

RESOLUTION NO. R-91- 1078

RESOLUTION APPROVING ZONING PETITION NO. 91-13
SPECIAL EXCEPTION PETITION OF CROSSROADS OF LIFE CHURCH

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, have been satisfied; and

WHEREAS, Petition No. 91-13 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on May 31, 1991; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, Chapter 402.5 of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 91-13, the petition of CROSSROADS OF LIFE CHURCH, BY FRANK H. BROWN, AGENT, for a SPECIAL EXCEPTION TO ALLOW A PLACE OF WORSHIP on land lying in Parcel "B" of the unrecorded Plat of Watergate Mobile Home Park, Assessors Plat No. 97, Section 36, Township 47 South, Range 41 East, and being located on the S. SIDE OF SANDALFOOT BLVD. W., APPROXIMATELY .05 MILE W. OF U.S. 441, IN THE AR ZONING DISTRICT, was approved on May 31, 1991, as advertised, subject to the following conditions:

A. STANDARD CONDITIONS

1. The site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements.
2. Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners. Any modifications must be approved

by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 402.7 (E)2(b) (Site Plan Review Committee Powers and Standards of Review).

B. DUMPSTER

1. All garbage and refuse receptacles shall be confined to a designated area. Dumpsters or other trash collection devices shall be concealed behind an enclosure having an architectural treatment compatible with the principal building. The open end of the enclosure shall have an obscuring, opaque gate.
2. All areas or receptacles (i.e. dumpsters) for the storage and disposal of trash, garbage or vegetation shall not be located within seventy (70) feet of the north and east property lines.

C. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.

D. IRRIGATION QUALITY WATER

1. When irrigation quality water is available within five-hundred (500) feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner.

E. ENGINEERING

1. The Developer shall provide discharge control and treatment for 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 on-site the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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.
2. 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 at the time of the Building Permit presently is \$1,320.00 (24 trips X \$55.00 per trip).

3. The Developer shall plat the subject property in accordance with provisions of Palm Beach County's Subdivision and Required Improvements Regulations 90-8 as amended. The platting of this property may be phased in accordance with a phasing plan acceptable to the office of the County Engineer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety.

F. LANDSCAPING ON NORTH PROPERTY LINE ABUTTING MOBILE HOME SITES

1. Landscaping on the north property line, where the subject property abuts mobile home sites, shall be upgraded to include:
 - a. A ten (10) foot minimum width landscape strip.
 - b. Twelve (12) foot tall native canopy trees planted twenty (20) feet on center.
 - c. A fence, wall, hedge, or combination, presenting a visually opaque screen a minimum of six (6) feet in height.
 - d. One twelve (12) foot tall native palm tree for every thirty (30) linear feet with a maximum spacing of sixty (60) feet.

G. LANDSCAPING ALONG WEST PROPERTY LINE ABUTTING SANDALFOOT BOULEVARD WEST

1. Landscaping along the Sandalfoot Boulevard West frontage shall be upgraded to include:
 - a. A ten (10) foot minimum width landscape strip.
 - b. Twelve (12) foot tall native canopy trees planted twenty (20) feet on center.
 - c. One twelve (12) foot tall native palm tree for every thirty (30) linear feet of frontage with a maximum spacing of sixty (60) feet.
 - d. A continuous native hedge a minimum of twenty-four (24) inches in height at installation, planted twenty-four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches.

H. LIGHTING

1. All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed downward away from adjacent properties and streets.
2. New lighting fixtures shall not exceed twelve (12) feet in height.

I. SIGNS

1. At such time that the existing project sign is replaced, the sign fronting on Sandalfoot Boulevard West shall be limited as follows:
 - a. Maximum total sign height - six (6) feet.

- b. Maximum total sign face area - forty-eight (48) square feet.
 - c. Maximum number of signs - one (1) monument style sign.
2. No off-premise signs shall be permitted on site.
 3. In the event the Sign Code is amended prior to issuance of a building permit for the project to be more restrictive than the conditions of approval, the petitioner shall comply with the revised Sign Code.
 4. Prior to site plan certification, the petitioner shall submit a Master Sign Program which specifies: sign location, sign size, unified color and graphic representation, and typical base planting details
 5. **No** signs shall encroach the required perimeter landscape buffers.
 6. Pole mounted signs shall not be permitted on site.
 7. No other ground signs shall be permitted on site.

J. SITE DESIGN

1. Prior to the issuance of a Certificate of Occupancy for a church, both pools shall be removed from site. The areas formerly occupied by the pools shall be appropriately sodded, irrigated and landscaped.
2. Prior to Site Plan certification, the petitioner shall obtain a grass parking permit for any grass parking on site.
3. Prior to site plan certification, the site plan shall be amended to indicate the total number of assembly area seats.
4. Prior to site plan certification, the site plan shall be amended to indicate a maximum of one parking space for every two seats of assembly area seating.

K. USE LIMITATIONS

1. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles is to be allowed in landscaped areas, right-of-way or interior drives.
2. Use of the site shall be limited to church related activities and accessory community recreation uses.
3. The tennis and basketball courts shall be open to the public during daylight hours, Monday through Saturday, so long as their use does not interfere with church activities, subject to reasonable rules and regulations for use of a recreation area.

L. VEGETATION REMOVAL

1. Prior to commencing with vegetation removal operations or any land development permits, the petitioner shall:

- a. Clearly identify and mark all trees to be preserved.
- b. Install appropriate protective barriers around individual and groups of trees to be preserved.
- c. No clearing shall commence until all protection devices are installed by the petitioner, and inspected and approved by the Zoning Division.

M. COMPLIANCE

1. As provided in the Palm Beach County Zoning Code, Sections **400.2** and **402.6**, failure to comply with any of these conditions of approval at any time may result in:
 - a. The denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, **commercial-owner**, lessee, or user of the subject property; and/or
 - b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
 - c. **A** requirement of the development to conform with updated standards of development, applicable at **the time** of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of **Special** Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner Elmquist and, upon being put to a vote, the vote was as follows:

Karen T. Marcus, Chair	--	AYE
Carole Phillips	--	AYE
Carol A. Roberts	--	AYE
Carol J. Elmquist	--	AYE
Mary McCarty	--	ABSENT
Ken Foster	--	AYE
Maude Ford Lee	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 20th day of August, 1991.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

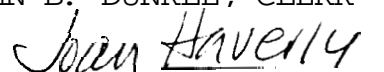
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:


COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK