

RESOLUTION NO. R-93- 645

RESOLUTION APPROVING ZONING PETITION CA92-57
CLASS A CONDITIONAL USE
PETITION OF CHURCH OF OUR SAVIOR, INC.

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 CA92-57 was presented to the Board of County Commissioners at a public hearing conducted on May 27, 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 complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Class A Conditional Use, with conditions as adopted, 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.
5. This Class A Conditional Use, with conditions as adopted, complies with 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.
6. This Class A Conditional Use meets applicable local land development regulations.

7. This Class A Conditional Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Class A Conditional Use has a concurrency reservation and therefore complies with Art. 11, Adequate Public Facility Standards.
9. This Class A Conditional Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Class A Conditional Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

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 CA92-57, the petition of CHURCH OF OUR SAVIOR, INC. BY DENNIS P. KOEHLER, AGENT for a CLASS A CONDITIONAL USE allowing a CHURCH OR PLACE OF WORSHIP in the RESIDENTIAL SINGLE-FAMILY (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 May 27, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of May, 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

Legal. Description:

(Parcel 1 - as shown hereon)

The South 100 feet of the North One-Half (N 1/2) of the East One-Half (E 1/2) of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of the Southwest One-Quarter (SW 1/4) of Section 14, Township 46 South, Range 42 East, Palm Beach County, Florida, LESS the West One Hundred Fifty feet (150.0') thereof;

and

(Parcel 2 - as shown hereon)

the South One-Half (S 1/2) of the East One-Half (E 1/2) of the Southwest One-Quarter (SW 1/4) of the Northwest One-Quarter (NW 1/4) of the Southwest One-Quarter (SW 1/4) of said Section 14, LESS the West One Hundred Fifty feet (150.0') and also LESS the South Twenty-Five feet (25.0') of the East 187.15 feet thereof.

Property Address:

14675 Via Flora

Delray Beach, Florida

EXHIBIT B
VICINITY SKETCH

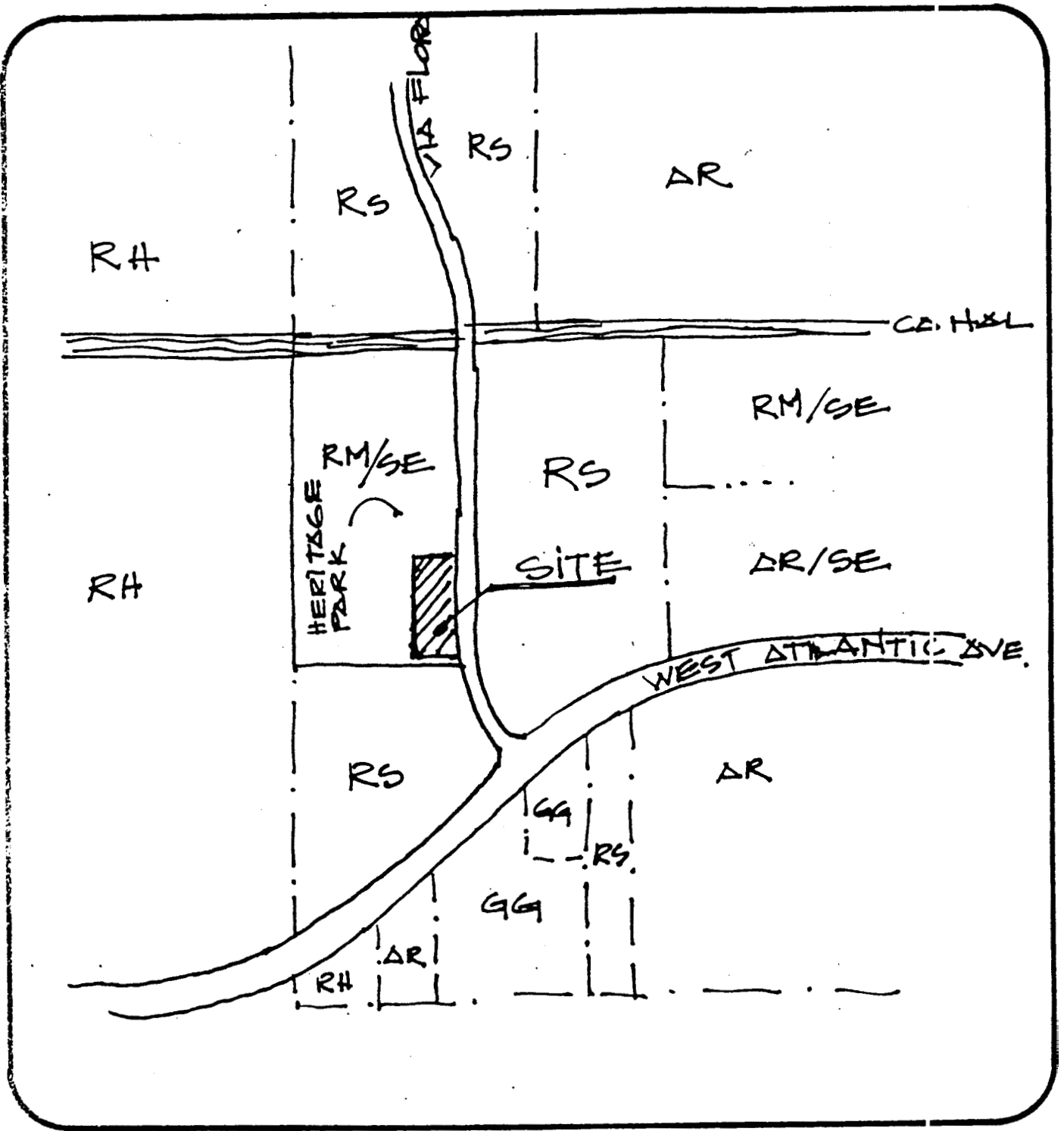


EXHIBIT C

CONDITIONS OF APPROVAL

A. STANDARD CONDITIONS

1. Prior to site plan certification by the Development Review Committee, the petitioner shall amend the site plan to reflect:
 - a. Compliance with conformance with the minimum Landscape Code requirements (Section 7.3) and all landscape/vegetation preservation conditions of approval; and,
 - b. indicate the location of all dumpster and recycle waste container areas; and,
 - c. indicate the grass parking area subject to a grass parking special permit.
2. Prior to site plan certification by the Development Review Committee, the petitioner shall obtain all appropriate permits from the Department of Environmental Resource Management and the Palm Beach County Health Department for filling the existing pond. (ZONING/ERM)
3. Prior to site plan certification by the Development Review Committee, the petitioner shall submit a completed application for and obtain a grass parking special permit from the Zoning Division for the maximum allowed grass parking spaces pursuant to the Palm Beach County Unified Land Development Code. Grass parking spaces shall be located in the southern portion of the site furthest from the principal structure. (ZONING)

B. BUILDING AND SITE DESIGN

1. Total square footage shall be limited to a maximum of 10,000 square feet. Additional square footage may be permitted pursuant to Article 5.4. E. 13 (Minor Deviations) of the Unified Land Development Code. (ZONING)
2. Maximum occupancy for the Church shall be limited to 366 seats. (ZONING/BUILDING)

C. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation shall:
 - a. Not be located within twenty-five (25) feet of the north, south or west property lines; and,
 - b. be confined to areas designated on the site plan. (ZONING)

D. 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 100-6, 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)

E. ENGINEERING

1. Prior to DRC approval, the site plan shall be amended to reflect a maximum of 2 access locations onto Via Flora subject to approval by the County Engineer. (ENGINEERING)
2. The petitioner shall install "No Parking" signs on both sides of Via Flora along the front of the subject site, at the petitioner's expense, subject to the approval of the County Engineer. (ENGINEERING)

F. LANDSCAPING - GENERAL

1. All trees required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Tree height: fourteen (14) feet.
 - b. Trunk diameter: 3.5 inches measured 4.5 feet above grade.
 - c. Canopy diameter: seven (7) feet. Diameter shall be determined by the average canopy radius at 3 points measured from the trunk to the outermost branch tip. Each radius shall measure at least 3.5 feet in length.
 - d. Clear trunk: five (5) feet. (ZONING)

G. LANDSCAPING - INTERIOR

1. At grade level planters shall be installed every two (2) parking spaces. Each required island shall be a minimum of five (5) feet by five (5) feet square (25 square feet). One native canopy tree and appropriate ground cover shall be planted in each required island. (ZONING)

H. LANDSCAPING ALONG THE NORTH, SOUTH, AND WEST PROPERTY LINES

1. Landscaping and buffering along the north, south, and west property lines shall be upgraded to include:
 - a. One native canopy tree planted for every twenty (20) feet, not to exceed thirty (30) feet on center at installation;
 - b. 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; and
 - c. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation. (ZONING)

I. LANDSCAPING ALONG THE EAST PROPERTY LINE

1. Landscaping and buffering along the east property line shall be upgraded to include:
 - a. A minimum ten (10) foot wide landscape buffer strip;
 - b. One native canopy tree planted for every twenty (20) feet, not to exceed thirty (30) feet on center at installation;

- 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; and
- d. Thirty (30) inch high shrub or hedge material spaced twenty-four (24) inches on center at installation. (ZONING)

J. LIGHTING

1. Lighting fixtures shall not exceed twenty (20) feet in height measured from finished grade to the highest point. (BUILDING)
2. 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. (SWA)

L. SIGNS

1. Signs fronting on Via Flora shall be limited as follows:
 - a. Maximum sign height - ten (10) feet;
 - b. Maximum total sign face area - one hundred (100) square feet;
 - c. Maximum number of signs - one; and,
 - d. Style - Monument only. (ZONING/BUILDING)

M. USE LIMITATION

1. Use of the activity hall shall be limited to church related functions, i.e., weddings, wedding receptions, church club meetings, or other church related activities. This facility shall not be commercially leased for any non-church related function. (CODE ENFORCEMENT)