

RESOLUTION NO. R-93- 561

RESOLUTION APPROVING ZONING PETITION CA92-51  
CLASS A CONDITIONAL USE  
PETITION OF FELLOWSHIP ORTHODOX PRESBYTERIAN CHURCH

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance 92-20) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA92-51 was presented to the Board of County Commissioners at a public hearing conducted on April 29, 1993; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations) of the Palm Beach County Land Development Code 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 Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class A Conditional Use is consistent with all requirements of Article 5, Section 5.4 (Conditional Uses) of the Palm Beach County Land Development Code, Ordinance 92-20.
3. This Class A Conditional Use complies with all relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
4. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Land Development Code.
5. This Class A Conditional Use is compatible as defined in the Palm Beach county Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
6. This Class A Conditional Use complies with all standards imposed on it by all other applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.

7. This Class A Conditional Use is consistent with all other applicable local land development regulations.
8. This Class A Conditional Use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
9. This Class A Conditional Use complies with Art. 11, Adequate Public Facility Standards.
10. This Class A Conditional Use minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
11. This Class A Conditional Use will result in logical, timely and orderly development patterns.
12. This Class A Conditional Use is consistent with applicable neighborhood plans.

WHEREAS, Article 5 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition CA92-51, the petition of FELLOWSHIP ORTHODOX PRESBYTERIAN CHURCH for a CLASS A CONDITIONAL USE allowing a CHURCH OR PLACE OF WORSHIP in the Residential Transitional (RT) Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 29, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

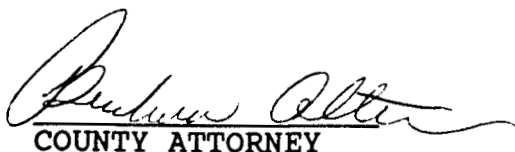
Mary McCarty, Chair	--	Absent
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Absent
Karen T. Marcus	--	Absent
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 29th day of April, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

**EXHIBIT A**  
**LEGAL DESCRIPTION**

East 1/2 of the Northeast Quarter of the Northeast Quarter of the Northwest Quarter, Section 11, Township 45 South, Range 42 East, except the North 56 feet, East 70 feet, and the South 30 feet thereof for road and/or canal purposes, Palm Beach County, Florida (also known as Lot 1, Block 8 of the unrecorded Plat of Palm Beach Ranches.)

EXHIBIT B  
VICINITY SKETCH

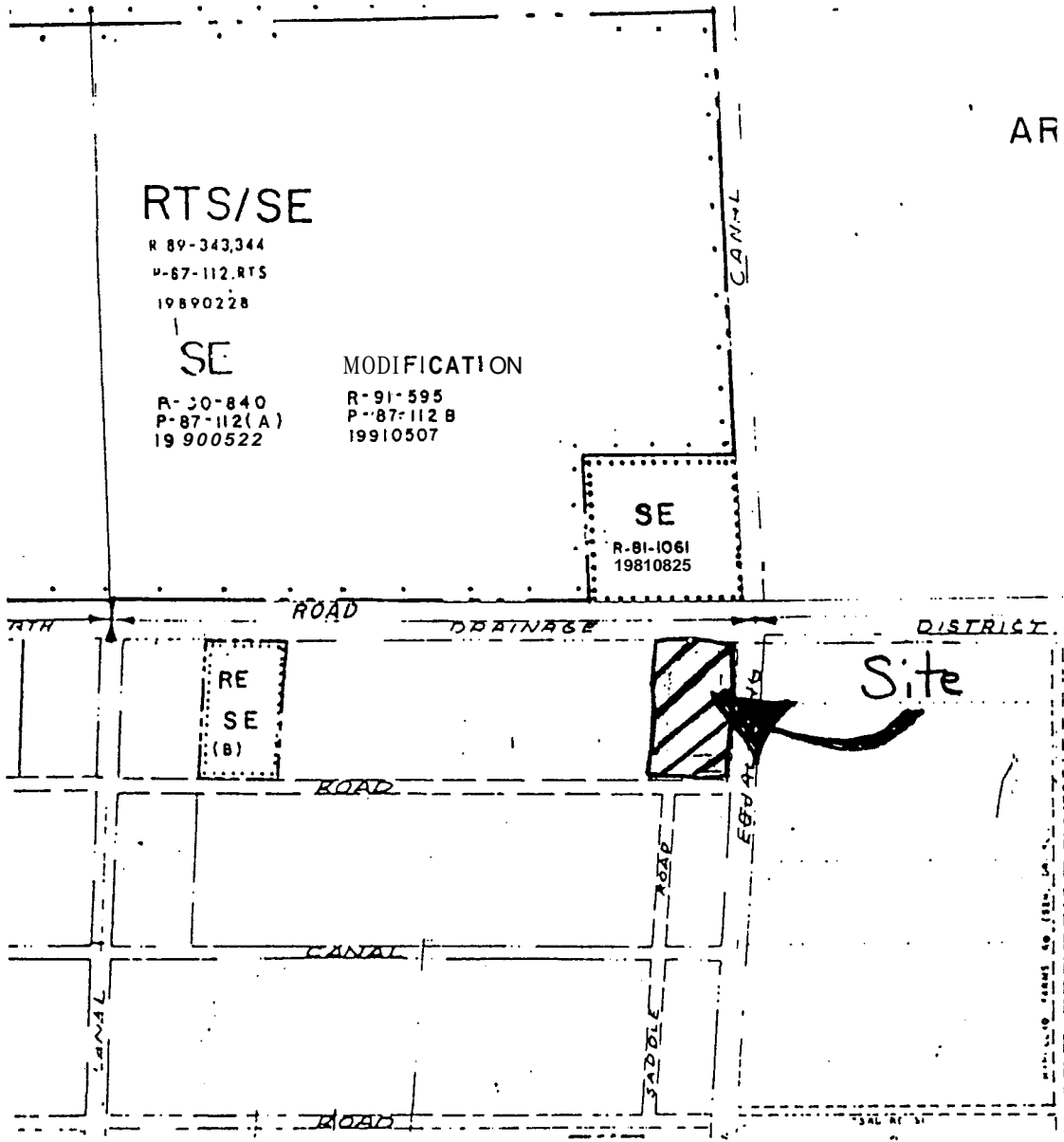


EXHIBIT C

CONDITIONS OF APPROVAL

A. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of **18,800** square feet. Additional square footage may be allowed pursuant to Article 5.4. E. 13 (Minor Deviations). (CODE ENFORCEMENT)
2. The minimum setback for all structures adjacent to the north, south, and west property lines shall be forty (**40**) feet. (BUILDING/ZONING)
3. The sites parking shall be redesign to accommodate as many native trees as possible. (ZONING/ERM)
4. The existing wooden fence along the south property line shall be removed prior to issuance of the first certificate of occupance (**CO**). (BUILDING/ZONING)

B. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation shall:
  - a. Not be located within fifty (**50**) feet of the south or west property lines, and shall
  - b. Be confined to areas designated on the site plan and shall be screened by a solid opaque enclosure. The open end of the enclosure shall have an obscure, opaque gate.
  - c. All exterior sides of such enclosures, except the open end, shall be landscaped with thirty-six (**36**) inch high shrub and hedge material planted twenty-four (**24**) inches on center. This provision shall not apply to litter containers provided for the convenience of pedestrians. (BUILDING/ZONING)

C. HEALTH

1. Prior to site plan certification by the Development Review Committee. The petitioner shall submit to the Health Unit an application and engineering plans to construct a non community drinking (potable) water supply system. (HEALTH)
2. Prior to site plan approval by the Development Review Committee. The petitioner shall submit to the Health Unit an application and engineering plans to construct an on-site wastewater disposal system. (HEALTH)

D. LANDSCAPING - GENERAL

1. prior to site plan certification by the Development Review Committee, the petitioner shall revise the landscape tabular data on the site plan to reflect conformance to minimum Landscape Code requirements and **all** landscape/vegetation preservation conditions of approval. (ZONING)
2. The required perimeter landscaping and buffering shall be installed prior to the issuance of the certificate of occupancy for the first phase.

3. All Trees required to be planted on site by this approval shall meet the following minimum standards:
  - a) Height Fourteen (14) Feet.
  - b) Caliper Three and one half (3.5) inches measured at four and one half (4.5) feet above grade.
  - c) Canopy: Average seven (7) feet diameter

**E. ENGINEERING**

1. Concurrent with Phase II of the project, the property owner shall relocate the existing entrance to the site to align with the existing median opening and shall construct a left turn lane east approach on Hypoluxo Road at the project's entrance road, subject to approval by the County Engineer. (ENGINEERING)

**F. LANDSCAPING - INTERIOR**

1. Landscaped divider medians shall be provided between all abutting rows of parking spaces. The minimum width of this median shall be five (5) feet. One native canopy tree or two native palm trees and appropriate ground cover shall be planted for each thirty (30) linear feet of the divider median, with a maximum tree spacing of sixty (60) feet on center. (ZONING)
2. Prior to site plan certification, the site plan shall be amended to indicate typical landscape island and divider median planting details, subject to approval by the Zoning Division. (ZONING)

**G. LANDSCAPING ALONG THE SOUTH AND WEST PROPERTY LINES**

1. Landscaping within the required buffer along the south and west property line shall be upgraded to include:
  - a. A minimum ten (10) foot landscape buffer shall be provided;
  - b. One (1) native canopy tree planted for every twenty (20) feet, not to exceed thirty (30) feet on center;
  - c. One native palm tree for each thirty (30) linear feet of frontage; and
  - d. Forty-Eight (48) inch tall hedge or shrub material planted twenty-four (24) inches on center at installation and shall be maintained at seventy-two (72) inches within one (1) year. (ZONING)
2. Subject to approval from the Zoning Division, existing vegetation may be counted toward meeting these requirements for all required landscape areas where the preserve area abuts the south and west property lines and where native vegetation can be preserved or transplanted. (ZONING)

**H. LANDSCAPING ALONG THE NORTH AND EAST PROPERTY LINES**

1. Landscaping and buffering along the north and east property lines shall be upgraded to include:
  - a. A minimum Fifteen (15) foot wide landscape buffer strip;
  - b. One twelve (12) foot tall native canopy tree shall be planted on the outside of the fence, hedge, or combination of both, for every twenty (20) feet, not to exceed thirty (30) feet on center; and,

- c. One native palm tree for each thirty (30) linear feet of frontage. (ZONING)
- 2. Existing vegetation may be counted toward meeting these requirements for all required landscape areas where the preserve area abuts these property lines, and where native vegetation can be preserved or transplanted. (ZONING)
- 2. Existing vegetation may be counted toward meeting these requirements for all required landscape areas where the preserve area abuts these property lines, and where native vegetation can be preserved or transplanted. (ZONING)

I. LANDSCAPE WITHIN MEDIAN

- 1. Prior to issuance of the first building permit, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall consist of a minimum of appropriate ground cover. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department. All landscape material may be selected from the following list:

Ground cover:

Wedilia  
Bahia Grass

Alternative species may be allowed subject to **approval** by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:

- a. All plants shall be container grown or field collected and transplanted from the project site.
- b. All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification. (ENGINEERING)
- 2. Phase II of the development shall include the **required** median landscaping, and irrigation shall be the **perpetual** maintenance obligation of the petitioner and **its successors**, legal heirs or assignees or duly established Property Owner's Association and/or **Homeowners's** Association, and shall be installed on or before issuance of the first Certificate of Occupancy or filing of **the** first plat, whichever occurs first. (BUILDING/ENGINEER - Zoning)
- 3. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to receiving the first building permit or filing of the first plat, whichever occurs first, to reflect this obligation. Maintenance shall be in accordance with the issued permits. (BUILDING/ENGINEERING - County Attorney)

**J. LIGHTING**

1. All outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CODE ENFORCEMENT)
2. Lighting fixtures shall not exceed fifteen (15) feet in height measured from finished grade to the highest point. (BUILDING/CODE ENFORCEMENT)
3. All outdoor shall be extinguished no later than 11:00 p.m. Security lighting only is excluded from this requirement. (CODE ENFORCEMENT)

**K. RECYCLE SOLID WASTE**

1. The property owner shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products. (CODE ENFORCEMENT)

**L. SIGNS**

1. Signs fronting on Hypoluxo Road shall be limited as follows:
  - a. Maximum sign height of eight (8) feet measured from finished grade to the highest point.
  - b. Maximum total sign face area of fifty (50) square feet.
  - c. Maximum of one sign.
  - d. Monument type design only. (BUILDING/CODE ENFORCEMENT)

**M. USE LIMITATION**

1. Use of the site shall be limited to a church and accessory buildings not to exceed 450 seats. (ZONING/CODE ENFORCEMENT)