

RESOLUTION NO. R-94-3

RESOLUTION APPROVING ZONING PETITION CA93-41
CLASS A CONDITIONAL USE
PETITION OF TEMPO DE ADORACION FAMILIAR, 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 CA93-41 was presented to the Board of County Commissioners at a public hearing conducted on January 3, 1994; 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.
- a. 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 **CA93-41**, the petition of Tempo De **Adoracion** Familiar, Inc., by: Stephen Sinclair, AGENT for a CLASS A CONDITIONAL USE allowing a church or place of worship in the Residential Transitional Urban (RTU) 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 January 3, 1994, 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 Marcus and, upon being put to a vote, the vote was as follows:

Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Absent
Ken Foster	--	Absent
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 3rd day of January, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKES, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

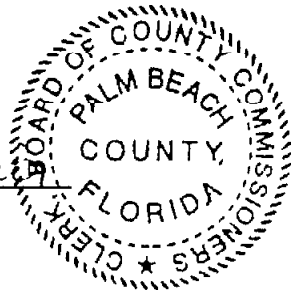


EXHIBIT A
LEGAL DESCRIPTION

FAMILY WORSHIP TEMPLE

LEGAL DESCRIPTION:

THE WEST ONE-HALF ($W\frac{1}{2}$) OF THE NORTH ONE-HALF ($N\frac{1}{2}$) OF
THE NORTHWEST QUARTER ($NW\frac{1}{4}$) OF THE NORTHEAST QUARTER
($NE\frac{1}{4}$) OF THE NORTHEAST QUARTER ($NE\frac{1}{4}$) OF SECTION 10,
TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY,
FLORIDA.

EXHIBIT B

VICINITY SKETCH

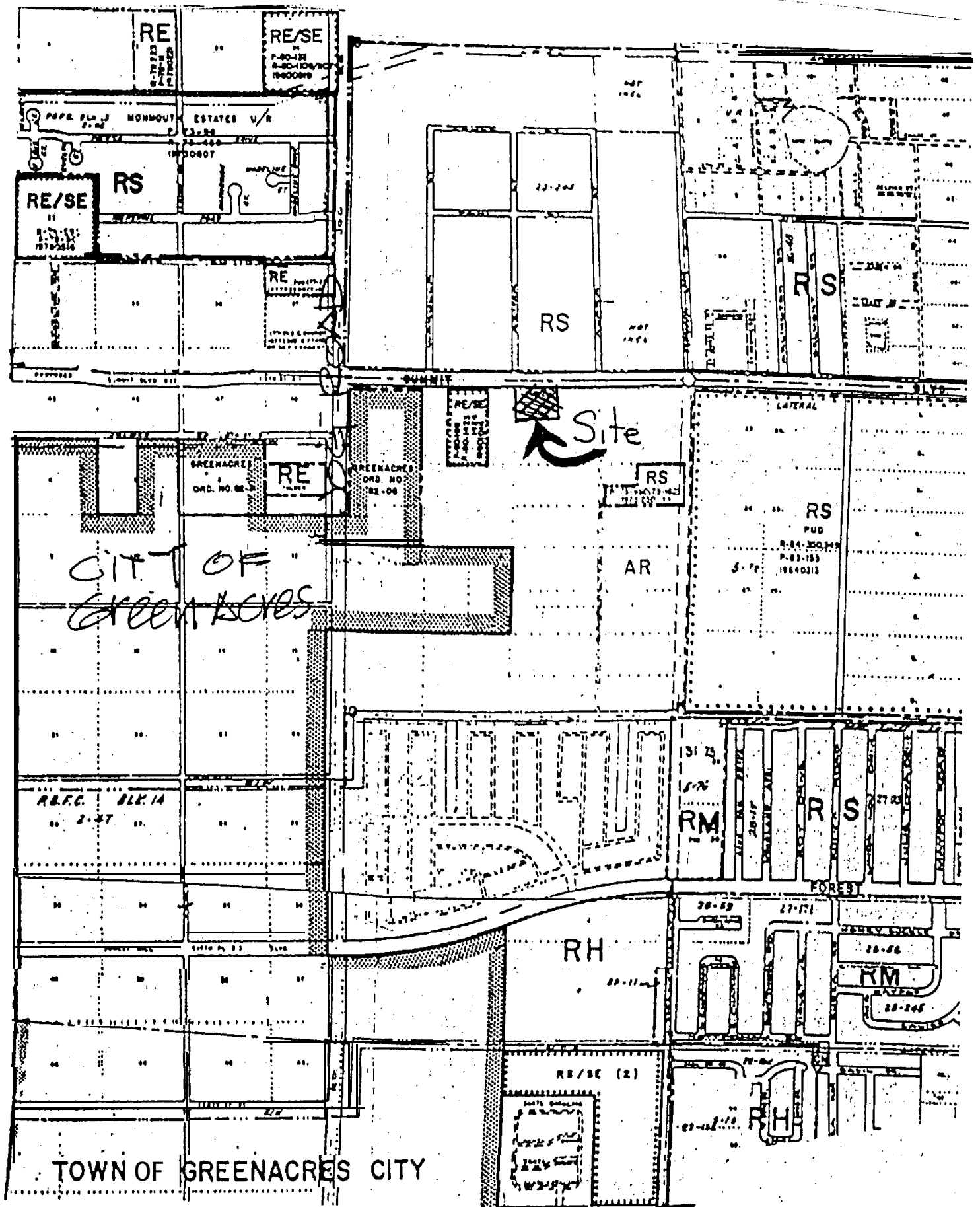


EXHIBIT C

CONDITIONS OF APPROVAL

A. BUILDING AND SITE DESIGN

1. To ensure compliance with the proposed development plan, total gross floor area shall be limited to a maximum of 10,535 square feet. Additional square footage may be allowed pursuant to Article 5.4.E.13 (Minor Deviations) of the ULDC. (BUILDING/ZONING)
2. To minimize impact to surrounding residential areas, the minimum setback for all structures adjacent to the north property line shall be thirty five (35) feet and **sixty-five** (65) feet from all other property lines. (BUILDING/ZONING)
3. To ensure preservation of existing native vegetation, the sites parking shall be redesign to accommodate the maximum number of native trees, (ZONING/ERM)

B. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on this site. All existing **onsite** 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 **onsite** potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II. (HEALTH)

C. LANDSCAPING - GENERAL

1. To ensure adequate buffering from adjacent residential, 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

D. 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)

E. ENGINEERING

1. 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 the proposed church at the time of the Building Permit presently is \$4,895.00 (89 trips X \$55.00 per trip) (IMPACT FEE COORDINATOR).

F. LIGHTING

1. To minimize impact on surrounding residential areas, 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. To minimize impact on surrounding residential areas, lighting fixtures shall not exceed fifteen (15) feet in height measured from finished grade to the highest point. (BUILDING/CODE ENFORCEMENT)
3. To minimize impact on surrounding residential areas, all outdoor shall be extinguished no later than 11:00 p.m. Security lighting only is excluded from this requirement. (CODE ENFORCEMENT)

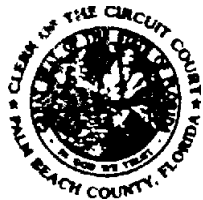
G. SIGNS

1. To ensure compliance with the proposed master signage plan, signs fronting on Summit boulevard 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 sixty four (64) square feet.
 - c. Maximum of one sign.
 - d. Monument type design only. (BUILDING)

H. USE LIMITATION

1. Use of the site shall be limited to a church not to exceed 300 seats and accessory buildings and uses. (ZONING/CODE ENFORCEMENT)

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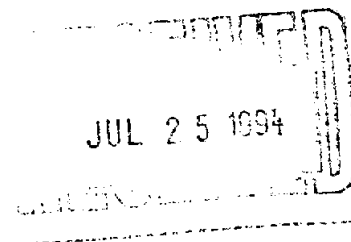


CLERK TO THE

BOARD OF COUNTY COMMISSIONERS

PALM BEACH COUNTY FLORIDA

Dorothy H. Wilken
Clerk



DATE: July 25, 1994

FROM: Tina Blair *TB*
Minutes Department

RE: Zoning Resolutions R-94-2 and R-94-3

It was noted there was an error in the zoning district description of resolutions R-94-2 and R-94-3. Both resolutions have been corrected to reflect the RTU-Residential Transitional Urban zoning district. Please replace the resolutions you currently have on file with the ones I have sent to you. If you have any questions you may reach me at 355-3069.