

RESOLUTION NO. R-94-1072

RESOLUTION APPROVING ZONING PETITION DOA80-153(A)
DEVELOPMENT ORDER AMENDMENT
PETITION OF TEMPLE TORAH OF WEST BOYNTON BEACH, 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 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 DOA80-153(A) was presented to the Board of County Commissioners at a public hearing conducted on August 25, 1994; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; 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 Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Development Order Amendment, 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 Development Order Amendment, with conditions as adopted, complies with standards imposed on it by applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency exemption and therefore complies with Art. 11 (Adequate Public Facility Standards) of the Palm Beach County Land Development Code.

9. This Development Order Amendment, 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 Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
11. This Development Order Amendment 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 **DOA80-153 (A)**, the petition of Temple Torah of West Boynton Beach, Inc., for a DEVELOPMENT ORDER AMENDMENT in the Residential Single Family (RS) Zoning District, to add access point and to allow school, elementary or secondary, and assembly, non-profit, as Requested Uses, and redesignate land use for Pod M, previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located on a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on August 25, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Newell moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 25th day of August, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

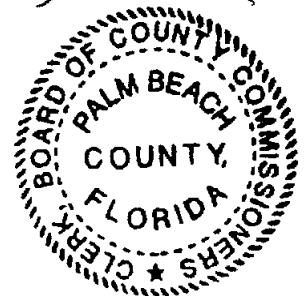


EXHIBIT 'A

ABERDEEN - POD M:

POD M

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 45 SOUTH, RANGE 42 EAST, BEING A PORTION OF ABERDEEN - PLAT NO. 2 AS RECORDED IN PLAT BOOK 55, PAGES 11 THRU 22, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST-CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 88°22'07" EAST ALONG THE SOUTH LINE OF SECTION 16, A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HAGEN RANCH ROAD AS RECORDED IN OFFICIAL RECORD BOOK 3502, PAGES 1524 . 1526 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 01°37'53" EAST ALONG SAID EAST RIGHT-OF-WAY LINE. A DISTANCE OF 484.65 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE WEST, HAVING A RADIUS OF 3240.00 FEET AND A CENTRAL ANGLE OF 15°18'32"; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 865.70 FEET TO A POINT OF TANGENCY; THENCE NORTH 13°40'39" WEST. A DISTANCE OF 21.00 FEET; THENCE NORTH 31°19'21" EAST, A DISTANCE OF 35.36 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.W. 22nd AVENUE AS RECORDED IN OFFICIAL RECORD BOOK 3502, PAGES 1527 AND 1528 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 76°19'21" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF N.W. 22nd AVENUE. A DISTANCE OF 105.00 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 875.43 FEET AND A CENTRAL ANGLE OF 50°09'43"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 766.43 FEET TO A POINT OF TANGENCY; THENCE SOUTH 53°30'56" EAST, A DISTANCE OF 276.86 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2454.00 FEET AND A CENTRAL ANGLE OF 24°13'02"; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, A DISTANCE OF 1037.23 FEET; THENCE SOUTH 01°37'53" WEST, A DISTANCE OF 736.55 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16; THENCE NORTH 88°22'07" WEST ALONG SAID SOUTH LINE OF SECTION 16, A DISTANCE OF 1906.36 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING 50.430 ACRES MORE OR LESS

RECREATIONAL VEHICLE STORAGE SITE

RECREATION_VEHICLE STORAGE SITE:

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 45 SOUTH, RANGE 42 EAST BEING A PORTION OF ABERDEEN - PLAT NO. 2, AS RECORDED IN PLAT BOOK 55, PAGES 11 THRU 22, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 16; THENCE SOUTH 88°22'07" EAST ALONG THE SOUTH LINE OF SAID SECTION 16. A DISTANCE OF 40.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF HAGEN RANCH ROAD AS RECORDED IN OFFICIAL RECORD BOOK 3502, PAGES 1524 THRU 1526 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE SOUTH 88°22'07" EAST ALONG SAID SOUTH LINE OF SECTION 16. A DISTANCE OF 1906.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 88°22'07" EAST, A DISTANCE OF 181.03 FEET; THENCE NORTH 01°37'53" EAST. A DISTANCE OF 709.50 FEET TO A POINT ON THE SOUTH LINE OF N.W. 22nd AVENUE SAID POINT BEING A POINT ON A CURVE CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 2454.00 FEET, A CENTRAL ANGLE OF 04°16'28" AND A CHORD BEARING OF NORTH 79°52'12" WEST; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE. A DISTANCE OF 183.08 FEET; THENCE SOUTH 01°37'53" WEST. A DISTANCE OF 736.55 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 16 AND THE AFOREMENTIONED POINT OF BEGINNING.

CONTAINING 3.000 ACRES MORE OR LESS.

EXHIBIT A

LEGAL DESCRIPTION

**ABERDEEN RELIGIOUS SITE
EXHIBIT A**

LEGAL DESCRIPTION: PARKWALK RELIGIOUS SITE

A PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 45 SOUTH, RANGE 42 WT. PALM BEACH COUNTY, FLORIDA. AND A PORTION OF TRACTS 29, 30, 41, 42 & 43, BLOCK 47. PALM BEACH FARMS COMPANY PLAT NO. 3. AS RECORDED IN PLAT BOOK 2, PAGES 45 THRU 54 OF ME PUBLIC RECORDS OF PALM BEACH COUNM, FLORIDA; SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER SECTION CORNER OF SAID SECTION 15, THENCE WITH A BEARING OF N02°05'33"E, ALONG THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 15, A DISTANCE OF 908.36 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE N02°05'33"E, ALONG SAID NORTH-SOUTH QUARTER SECTION LINE. A DISTANCE OF 1776.76 FEET TO A POINT ON THE SOUTHERLY LINE OF THE L-21 CANAL. AS RECORDED IN OFFICIAL RECORD BOOK 2532, PAGE 820 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N55°31'04"W, ALONG SAID SOUTHERLY LINE OF THE L-21 CANAL. A DISTANCE OF 226.63 FEET; THENCE N89°11'08"W, ALONG SAID SOUTHERLY LINE OF THE L-21 CANAL, A DISTANCE OF 661.02 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD, AS RECORDED IN OFFICIAL RECORD BOOK 4456, PAGES 581 THRU 584 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A CURVE TO THE LEFT HAVING A RADIUS OF 2472.06 FEET, A CENTRAL ANGLE OF 10°37'41", A CHORD BEARING OF S21°51'55"E, AND AN ARC LENGTH OF 458.55' FEET ALONG SAID EASTERLY RIGKT-OF-WAY LINE OF JOG ROAD; THENCE S27°10'46"E, ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD, A DISTANCE OF 674.94 FEET TO A POINT OF CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 3260.00 FEET, A CENTRAL ANGLE OF 16°33'09" AND AN ARC LENGTH OF 941.80 FEET, MORE OR LESS (ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF JOG ROAD) TO THE POINT OF BEGINNING.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEC OF LAND:

BEGINNING AT THE CENTER OF SAID SECTION 15, THENCE N02°05'33"E, ALONG THE NORTH-SOUTH QUARTER-SECTION LINE OF SAID SECTION 15, A DISTANCE OF 25.66 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CANAL L-21 AS DESCRIBED IN OFFICIAL RECORD BOOK 2532 ON PAGE 821, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 55°31'04"E, A DISTANCE OF 47.38 FEET; THENCE N88°18'33"W, A DISTANCE OF 40.01 FEET TO THE POINT OF BEGINNING AFORE DESCRIBED.

LESS AND EXCEPT:

THAT CERTAIN PARCEL SHOWN AS NOT INCLUDED, (A PORTION OF N.W. 22nd AVENUE), AS RECORDED IN OFFICIAL RECORD BOOK 3502, PAGES 1527 THRU 1528. OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

THE ABOVE DESCRIBED PARCEL CONTAINS 16.717 ACRES, MORE OR LESS.

80-153A

EXHIBIT B
VICINITY SKETCH

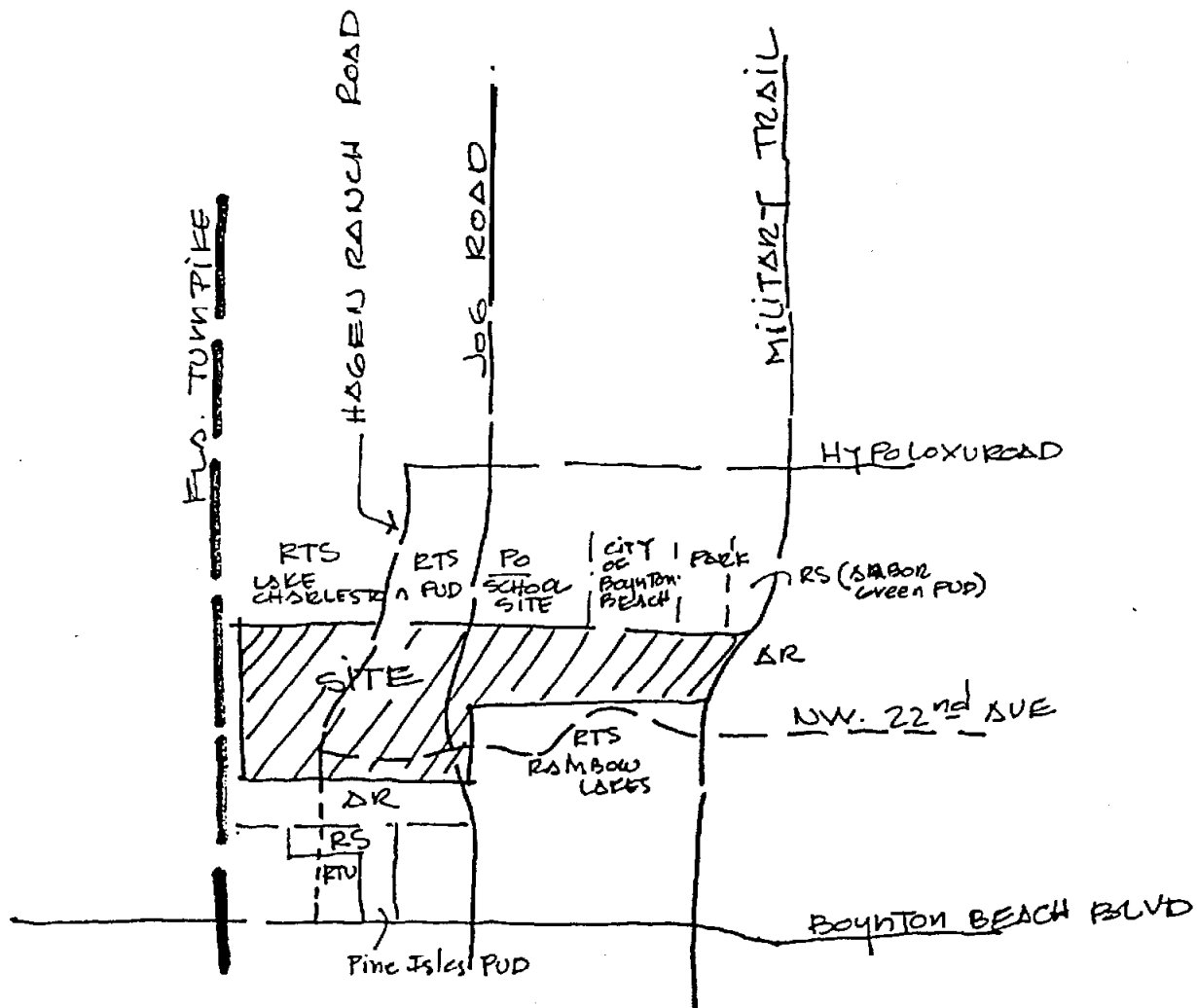


EXHIBIT C

CONDITIONS OF APPROVAL

NOTE: All previous conditions of approval are shown in BOLD and will be carried forward with this petition unless expressly modified herein.

A. ALL PETITIONS

1. All previous conditions of approval applicable to the subject property, as contained in Resolutions R-73-811 and R-80-1243, have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval unless expressly modified. (MONITORING)
2. Solid waste disposal service to be provided by the franchisee for the area; (Previously Condition No. 2 of Resolution No. R-73-811, Petition 73-138). (SWA)
3. A seventy-five (75) foot vegetative buffer shall be provided on the east side of the east easement line of the drainage canal separating the commercial property and the school site property. (Previously Condition No. 11 of Resolution No. R-80-1243, Petition 80-153) (ZONING)

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Wellfield Affidavit of Notification must be submitted to the Department of Environmental Resources Management prior to site plan certification. (ERM)

C. HEALTH

1. The developer will take reasonable precautions during the development of this project to insure that fugitive particulate (dust particles) from the project do not become a nuisance to neighboring properties. (Previously Condition No. 13 of Resolution No. R-80-1243, Petition 80-153) (HEALTH)
2. 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)
3. 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)

D. PROPERTY AND REAL ESTATE MANAGEMENT

1. Condition No. 3 of Resolution No. R-73-811, Petition 73-138, which currently states:

Developer shall dedicate twenty (20) acres to the Palm Beach County Board of Public Instruction, to be used as a school site. The dedication shall be subject to a reverter clause to Palm Beach County for park purposes, said reverter clause to coincide with the completion of the development;

Is hereby deleted. [REASON: SUPERCEDED BY CONDITION D.2 BELOW]

2. The conveyance of the **30** acre school site without reverters and with title insurance shall be conveyed to the School Board of Palm Beach County at the time of the filing of the **first** plat. (Previously Condition No. 12 of Resolution No. R-80-1243, Petition 80-153) (PERM/SCHOOL BOARD)
3. The water and **sewerage** facilities shall be developed and constructed by the developer at his expense and deeded to Palm Beach County for one (1) dollar, **for ownership, operation and maintenance**; (Previously Condition No. 1 of Resolution No. R-73-811, Petition 73-138). (PERM)

E. ENGINEERING

1. Condition No. 4 of Resolution No. R-73-811, Petition 73-133, which **currently states**:

The extension of **Hagan** Ranch Road from the south **property** line to Boynton Road shall be provided at the developer's expense. (ENGINEERING)

Is hereby deleted. [REASON: SUPERCEDED BY CONDITION 8.b OF RESOLUTION R-80-12431

2. Improvement of the intersection of Military Trail and the **entrance of** the project shall be provided at the developer's expense. (Previously Condition No. 5 of Resolution No. R-73-811, Petition 73-138). (ENGINEERING)

[Note: Entrance onto Military Trail has been constructed & all improvements are complete, therefore, condition has been satisfied]

3. Condition No. 3. of Resolution No. R-73-811, Petition 73-811, which **currently states**:

Improvement of the intersection of **Hagan** Ranch Road and Boynton Road shall be provided at the developer's expense. (ENGINEERING)

Is hereby deleted. [REASON: SUPERCEDED BY CONDITION 8.b OF RESOLUTION R-80-12431

4. The extension of Jog Road from the south property line to its present terminus shall be provided at the developer's expense. (Previously Condition No. 7 of Resolution No. R-73-811, Petition 73-811). (ENGINEERING)

[Note: Jog Road construction has been completed]

5. Haverhill Road shall not proceed through the development to the south **property** line. (Previously Condition No. 8 of Resolution No. R-73-811, Petition 73-811). (ENGINEERING)

6. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach county:

- a. One hundred twenty (120) feet for the ultimate right-of-way for Jog Road through the project's limits. [Note: Database indicates compliance with this condition]

- b. Eighty (80) feet for ultimate right-of-way for **Hagen** Road through the project's limits. [Note: Database indicates compliance with condition]

- C. one hundred eight (108) feet for the project's east property line to Eagen Ranch Road. (**Previously Condition No. 1 of Resolution No. R-80-1243, Petition 80-153**) (**ENGINEERING**) [Note: Database indicates compliance with this condition]
7. **Petitioner shall** signalise the intersection of Lechalet Boulevard and Military Trail Prior to the issuance of the 640th building permit or when warranted **by** the county Engineer. (**Previously Condition No. 2 of Resolution No. R-80-1243, Petition 80-153**) (**ENGINEERING**)
- [Note: **Signalization complete**]
8. Petitioner shall construct:
- a. Two (2) lanes on Jog Road **from** the existing **southern** terminus south of Rypoluxo Road to the northern limit of construction by Tartan Lakes **PUD**. This portion of Jog Road must be constructed **during** Phase II of this project or prior to the issuance of 1,040 building permit(s). **If** a contiguous project is approved to the north of this project that requires Jog Road for access prior to the completion of Phase II, this project would be relieved of this obligation. [Note: **Jog Road construction complete**]
- b. **Hagen** Ranch Road within the project's limits. [Note: **Hagen Ranch Road construction complete**]
- c. NW 22 Avenue from the project's east property line to **Hagen** Ranch Road. (**Previously Condition No. 3 of Resolution No. R-80-1243, Petition 80-153**) (**ENGINEERING**)
9. Petitioner shall construct at the intersection of Lechalet Boulevard and Jog Road:
- a. Left turn lane, north approach
b. Right turn lane, north approach
c. Left turn lane, south approach
d. Right turn lane, south approach
e. Left turn lane, east approach
f. Right turn lane, east approach
g. **Left turn lane, west approach**
h. **Right turn lane, west approach**
i. Signalization when warranted, as determined by the County Engineer. (**Previously Condition No. 4 of Resolution No. R-80-1243, Petition 80-153**) (**ENGINEERING**)
- [Note: **a,b,c,d,e,f,g & i are complete; h is not complete**]
10. Petitioner shall construct at the intersection of Lechalet Boulevard and **Hagen** Ranch Road:
- a. Left turn lane, south approach
b. Left turn lane, east approach
c. Left turn lane, west approach. (**Previously Condition No. 5 of Resolution No. R-80-1243, Petition 80-153**) (**ENGINEERING**)
- [Note: **All turn lanes complete**]

11. Petitioner shall construct at the intersection of **NW** 22 Avenue and Jog Road:
- a. Left turn lane, north approach
 - b. Left turn lane, south approach
 - c. Left turn lane, west approach. (Previously Condition No. 6 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING)
- [Note: a & b completed]
12. Petitioner shall construct at the intersection of NW 22 Avenue and **Hagen** Ranch Road:
- a. Left turn lane, north approach
 - b. Left turn lane, **south approach**
 - c. Right turn lane, south approach
 - d. Left turn lane, east approach
 - e. Left turn lane, west approach
 - f. Right turn lane, east approach. (Previously Condition No. 7 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING)
- [Note: a,b,c & e are completed]
13. Petitioner shall construct access to the City of Boynton Beach property to the north of this project. This access to be acceptable to the County *Engineer*. (Previously Condition No. 8 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING)
- [Note: Access road completed]
14. Petitioner shall contribute One Million Three Hundred Thousand Dollars (**\$1,300,000**) toward the cost of meeting this project's direct and identifiable traffic impact. This contribution will be applied directly toward the four laning of Military Trail and the intersection improvements at Hypoluxo Road and Military Trail, Hypoluxo Road and Jog Road, Boynton West Road and Military Trail and the Construction of the access road to the City of Boynton Beach property. The balance of **\$1,300,000** is to be paid no later than four years after the of Special Exception approval. (Previously Condition No. 9 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING) [Note: Impact Fee has been Paid]
15. Petitioner shall furnish the construction plans as part of the \$1.3 million Fair Share contribution for Military Rail as a 4 lane median divided road from the intersection of Hypoluxo Road to the intersection with Boynton West Road to be approved by the County Engineer. (Previously Condition No. 10 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING) [Note: Military Trail construction completed]
16. The Lake Worth Drainage District will require the following rights-of-way, as shown on the Lake Worth Drainage District Right-of-way Maps recorded in the office of the Clerk of the Circuit Court in and for Palm Beach county, Florida:
- L-20 from E-2E to E-3 - Sheets 66 and 67 of 240;
L-21 **from E-2E to** E-3 - Sheets 69 and 70 of 240;
L-22 **from E-2E to** Jog Road - Sheets 72 and 73 of 240;
E-2E from L-20 to L-22 - Sheet 209 of 240;
E-3 from L-20 to L-21 - Sheet 222 of 240. (Previously Condition No.14 of Resolution No. R-80-1243, Petition 80-153) (ENGINEERING)

17. The Property owner shall construct a left turn lane north approach on Jog Road at each of the project's entrance roads. The construction shall be concurrent with the paving and drainage improvements for the site, Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but not limited to, utility relocations and acquisition of any additional required right-of-way. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BUILDING - Engineering).
18. Prior to Final Site Plan approval by the Development Review Committee for Pod M, The petitioner shall grant to Palm Beach County a ten (10) foot wide utility easement along the north right-of-way of the Lake Worth Drainage District Canal L-22 from the east right-of-way line of Haven Ranch Road to the east property line of the private civic tract (RV storage site). (UTILITIES)
19. 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:
 - a. \$18,645 for the proposed Church/Synagogue (338 trips X \$55.00 per trip);
 - b. \$62,425 for the proposed Community Center (1135 trips X \$55.00 per trip); and,
 - c. \$49,500 for the proposed private school (900 trips X \$55.00 per trip) (IMPACT FEE COORDINATOR).

F. REQUESTED USES WITHIN CIVIC SITE EXCLUDING EXISTING SYNAGOGUE (N.E. CORNER OF JOG ROAD AND N.W. 22nd AVENUE)

1. SITE DESIGN

- a. The minimum setback for all structures adjacent to all property lines shall be fifty (50) feet. (BUILDING-Zoning)
- b. The maximum height for all structures, measured from finished grade to highest point, shall not exceed thirty five (35) feet except as permitted by section 6.5.H.4 (exceptions to height regulation) (BUILDING-Zoning)
- c. Architectural character and treatment which is compatible and harmonious with abutting development shall be provided on all sides of the building. (BUILDING-Zoning)

2. LIGHTING

- a. 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. (BUILDING/CODE ENFORCEMENT)
- b. All outdoor lighting fixtures shall not exceed fifteen (15) feet in height, measured from finished grade to highest point. (BUILDING)

- c. All outdoor lighting shall be extinguished no later than 11:00 p.m. Security lighting only is **excluded** from this requirement. (CODE ENFORCEMENT)

3. **USE** LIMITATION

- a. Use of the site shall be limited to permitted civic uses including customary accessory uses, as allowed pursuant to the ULDC, as amended, including the following requested uses:

- 1) Private Elementary School; and,
- 2) Assembly, Non Profit. (ZONING)

4. **BUFFERING**

- a. A twenty five (25) foot wide type C compatibility buffer shall be install pursuant to Section E.8.A 23 (Design Objectives) along the eastern **property** line of the civic site. (existing **synagogue** approval is exempt from this **requirement**). (ZONING/BUILDING)

5. **RECYCLE SOLID WASTE**

- a. All property owners and lessee's 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)
- b. Prior to the certification of a Final Site **Plan** for any portion of the civic tract by the **Development** Review Committee, the petitioner shall **indicate** the location of all recycling facilities on the site plan any such facility shall be screened **pursuant** to Section **6.6.A.5.c** of the ULDC. (SWA)

G. COMPLIANCE

- 1. 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; cease and desist 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 Conditional Use and any/or zoning which was approved concurrently **with** the Conditional Use;
 - 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;
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or **intensity**.

Appeals of any departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of Conditional Use, 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. (MONITORING)