

RESOLUTION NO. R-93- 562

RESOLUTION APPROVING ZONING PETITION CA92-36
CLASS A CONDITIONAL USE
PETITION OF KINGDOM HALL JEHOVAH WITNESS 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 CA92-36 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.
- a. 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 CA92-36, the petition of KINGDOM HALL JEHOVAH WITNESS CHURCH for a CLASS A CONDITIONAL USE allowing a CHURCH OR PLACE OF WORSHIP in the Single-Family Residential (RS) 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

A parcel of land lying in Section 20, Township 41 South, Range 43 East, Palm Beach County, Florida, being more particularly described as follows.

The North 500 feet of the South 615.43 feet of the East 200 feet of the West half (1/2) of that portion of the Southwest quarter (1/4) of said Section 20, lying North of the right of way of Donald Ross Road.

Subject to all Easements, Reservations, Restrictions, and Rights of Way.

Containing 2.3 acres, more or less.

EXHIBIT C

CONDITIONS OF APPROVAL

A. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of 5,480 square feet. (additional square footage may be allowed pursuant to Article 5.4.E.13 (Minor Deviations))
2. The building shall be limited to a one story design only, and shall not exceed twenty eight (28) feet in height measured from the finished grade to the highest point. (BUILDING)

B. DUMPSTER

1. There shall be no dumpsters permitted on site. (BUILDING/CODE ENFORCEMENT)

C. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. All existing on-site sewage disposal systems **must** be abandoned in accordance with Chapter 10D-6, FAC and Palm Beach County ECR-I. (HEALTH)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing on-site potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II. (HEALTH)

D. LANDSCAPING - GENERAL

1. Prior to site plan certification, 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. All trees required to be planted on site by this **approval** shall meet the following minimum standards at installation:
 - a) Height: fourteen (14) feet
 - b) Caliper: three and one half (3.5) inches; measure four and one half (4.5) feet above grade;
 - c) Canopy: seven (7) feet

E. ENGINEERING

1. Prior to **February 1, 1994** or prior to the issuance of the first Building Permit whichever shall first occur, the property owner voluntarily agrees to convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed for Prosperity Farms Road, 55 feet from centerline along the project's entire frontage, free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer (MONITORING/BUILDING - 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)

G. LANDSCAPING ALONG PROPERTY LINES

1. Landscaping and buffering along the north, south, and east property lines shall be upgraded to include:
 - a. A minimum ten (10) foot wide landscape buffer strip for the north and south property lines.
 - b. One native canopy tree planted for every twenty (20) feet, not to exceed thirty (30) feet on center.
 - c. One native palm tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location.
 - d. A continuous hedge shall be planted at thirty six (36) inches in height twenty four (24) inches on center to be maintained at a minimum height of forty eight (48) inches.
 - e. The buffer along the eastern property line shall be a minimum of twenty five (25) feet in width and shall incorporate, a concrete wall with a minimum height of six (6) feet, two (2) rows of trees spaced twenty (20) feet on center and all other planting requirements of this approval. The wall shall meet a minimum setback of ten (10) feet from the property line. The required backup areas shall be permitted to encroach the required buffer a maximum of five (5) feet
 - f. The buffer along the north property line shall incorporate a wall with a minimum height of six (6) feet with the required planting requirements,
 - g. The buffer along the south property line shall incorporate a berm with a minimum height of two (2) feet with the required planting requirements.
(ZONING)
2. Seventy-five (75%) percent of the required landscaping shall be placed along the outside of the required wall.
(ZONING)
3. Existing vegetation may be counted toward meeting these requirements for all required landscaped areas where the preserve area abuts these property lines, and/or where native vegetation can be preserved or transplanted.
(ZONING)

H. LIGHTING

1. All outdoor lighting used to illuminate the premises and identification signs shall be of low residential 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)

I. 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)

J. SIGNS

1. signs fronting on Palmwood Drive shall be limited as follows:
 - a. Maximum sign height: eight (8) feet, measured from finished grade to the highest point.
 - b. Maximum total sign face area fifty (50) square feet.
 - c. Maximum number of signs one.
 - d. A monument type design. (BUILDING)

K. USE LIMITATION

1. Use of the site shall be limited to a church, one (1) rectory, and other none residential accessory buildings and structures with a total of 180 seats. (ZONING)