spaces shall be maintained as viable turf cover.

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

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 30, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

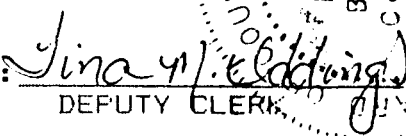


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:



DEPUTY CLERK

