

RESOLUTION NO. R-2008- 1138

RESOLUTION APPROVING ZONING APPLICATION DOA-2007-1594
(CONTROL NUMBER 1980-187)
DEVELOPMENT ORDER AMENDMENT
APPLICATION OF TRINITY CHURCH INTERNATIONAL, INC.
BY LAND DESIGN SOUTH, INC., AGENT
(TRINITY CHURCH INTL.)

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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application DOA-2007-1594 was presented to the Board of County Commissioners at a public hearing conducted on June 30, 2008; and

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

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Development Order Amendment is consistent with the purposes, goals, objectives and policies of the Palm Beach County Comprehensive Plan, including standards for building and structural intensities and densities, and intensities of use.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 4.B (Supplementary Use Standards) of the Palm Beach County Unified Land Development Code. This Development Order Amendment also meets applicable local land development regulations.
3. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified 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.
4. The proposed design, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
5. This Development Order Amendment has a concurrency determination and complies with Article 2.F (Concurrency - Adequate Public Facility Standards) of the ULDC.
6. 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.

7. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.
8. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
9. This Development Order Amendment, with conditions as adopted, is consistent with applicable Neighborhood Plans.
10. The applicant has demonstrated sufficient justification that there are changed circumstances, which would require the Development Order Amendment.

WHEREAS, Article 2.K.3.b (Action by BCC) of the Palm Beach County Unified 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 Application DOADOA-2007-01594, the application of Trinity Church International, Inc., by Land Design South, Inc., agent, for a Development Order Amendment to a Development Order Amendment. To reconfigure the site plan, relocate square footage, delete congregate living facilities, add square footage, restart of commencement clock and delete 8 Conditions of Approval. 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 attached as EXHIBIT B, attached hereto and made a part hereof, was approved on June 30, 2008, 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 Jeff Koons and, upon being put to a vote, the vote was as follows:

Addie L. Greene, Chairperson	¥	Aye
Jeff Koons, Vice Chair	¥	Aye
Karen T. Marcus	¥	Absent
Robert J. Kanjian	¥	Aye
Mary McCarty	¥	Absent
Burt Aaronson	¥	Aye
Jess R. Santamaria	¥	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on June 30, 2008.

Filed with the Clerk of the Board of County Commissioners on 7th day of July, 2008.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.


APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:


COUNTY ATTORNEY

BY:

SHARON BOCK, CLERK &
COMPTROLLER

DEPUTY CLERK

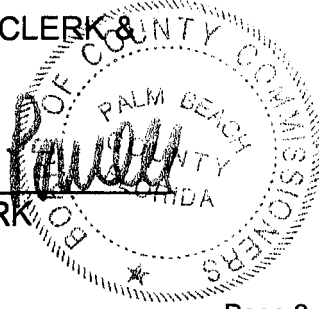


EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION (AS RECORDED IN OFFICIAL RECORD BOOK 8722, PAGE 141):

A PARCEL OF LAND IN THE NORTHWEST QUARTER OF THE AMENDED PLAT OF MARY A. LYMAN ET AL, IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 9, PAGE 74, INCLUDING TRACTS 9, 10, AND 11, LESS THE SOUTH 15 FEET OF TRACTS 10 AND 11 FOR ROAD RIGHT OF WAY AND LESS THE ROAD RIGHT OF WAY FOR MILITARY TRAIL (S.R. 809).

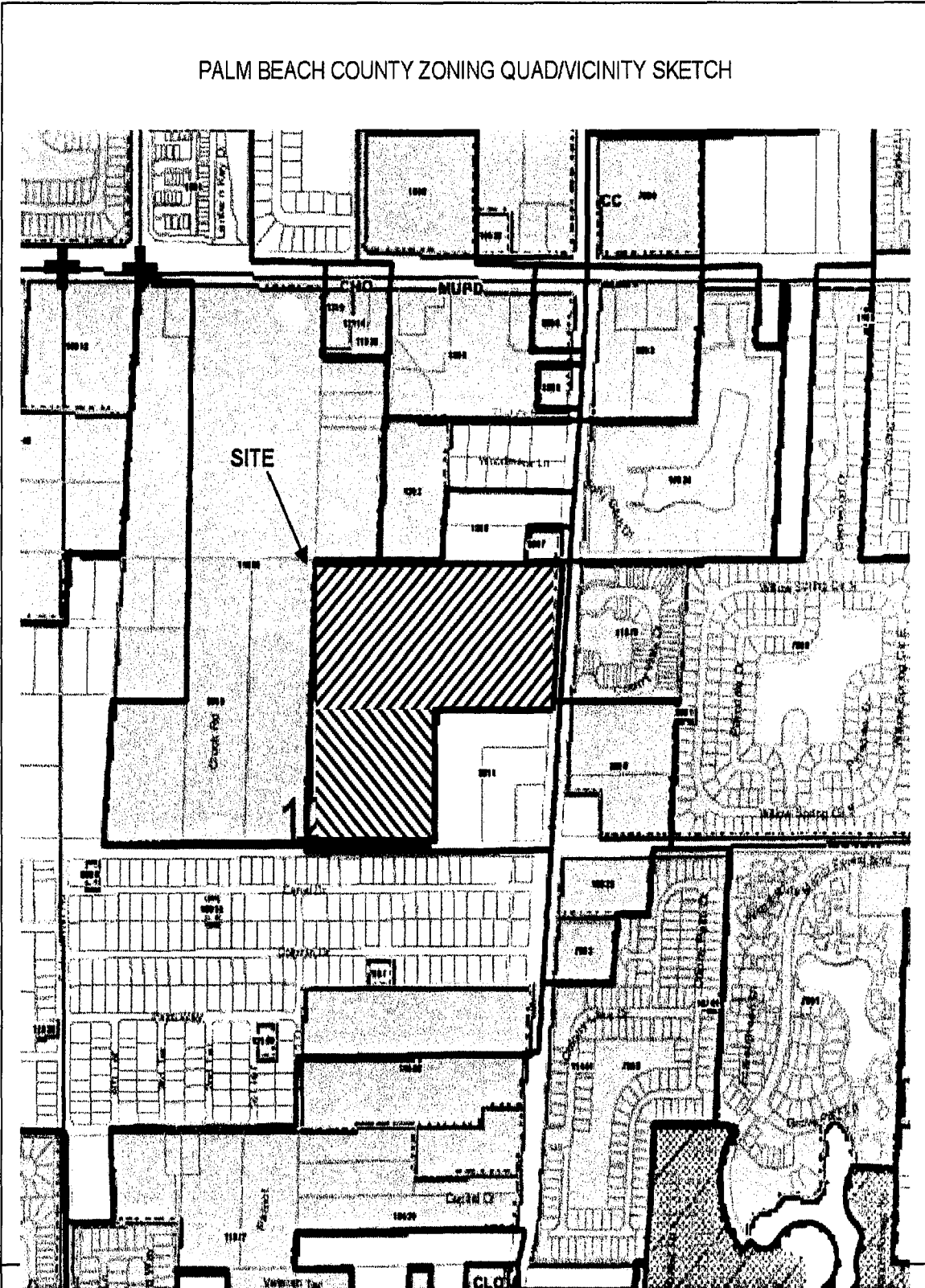
BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST QUARTER (N.E. 1/4) CORNER OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, CONTINUE S.4°39'06"W., ALONG THE CENTERLINE OF MILITARY TRAIL 1343.03 FEET; THENCE N.89°35'11"W., 67.07 FEET TO THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL AND THE POINT OF BEGINNING OF SAID PARCEL; THENCE N.89°35'11"W., 1436.81 FEET; THENCE S.2°19'18"W., 1345.30 FEET; THENCE N.89°36'45"E., 724.52 FEET; THENCE N.3°28'44"E., 660.61 FEET; THENCE S.89°58'45"E., 679.21 FEET TO THE WEST RIGHT OF WAY LINE OF MILITARY TRAIL; THENCE * N.4°39'06"W., 335.98 FEET; THENCE N.89°46'58"E., 7.02 FEET; THENCE N.4°39'06"E., 335.98 FEET TO THE NORTHEAST CORNER OF SAID PARCEL AND THE POINT OF BEGINNING.

* SHOULD READ N.4°39'06"E.

EXHIBIT B
VICINITY SKETCH

PALM BEACH COUNTY ZONING QUAD/VICINITY SKETCH



Application No. 2008-097
Zoning Quad 32
Date May 1, 2008



EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1. Condition A.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

All conditions of approval contained in Resolutions R-80-1422, Petition 80-187, R-85-271, Petition 80-187(A), R-86-213, 80-187(B), R-87-415, Petition 80-187(C), and R-91-986, Petition 80-187(E) are hereby repealed. The approvals granted by Resolutions R-80-1422, Petition 80-187, R-85-271, Petition 80-187(A), R-86-213, 80-187(B), R-87-415, Petition 80-187(C), and R-91-986, Petition 80-187(E), however, shall remain in full force and effect. (ONGOING: MONITORING-Zoning).

Is hereby amended to read:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-1998-738 (Control No. 1980-187), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Condition 1 of Resolution R-2006-1538, Control No. 1980-187 which currently states:

All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)

Is hereby deleted. Reason: [Replaced with amended All Petitions Condition 1]

3. Condition A.2 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated February 26, 1998. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

Is hereby amended to read:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The preliminary site plan is dated April 11, 2008. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING- Zoning)

4. Based on Article 2.E of the Unified Land Development Code, this development order meets the requirements to receive a new three (3) year review date from the date of approval of this resolution. (ONGOING: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the student center shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be

consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

2. At time of submittal for building permit, the architectural elevations for each of the proposed buildings other than the student center shall be submitted for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (BLDG PERMIT: ARCH REVIEW - Zoning)
3. Similar architectural character, roof treatment, colors, and details shall be provided on all sides of the buildings. ((BLDG PERMIT: BLDG.-Zoning) (Previous Condition B.1 of Resolution R-1998-738, Control No. 1980-187)
4. All roof top mechanical and electrical equipment shall be screened from view so as visible from any property line (BLDG PERMIT: CODE ENF – Zoning) (Previous Condition B.1 of Resolution R-1998-738, Control No. 1980-187)

BUILDING AND SITE DESIGN

1. Condition C.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

The Sanctuary/Fellowship Hall buildings shall be limited to a total of 2,000 seats with a combined 24,025 square feet enclosed floor area. (DRC/BLDG PERMIT: BLDG - Zoning)

Is hereby deleted - Reason: [Any deviation will be subject to a Development Order Amendment]

2. Condition C.2 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Prior to final site plan certification by the Development Review Committee (DRC), the petitioner shall submit a grass parking study and designate the proposed grassed/paved parking areas on the site plan. Proposed grade changes in the parking areas shall be minimal to incorporate existing native vegetation. (DRC: ZONING/LANDSCAPE).

Is hereby deleted – Reason: [Grass parking is permitted subject to DRO and Land Development approval]

3. Prior to issuance of Certificate of Occupancy (CO), the petitioner shall abandon the existing fifty (50) foot ingress/egress easement along the west and northwest portion of the property. (CO: BLDG - Eng) (Previous Condition C.3 of Resolution R-1998-738, Control No. 1980-187)

CONCURRENCY

1. Condition D.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Prior to final site plan approval by the Development Review Committee (DRC) the petitioner shall revise the project's concurrency to match the uses and square footages as shown on the approved site plan dated February 26, 1998. (DRC: ZONING)

Is hereby deleted – Reason: [Concurrency is approved as shown on the site plan]

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, Building Permits shall be limited to any of the following singular land uses;
 - 5 dwelling units of multi-family housing (retreat housing), or
 - 24 beds of C.L.F., or
 - 17 additional students, or
 - 5,686 square feet of additional church.
 -

The mix of allowable uses, as permitted by the Zoning Division, listed above may be adjusted by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request.

Additional Building Permits shall not be issued until construction has begun for an exclusive right turn lane west approach and an exclusive right turn lane south approach at the intersection of Hypoluxo Road at Lawrence Road plus the appropriate paved tapers. The petitioner shall submit a revised Traffic Study and phasing schedule prior to final DRC approval. (BLDG PERMIT/ENG: DRC-Eng) (Previous Condition E.1 of Zoning Resolution R-1998-738, Control No. 1980-187)
Note: Complete.

2. Prior to the issuance of a building permit the property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Military Trail long the property frontage; and a maximum 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20 foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County which at its discretion may use this fill material. (BLDG PERMIT:MONITORING-Eng) (Previous Condition E.2 of Zoning Resolution R-1998-738, Control No. 1980 - 187).
3. Prior to the DRC approval of the site plan the developer shall submit an approved revised drainage study for the site reflecting compliance with the above drainage condition of approval. (DRC APPROVAL:ENG) (Previous Condition E.3 of Zoning Resolution R-1998-738, Control No. 1980-187)
4. Engineering Condition E.4 of Zoning Resolution R-1998-738 Control No. 1980-187 which currently states:

Prior to final site plan certification, the site plan shall be amended to show the southern entrance into the site, as a median divided entrance subject to the approval of the County Engineer. (DRC: ENG)

Is hereby deleted - Reason: [Site plan has been revised to show this driveway as an exit only]

5. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:
 - a. No Building Permits for the site may be issued after June 2, 2011. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING-Eng)

ENVIRONMENTAL

1. The petitioner shall submit a tree survey for the west eight (8) acres added to the property, to scale with the site plan, to be approved by the Zoning Division and the Department of Environmental Resources Management. The survey shall include:
 - a. All trees to be removed, preserved and/or relocated.
 - b. All trees shall be numbered, categorized and their dimensions indicated with an accompanying legend. (ERM) (Previous Condition No. N-1 of Resolution No. R-98-738, Control No. 80-187F)

Is hereby deleted. Reason: [Completed]

2. All native vegetation within the buffer area (included but not limited to oaks, pines, sabal palms and cypresses) shall be preserved and indicated all on the landscape plan. (DRC: ERM - Landscape) (Previous Condition No N-2 of Resolution No. R-98-738, Control No. 80-187F)

Is hereby deleted. Reason: [Completed]

3. Prior to issuance of a Vegetation Removal Permit for this site, the following shall be completed:
 - a. All trees to be relocated, preserved, or removed shall be identified in the field, tagged and numbered according to the tree survey.
 - b. Trees to be preserved shall receive appropriate protection during site development. Protection devices shall be in place and approved by the Zoning Division prior to commencing any clearing activity.
 - c. No vegetation removal or development activity such as trenching, grade changes or grubbing that may cause injury to the vegetation shall be permitted in required buffer areas or preservation areas.
 - d. Petitioner shall schedule a pre-clearing inspection with the Zoning Division and the Department of Environmental Resources Management. (VEG REMOVAL PERMIT: ERM) (Previous Condition No. N-3 of Resolution No. R-98-738, Control No. 80-187F)

Is hereby deleted. Reason: [Completed]

LANDSCAPING-STANDARDS

1. Prior to the final approval by the Development Review Officer, the property owner shall submit a revised Landscape Plan for the overall site to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)
2. Field adjustment of berms, walls and plant materials may be permitted to provide pedestrian sidewalks/bike paths and to accommodate transverse utility or drainage easements crossings and existing vegetation. (DRO: LANDSCAPE - Zoning)

3. Prior to December 1, 2008, the property owner shall replace all dead and missing plant materials on the entire subject property and to be consistent with approved Landscape Plan pursuant to Landscape Condition 1. (DATE: MONITORING/LANDSCAPE - Zoning)
4. Fifty (50) percent of the 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. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (DRO: LANDSCAPE - Zoning) (Previous Condition F.1 of Resolution R-1998-738, Control No. 1980-187)
5. All palms required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a. Palm heights: twelve (12) feet clear trunk or grey wood, whichever is greater;
 - b. Clusters: staggered heights twelve (12) to eighteen (18) feet; and
 - c. Credit may be given for existing or relocated palms provided they meet current ULDC requirements. (DRO: LANDSCAPE - Zoning) (Previous Condition F.2 of Resolution R-1998-738, Control No. 1980-187)

LANDSCAPING ALONG EAST PROPERTY LINE (MILITARY TRAIL FRONTAGE ONLY)

6. Condition G.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Landscaping and buffering along the Military Trail frontage, except for the utility access and lift station in the northeast corner of the property, shall be upgraded to include:

- a. A minimum forty (40) foot wide landscape buffer strip;
- b. An undulating berm with an average height of three (3) feet measured from top of curb;
- c. One (1) canopy tree for each twenty (20) linear feet of property line with a maximum spacing of twenty-five (25) feet on center;
- d. One (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palms or pine trees shall not be substituted the required for a canopy tree in that location; and
- e. Twenty four (24) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36)inches. (CO: LANDSCAPE)

Is hereby amended to read:

In addition to code requirements, landscaping and buffering along the Military Trail frontage, except for the utility access and lift station in the northeast corner of the property, shall be upgraded to include:

- a. a minimum forty (40) foot wide landscape buffer strip;
- b. one (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palms or pine trees shall not be substituted the required for a canopy tree in that location. (DRO: LANDSCAPE-Zoning)

LANDSCAPING ALONG THE SOUTH PROPERTY LINE (ALONG LWDD L-19 CANAL ONLY)

7. Condition H.2 of Resolution R-1998-738, Control No. 1980-187, which currently states:

Landscaping and buffering along the south property adjacent to the LWDD L-19 Canal shall include:

- a. A minimum thirty (30) foot wide landscape buffer strip;
- b. A continuous three (3) foot high berm measured from finished grade with a four (4) foot high black vinyl coated chain link fence located on the plateau of the berm.

The following landscaping requirements shall be installed on the exterior side of the required fence:

- a. one (1) canopy tree for twenty (20) linear feet of property line with a maximum spacing of twenty-five (25) feet on center;
 - b. one (1) palm for thirty (30) linear feet of property line with a maximum spacing of sixty (60) feet on center between clusters. A group of three (3) palms shall not be substituted for a perimeter canopy tree; and
 - c. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm and spaced no more than twenty four (24) inches on center at installation. The shrub or hedge material shall be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE) (Previous Condition H.2 of Resolution R-1998-738, Control No. 1980-187)
8. Previous Condition I.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

The maximum spacing between interior landscape parking islands shall not exceed one hundred (100) linear feet. (DRC: ZONING)

Is hereby deleted: Reason: [Code requirements]

9. Condition I.2 of Resolution R-1998-736, Control No. 1980-187 which currently states:

Raised landscape divider median shall be provided at the project's entrance on Military Trail. The minimum landscape width of this median shall be five (5) feet with one (1) tree and appropriate ground cover planted for each twenty (20) linear feet of the divider median. (DRC: ZONING)

Is hereby deleted: [Reason: No Longer Applicable]

10. All perimeter landscape buffers shall be installed prior to the issuance of the first Certificate of Occupancy. Undeveloped portions of the property shall be sodded and maintained until future construction begins. (CO/CODE ENF: LANDSCAPE/ONGOING-Zoning) (Previous Condition J.1 of Resolution R-1998-738, Control No. 1980-187)

LIGHTING

1. All outdoor lighting used to illuminate the subject property and identification signs shall be of low intensity, shielded and directed down and away from adjacent properties and streets. (CO / ONGOING: BLDG / CODE ENF - Zoning) (Previous Condition K.1 of Resolution R-1998-738, Control No. 1980-187)

2. Condition K.2 of Resolution R-1998-738, Control 1980-187, which currently states:

The athletic field lighting fixtures shall not exceed forty (40) feet in height, measured from finished grade to highest point and setback a minimum distance of thirty (30) feet from the south property line along the LWDD L-19 Canal. (CO: BLDG-Zoning)

Is hereby amended to read:

The athletic field lighting fixtures shall not exceed forty (40) feet in height, measured from finished grade to highest point and setback a minimum distance of thirty (30) feet from the south property line along the LWDD L-19 Canal. No outdoor lighting is permitted for the baseball field. (CO: BLDG - Zoning)

3. The lighting conditions above shall not apply to proposed security lighting attached to the buildings. (ONGOING: CODE ENF) (Previous Condition C.1 of Resolution R-1998-738, Control No. 1980-187)

PALM TRAN

1. The location of an easement for a Bus Stop Boarding and Alighting Area, subject to the approval of Palm Tran shall be shown on the Master Plan and/or site plan prior to final approval of the Development Review Officer (DRO). The purpose of this easement is for the future construction of mass transit infrastructure in a manner acceptable to Palm Tran. (DRO: PALM TRAN-Palm Tran)
2. Prior issuance of the first Building Permit, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not not limited to a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran is required. (BLDG PERMIT: MONITORING-PalmTran)

SIGNS

1. Previous Condition M.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Signage on Military Trail shall be limited to the existing sign. (CO: BLDG)

Is hereby amended to read:

Any new or replacement sign on Military Trail shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point – ten (10) feet;
 - b. maximum sign face area per side – one hundred twenty (120) square feet;
 - c. maximum number of signs - one(1);
 - d. style - monument style only;
 - e. location - Military Trail frontage. (BLDG PERMIT: BLDG - Zoning)
2. Condition M.2 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Wall signage shall be permitted only on the east facade of the buildings. (CO: BLDG)

Is hereby deleted – [Reason: allow applicant to comply to Code requirements].

UNITY OF TITLE

1. Condition O.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Prior to final site plan certification by the Development Review Committee (DRC), the petitioner shall record in the public record a unity of title for the entire property. The unity shall be recorded in a form and manner acceptable to the County Attorney. The unity shall not be removed, altered, changed or amended without written approval from the Zoning Director. (DRC: ZONING - Co Att)

Is hereby deleted. Reason: [No longer Applicable]

USE LIMITATIONS

1. Condition P.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

To ensure consistency with the site plan dated February 26, 1998 all uses shall remain in the location as indicated on the site plan. (DRC: ZONING)

Is hereby deleted. Reason: [Code Requirement to allow % relocation internal to the site]

2. Outdoor speaker or public address systems which are audible from any property line shall not be permitted on site. (ONGOING: CODE ENF - Zoning) (Previous Condition P.2 of Resolution R-1998-738, Control No. 1980-187)

3. Condition P.3 of Resolution R-1998-738, Control No. 1980-187) which currently states:

All services shall be held within the church (Bldg. A) located in the northeast corner of the property. The hours of operation for other buildings to be open to the public shall be limited to 7:00 a.m. – 9:00 p.m. daily. This condition shall not apply if a special permit is issued. (ONGOING: CODE ENF) (Previous

Is hereby amended to read:

All services shall be held within the church (Bldg. A) located in the northeast corner of the property. The hours of operation for other buildings to be open to the public shall be limited to 7:00 a.m. – 11:00 p.m. daily. All outdoor activities shall be limited to 7:00 a.m. – 9:00 p.m. daily. (ONGOING: CODE ENF)

4. Condition P.4 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, rummage sales, bake sales, carnivals, circuses, auctions, or tent revivals, etc.), shall be limited to a maximum of three (3) events per year and shall be setback a minimum of 100 feet from all perimeter property lines. (ONGOING/SPECIAL PERMIT: CODE ENF - ZONING)

Is hereby amended to read:

Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, rummage sales, bake sales, carnivals, circuses, auctions, or tent revivals, etc.), shall be limited to a maximum of three (3) events per year and shall be setback a minimum of one hundred (100) feet from all residential property lines and a minimum of fifty (50) feet from the east property line adjacent to Military Trail. (ONGOING/SPECIAL PERMIT: CODE ENF - ZONING)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning) (Previous Condition Q.1 of Resolution R-1998-738, Control No. 1980-187)

Is hereby amended to read:

In granting this approval, the Zoning Commission relied upon the oral and written representations of the property owner/applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Zoning Commission for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)

2. Condition C.1 of Resolution R-1998-738, Control No. 1980-187 which currently states:

Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the ULDC 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; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

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 an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment 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)

Is hereby amended to read:

Failure to comply with any of the conditions of approval for the subject property at any time may result in:

- a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
- b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the ULDC 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; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Conditional Use, Type II Variance, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Departmental administrative actions made pursuant to this condition may be appealed as provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of a Conditional Use, Type II Variance, Development Order Amendment or other actions based on a Zoning Commission decision shall be by petition for writ of certiorari to the Circuit Court, Appellate Division, 15th Judicial Circuit of Florida. (ONGOING: MONITORING - Zoning)

This resolution will become effective when filed with the Clerk of the Board of County Commissioners.