

RESOLUTION NO. R-2013- 0003

RESOLUTION APPROVING ZONING APPLICATION DOA-2012-01841
(CONTROL NO. 1996-00120)
a Development Order Amendment
APPLICATION OF Gerald Barbarito
BY Colome & Associates, Inc, AGENT
(St Matthew Catholic 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 applications relating to zoning; and

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

WHEREAS, Zoning Application DOA-2012-01841 was presented to the Board of County Commissioners at a public hearing conducted on January 3, 2013; 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, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; 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 hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a a Development Order Amendment.

WHEREAS, Article 2.A.1.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 DOA-2012-01841, the petition of Gerald Barbarito, by Colome & Associates, Inc, agent, for a Development Order Amendment to reconfigure site plan and add square footage in the RT 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, 2013, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Taylor moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Chairman	-	Aye
Commissioner Priscilla A. Taylor, Vice Chair	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on January 3, 2013.

Filed with the Clerk of the Board of County Commissioners on January 8, 2013.

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

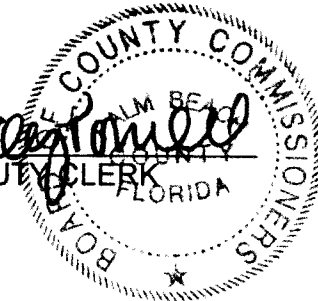
SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK
FLORIDA



The seal is circular with a double-line border. The outer ring contains the text 'PALM BEACH COUNTY COMMISSIONERS' at the top and 'BOARD OF COUNTY COMMISSIONERS' at the bottom, separated by a star on the left. The center of the seal contains the text 'PALM BEACH COUNTY' at the top and 'FLORIDA' at the bottom, also separated by a star on the left.

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

PARCEL 1 (ALSO KNOWN AS LOT 1, BLOCK 1, PALM BEACH RANCHES, AND UNRECORDED PLAT):

THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, EXCEPT THE NORTHERLY 56 FEET, EASTERLY 40 FEET AND SOUTHERLY 30 FEET FOR ROAD AND CANAL PURPOSES AND LESS THE FOLLOWING PORTION:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 89° 17' 15" WEST ALONG THE NORTH BOUNDARY OF SAID SECTION, 44.51 FEET; THENCE SOUTH 00° 42' 45" EAST, 56.00 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING 56.00 FEET SOUTH (AS MEASURED AT RIGHT ANGLES) OF SAID NORTH BOUNDARY AND 40.00 FEET WEST (AS MEASURED AT RIGHT ANGLES) OF THE EAST BOUNDARY OF SAID SECTION; THENCE SOUTH 03° 46' 12" WEST, ALONG A LINE 40.00 FEET WEST OF AND PARALLEL WITH SAID EAST BOUNDARY OF SECTION 10, A DISTANCE OF 18.33 FEET; THENCE NORTH 89° 47' 42" WEST, ALONG A LINE 75.00 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY REQUIRED RIGHT-OF-WAY LINE AS DEPICTED ON THE RIGHT-OF-WAY MAPS FOR HYPOLUXO ROAD DATED NOVEMBER 1987 (PROJECT NO. 87098), A DISTANCE OF 296.81 FEET TO THE WEST BOUNDARY OF SAID EAST ONE-HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 10; THENCE NORTH 03° 43' 02" EAST, ALONG SAID WEST BOUNDARY, 13.56 FEET; THENCE NORTH 89° 17' 15" EAST, ALONG A LINE 56.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH BOUNDARY OF SECTION 10, A DISTANCE OF 297.15 FEET TO THE POINT OF BEGINNING. SAID PORTION CONTAINING 4,723 SQUARE FEET OR 0.10 ACRES, MORE OR LESS.

PARCEL 2 (ALSO KNOWN AS LOT 2, BLOCK 1, PALM BEACH RANCHES, AN UNRECORDED PLAT):

THE WEST HALF (W ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, EXCEPT THE NORTHERLY 56 FEET AND SOUTHERLY 30 FEET FOR ROAD AND CANAL PURPOSES AND LESS THE FOLLOWING PORTION:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE NORTH 89° 17' 15" EAST, ALONG THE NORTH BOUNDARY OF SAID SECTION, 2022.69 FEET; THENCE SOUTH 0° 42' 54" EAST, 56.00 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING 56.00 FEET SOUTH (AS MEASURED AT RIGHT ANGLES) OF SAID NORTH BOUNDARY OF SECTION 10 AND ON THE WEST BOUNDARY OF SAID WEST HALF OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION; THENCE NORTH 89° 17' 15" EAST, ALONG A LINE 56.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH BOUNDARY, 337.28 FEET TO THE EAST BOUNDARY OF SAID WEST HALF OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 10; THENCE SOUTH 03° 43' 02" WEST ALONG SAID EAST BOUNDARY, 13.56 FEET; THENCE NORTH 89° 47' 42" WEST, ALONG A LINE 75.00 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY REQUIRED RIGHT-OF-WAY LINE AS DEPICTED ON THE RIGHT-OF-WAY MAPS FOR HYPOLUXO ROAD DATED NOVEMBER 1987 (PROJECT NO. 87098), A DISTANCE OF 336.89 FEET TO A POINT ON SAID WEST BOUNDARY; THENCE NORTH 03° 39' 51" EAST, ALONG SAID WEST BOUNDARY 8.15

FEET TO THE POINT OF BEGINNING. SAID PORTION CONTAINING 3,650 SQUARE FEET OR 0.08 ACRES, MORE OR LESS.

PARCEL 3 (ALSO KNOWN AS LOT 3, BLOCK 1, PALM BEACH RANCHES, AN UNRECORDED PLAT):

THE EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SECTION 10, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, EXCEPT THE NORTHERLY 56 FEET, AND SOUTHERLY 30 FEET FOR ROAD AND CANAL PURPOSES AND LESS THE FOLLOWING PORTION:

COMMENCE AT THE NORTH QUARTER CORNER OF SAID SECTION 10; THENCE NORTH 89° 17' 15" EAST ALONG THE NORTH BOUNDARY OF SAID SECTION, 1682.40 FEET; THENCE, SOUTH 00° 42' 45" EAST, 56.00 FEET TO THE POINT OF BEGINNING, SAID POINT OF BEGINNING BEING 56.00 FEET SOUTH (AS MEASURED AT RIGHT ANGLES) OF SAID NORTH BOUNDARY OF SECTION 10 AND ON THE WEST BOUNDARY OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼) OF SAID SECTION; THENCE NORTH 89° 17' 15" EAST, ALONG A LINE 56.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH BOUNDARY, 337.28 FEET TO THE EAST BOUNDARY OF SAID EAST HALF (E ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHEAST QUARTER (NE ¼); THENCE SOUTH 03° 39' 51" WEST ALONG SAID EAST BOUNDARY, 8.15 FEET; THENCE NORTH 89° 47' 42" WEST, ALONG A LINE 75.00 FEET SOUTHERLY OF AND PARALLEL WITH THE SOUTHERLY REQUIRED RIGHT-OF-WAY LINE AS DEPICTED ON THE RIGHT-OF-WAY MAPS FOR HYPOLUXO ROAD DATED NOVEMBER 1987 (PROJECT NO. 87098), A DISTANCE OF 336.90 FEET TO A POINT ON SAID WEST BOUNDARY; THENCE NORTH 03° 36' 40" EAST, ALONG SAID WEST BOUNDARY, 2.74 FEET TO THE POINT OF BEGINNING. SAID PORTION CONTAINING 1,831 SQUARE FEET OR 0.04 ACRES, MORE OR LESS.

ALL SAID LANDS LYING IN PALM BEACH COUNTY, FLORIDA.

EXHIBIT B

VICINITY SKETCH

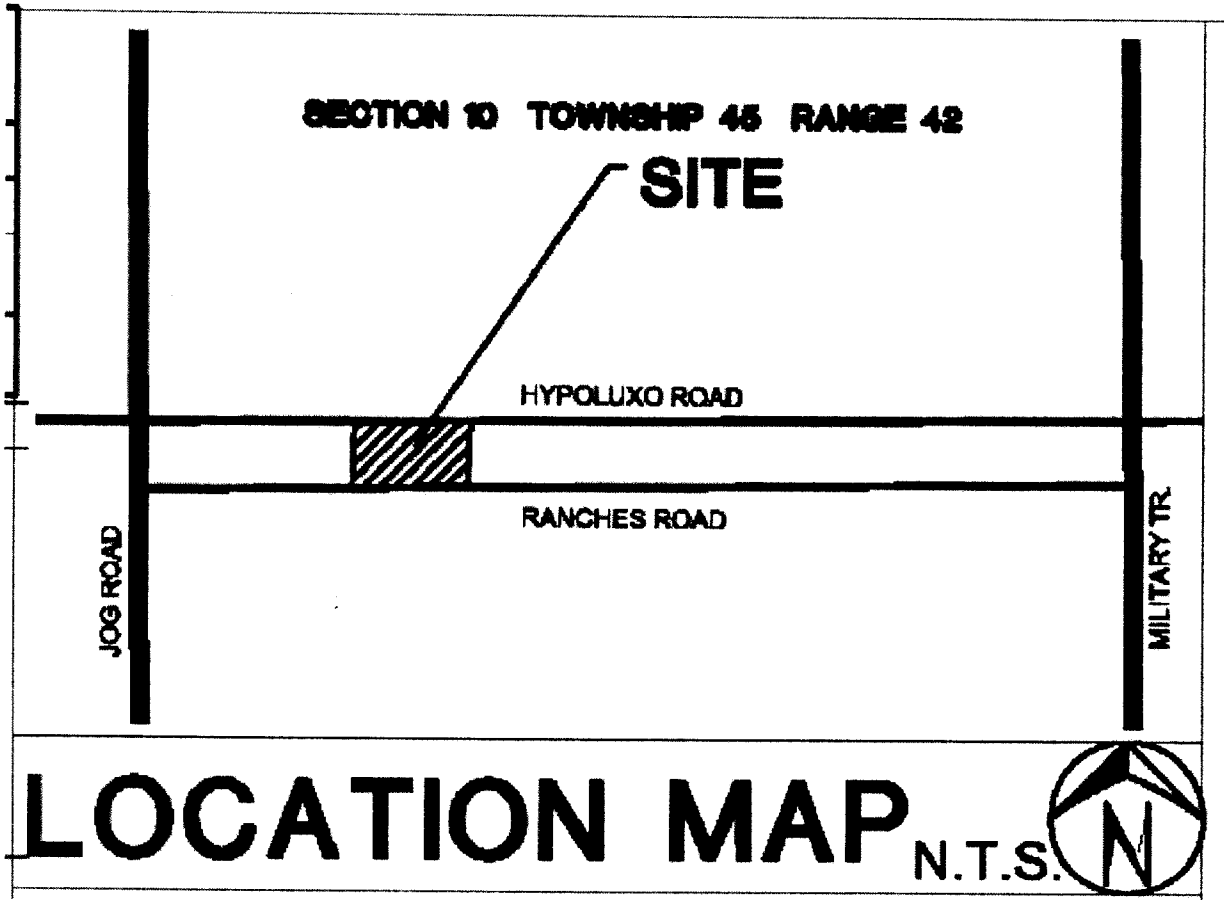


EXHIBIT C

CONDITIONS OF APPROVAL

ALL PETITIONS

1.All Petitions Condition 1. of Resolution R-1997-254, Control No. 1996-120 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 January 22, 1997. 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:

The approved Site Plan is dated August 27, 2012. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2.All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1997-254 (Control 1996-120), 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 and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

ACCESS

1.The vehicular access to Ranches Road shall be gated and limited for the priest's residence only. (DRO: ZONING-Zoning) (Previous Access Condition 1. of Resolution R-1997-254, Control No. 1996-120)

ARCHITECTURAL REVIEW

1.Similar architectural color, material and roof treatment shall be provided on all sides of the buildings. (DRO: ZONING-Zoning) (Previous Condition BUILDING AND SITE DESIGN 4 of Resolution R-1997-254, Control No. 1996-120)

2.At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Parish Hall (200 seat addition) shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations prepared by Colome & Associates, inc and dated July 18, 2012. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

ENGINEERING

1.Access onto Ranches Road shall be limited to the Priest's Residence, and shall be permitted only after Ranches Road has been paved adjacent to the site. (ONGOING: ENGINEERING - Eng) (Previous Condition E.1 of Zoning Resolution R-1997-0254, Control No. 1996-120)

2.The Property owner shall construct a left turn lane east approach on Hypoluxo Road at the projects entrance road.

a.This 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 are not limited to, utility relocations and acquisition of any additional required right-of-way. (DRAINAGE REVIEW: MONITORING - Eng) (Previous Condition E.2.a of Zoning Resolution R-1997-0254, Control No. 1996-120)

b. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING - Eng) (Previous Condition E.2.b of Zoning Resolution R-1997-0254, Control No. 1996-120)

c. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING - Eng) (Previous Condition E.2.c of Zoning Resolution R-1997-0254, Control No. 1996-120) [NOTE: COMPLETED]

3. LANDSCAPE WITHIN MEDIAN

a. Prior to issuance of a building permit, the property owner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape all adjacent median(s) of all abutting rights-of-way. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall, at a minimum, consist of the "Low Cost Planting Concept" outlined in the Palm Beach County Engineering and Public Works Department March 1994 Streetscape Standards and shall be consistent with the landscaping theme adopted for this roadway. All landscape material, installation, and maintenance requirements shall be subject to the standards set forth by the Streetscape Standards. If all xeriscape material is utilized, the watering of the plant material during the initial heal-in period shall be the responsibility of the property owner.

Alternative species other than those listed in the County standards may be allowed subject to approval by the County Engineer. (BLDG PERMIT: MONITORING - Eng) (Previous Condition E.3.a of Zoning Resolution R-1997-0254, Control No. 1996-120)

b. All required median landscaping, including an irrigation system if required shall be installed at the property owners expense. All landscape material shall also be the perpetual maintenance obligation of the petitioner and its successors, heirs or assignees or duly established Property Owner's Association and or Homeowners's Association. Perpetual maintenance includes, but is not limited to, pruning, fertilizing, irrigation, and alternate watering of Xeriscape material during periods of drought in order to maintain healthy plant material. All landscape material shall be installed on or before the issuance of a Certificate of Occupancy. (CO: MONITORING - Eng) (Previous Condition E.3.b of Zoning Resolution R-1997-0254, Control No. 1996-120)

c. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to issuance of a certificate of occupancy to reflect this obligation. (CO: MONITORING - Eng) (Previous Condition E.3.c of Zoning Resolution R-1997-0254, Control No. 1996-120) [NOTE: COMPLETED]

4. The property owner shall participate in the funding of Palm Beach County's Street Improvement program for Ranches Road. Payment for the street improvement will then assessed as provided for in the MSTU Street Improvement Program. (ONGOING: MONITORING - Eng) (Previous Condition E.4 of Zoning Resolution R-1997-0254, Control No. 1996-120) [NOTE: COMPLETED]

ENVIRONMENTAL

1. Proposed interior landscape islands shall be adjusted to maximize existing native vegetation. (DRO: ERM / LANDSCAPE) Previous Condition No. P.1 of Resolution No. R-1997-0254, Control No. 1996-120. [NOTE: COMPLETE]

2. A pre-clearing inspection shall be required prior to removal of any vegetation. All native vegetation within the perimeter landscape strip shall be identified and protective devices installed at the time of inspection. Protective barriers shall remain in place throughout the construction process. (BLDG PERMIT: LANDSCAPE - ERM) Previous Condition No. P.2 of Resolution No. R-1997-0254, Control No. 1996-120. [NOTE: COMPLETE]

3. Petitioner shall preserve significant native vegetation located within eighty (80) feet of west property line. (DRO: ERM - LANDSCAPE) Previous Condition No. P.3 of Resolution No. R-1997-0254, Control No. 1996-120. [NOTE: COMPLETE]

4. Petitioner shall relocate proposed parking islands and minimize grade changes to incorporate existing significant native vegetation to the maximum extent possible. (DRO: ERM - LANDSCAPE) previous condition No. P.4 of Resolution No. R-1997-0254, Control No. 1996-120. [NOTE: COMPLETE]

5. A Landscape Plan which incorporates existing native trees shall be submitted to the Department of Environmental Resources Management for review and approval prior to final site plan certification. (DRO: ERM-erm) Previous Condition No. D.1 of Resolution No. R-1997-0254, Control No. 1996-120. [NOTE: COMPLETE]

LANDSCAPE - 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. Credit may be given for existing or relocated trees provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning) (Previous Landscape General Condition F.1.1 of Resolution R-1997-254, Control No. 1996-120)

2. All palms required to be planted on site by this approval shall meet the following minimum standards at time of installation:

- a. Palm heights: twelve (12) feet clear trunk;
- b. Clustering: 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. (CO: LANDSCAPE - Zoning) (Previous Landscape General Condition F.2. of Resolution R-1997-254, Control No. 1996-120)

LANDSCAPE - INTERIOR

3. Interior landscape islands shall be adjusted to maximize preserving the property's native vegetation within the parking areas. (DRO: LANDSCAPE- Zoning) (Previous Landscape Interior Condition K.1. of Resolution R-1997-254, Control No. 1996-120)

4. Landscaped divider medians shall be provided between all rows of abutting parking spaces. The minimum width of the median shall be five (5) feet with one tree and appropriate ground cover installed a maximum spacing of thirty (30) feet on center. (DRO: LANDSCAPE- Zoning) (Previous Landscape Interior Condition K.2. of Resolution R-1997-254, Control No. 1996-120)

5. Landscaped divider medians with at grade bicycle and pedestrian cuts shall be provided in the center of all driveways over thirty (30) feet in width providing ingress or egress to the site. The minimum width of this median shall be six (6) feet. The minimum length of this median shall be twenty-five (25) feet. A minimum width of five (5) feet of landscaped area shall be provided. One tree and appropriate ground cover shall be planted for each twenty (20) linear feet of the divider median. (DRO: LANDSCAPE- Zoning) (Previous Landscape Interior Condition K.3. of Resolution R-1997-254, Control No. 1996-120)

6. Landscape planters shall be provided on the facades of all structures. The combined length of the required landscape planters shall be no less than 40% of the total length of the applicable side of the structure. The minimum width of the required foundation landscape planters shall be five (5) feet. All required landscape islands shall be planted with a minimum of one (1) tree or palm every 20 feet on center and appropriate ground cover. (DRO: LANDSCAPE- Zoning) (DRO: LANDSCAPE- Zoning) (Previous Landscape Interior Condition K.4. of Resolution R-1997-254, Control No. 1996-120)

LANDSCAPE – PERIMETER - LANDSCAPING ALONG EAST PROPERTY LINE

7. Landscaping and buffering along the east property line shall be revised to reflect Alternative Type 3 landscape buffers and meet the following criteria; upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip;
- b. Continuous two (2) foot high berm with the height of the berm measured from the top of curb.
- c. One (1) canopy tree planted every twenty (20) feet on center; and
- d. Thirty (30) 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. (DRO: LANDSCAPE- Zoning) (Previous Landscape Perimeter Condition I.1. of Resolution R-1997-254, Control No. 1996-120)

LANDSCAPE – PERIMETER - LANDSCAPING ALONG NORTH PROPERTY LINE

8. Previous Landscape Perimeter Condition G.1. of Resolution R-1997-254, Control No. 1996-120) which currently states:

Landscaping and buffering along the north property line shall include:

- a. minimum thirty-five (35) foot wide landscape buffer strip;
- b. continuous four (4) foot high berm with the height of the berm measured from the top of curb. The location of the berm shall be coordinated with Environmental Resource Control to minimize impact to significant native vegetation;
- c. one (1) canopy tree for each twenty (20) feet of frontage with a maximum spacing of twenty-five (25) feet on center;
- d. one (1) palm or pine tree for each twenty-five (25) linear feet of frontage with a maximum spacing of sixty (60) feet on center between clusters, and
- e. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty-four (24) inches on center and maintained at a minimum height of twenty-four (24) inches. (DRO: LANDSCAPE- Zoning) (Previous Landscape Perimeter Condition G.1. of Resolution R-1997-254, Control No. 1996-120)

Is hereby amended to read:

Landscaping and buffering along the north property line shall include:

- a. minimum thirty-five (35) foot wide landscape buffer strip;
- b. continuous four (4) foot high berm with the height of the berm measured from the top of curb. Credit may be given for the existing berm and native vegetation. The location of the berm shall be coordinated with Environmental Resource Control to minimize impact to significant native vegetation;
- c. one (1) canopy tree for each twenty (20) feet of frontage with a maximum spacing of twenty-five (25) feet on center;
- d. one (1) palm or pine tree for each twenty-five (25) linear feet of frontage with a maximum spacing of sixty (60) feet on center between clusters, and
- e. twenty-four (24) inch high shrub or hedge material installed on the plateau of the berm. Shrub or hedge material shall be spaced no more than twenty-four (24) inches on center and maintained at a minimum height of twenty-four (24) inches. (DRO: LANDSCAPE- Zoning)

9. Previous Landscape Perimeter Condition G.2. of Resolution R-1997-254, Control No. 1996-120 which currently states:

Petitioner shall preserve the existing berm and native vegetation Credit may be given for the existing berm and native vegetation provided they meet the upgraded landscaping requirements in Conditions F. 1 and 2 listed above. (DRO: LANDSCAPE- Zoning) (

Is hereby deleted: [REASON: Condition consolidated with Landscape Condition 7)

LANDSCAPE – PERIMETER - LANDSCAPING ALONG SOUTH PROPERTY LINE

10. LANDSCAPE - PERIMETER- LANDSCAPING ALONG SOUTH PROPERTY LINE

(RANCHES ROAD FRONTAGE)

Previous Landscape Perimeter Condition h.1 of Resolution R-1997-254, Control No. 1996-120 which currently states:

Landscaping and buffering along the south property line shall include:

- a. A minimum thirty (30) foot wide landscape buffer strip;
- b. Continuous three (3) foot high berm with the height of the berm measured from the top of curb.
- c. one (1) canopy tree planted every thirty (30) feet on center;
- d. one (1) palm or pine tree for each thirty (30) linear feet, with a maximum spacing of sixty (60) feet on center; and
- e. the property owner shall install twenty-four (24) inch high shrub or hedge material spaced no more than twenty-four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: LANDSCAPE - Zoning)

Is hereby Amended to read:

Landscaping and buffering along the south property line shall include:

- a. A minimum twenty five (25) foot wide landscape buffer strip;
- b. Continuous three (3) foot high berm with the height of the berm measured from the top of curb.
- c. one (1) canopy tree planted every thirty (30) feet on center;
- d. one (1) palm or pine tree for each thirty (30) linear feet, with a maximum spacing of sixty (60) feet on center; and
- e. the property owner shall install twenty-four (24) inch high shrub or hedge material spaced no more than twenty-four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (ONGOING: LANDSCAPE - Zoning)

11.LANDSCAPE - PERIMETER-LANDSCAPING ALONG EAST PROPERTY LINE

Landscaping and buffering along the east property line shall be revised to reflect Alternative Type 3 landscape buffers and meet the following criteria; upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip;
- b. Continuous two (2) foot high berm with the height of the berm measured from the top of curb.
- c. One (1) canopy tree planted every twenty (20) feet on center; and
- d. Thirty (30) 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. (DRO: LANDSCAPE- Zoning) (Previous Landscape Perimeter Condition I.1. of Resolution R-1997-254, Control No. 1996-120)

12.LANDSCAPE - PERIMETER-LANDSCAPING ALONG WEST PROPERTY LINE

Landscaping and buffering along the west property line shall be revised to include:

- a. One (1) canopy tree planted every twenty (20) feet on center; and
- b. Thirty (30) 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. (DRO: LANDSCAPE- Zoning) (Previous Landscape Perimeter Condition J. 1. of Resolution R-1997-254, Control No. 1996-120)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG WEST PROPERTY LINE

13.Petitioner shall preserve significant native vegetation located within eighty (80) feet of the west property line, as determined by ERM. (DRO: LANDSCAPE- Zoning) (Previous Landscape Perimeter Condition J. 2. of Resolution R-1997-254, Control No. 1996-120)

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. (ONGOING: CODE ENF - Zoning) (Previous Lighting Condition1. of Resolution R-1997-254, Control No. 1996-120)

2.All outdoor lighting, excluding security lighting, shall be extinguished no later than 10:00 p.m. or thirty (30) minutes after the completion of evening services and special events. (ONGOING: CODE ENF - Zoning) (Previous Lighting Condition 2 of Resolution R-1997-254, Control No. 1996-120)

3.All outdoor light poles shall not exceed twenty (20) feet in height, measured from finished grade to highest point. (ONGOING: CODE ENF - Zoning) (Previous Lighting Condition 3 of Resolution R-1997-254, Control No. 1996-120)

4.All outdoor light poles shall be located a minimum of fifty (50) feet from the south, east and west property lines. (CO: BLDG - Zoning) (Previous Lighting Condition 3. of Resolution R-1997-254, Control No. 1996-120)

PALM TRAN

1.Previous Mass Transit Condition 1 of Resolution R-1997-254, Control No. 1996-120 which currently states:

A. Prior to final certification of the master plan or site plan by the Development Review Committee, whichever occurs first, the petitioner shall amend the plan to indicate mass transit access, mass transit shelter(s) and/or a bus stop(s) on or adjacent to the subject property, if required by the Palm Beach County School Board or Palm Tran. (DRC: ZONING)

B. Mass transit access, shelters and/or bus stops, if required, shall be located and constructed by the petitioner within three (3) years, October 24, 1999, in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate the requirement for mass transit access and/or bus shelters, if requested by the County Engineer. Mass transit access shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, and a bicycle rack (DATE: MONITORING - Eng) (Previous Mass Transit Condition 1 of Resolution R-1997-0254, Control 1996-120)

is hereby amended to read:

1. Mass transit access, shelters and/or bus stops, if required, shall be located and constructed by the petitioner within three (3) years, October 24, 1999, in a manner acceptable to the Palm Beach County School Board, Palm Tran, and County Engineer. The petitioner shall dedicate additional right-of-way to accommodate the requirement for mass transit access and/or bus shelters, if requested by the County Engineer. Mass transit access shall include, at a minimum, a covered shelter, continuous paved pedestrian and bicycle access from the subject property or use to the shelter, and a bicycle rack (DATE: MONITORING - Eng) (Previous Mass Transit Condition 1 of Resolution R-1997-0254, Control 1996-120) [NOTE: Completed]

PARKING

1.Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to indicate grassed parking for perimeter spaces adjacent to buffer and open space areas. (DRO: ZONING- Zoning) (Previous Parking Condition 1. of Resolution R-1997-254, Control No. 1996-120)

2.The parking spaces adjacent to perimeter buffer/open space areas shall be limited to grassed parking only. Proposed grade changes shall be minimal to incorporate existing native vegetation. (DRO: LANDSCAPE- Zoning) (Previous Prking Condition 2. of Resolution R-1997-254, Control No. 1996-120)

SIGNS

1.Freestanding signage shall be limited as follows:

- a. Maximum sign height, measured from finished grade to highest point -
- b. Maximum sign face area per side - sixty (60) square feet;

- C. Maximum number of signs - one (1);
- d. Style - monument style only;
- e. Location - within ten (10) feet of proposed turnout on Hypoluxo Road eight (8) feet; (BLDG PERMIT: BLDG - Zoning) (Previous Signs Condition 1 of Resolution R-1997-254, Control No. 1996-120)

2. Petitioner shall install internal signage limiting the use of the access to Ranches Road for the priest's residence only. (DRO: ZONING - Bldg) (Previous Signs Condition 2 of Resolution R-1997-254, Control No. 1996-120)

SITE DESIGN

1. The minimum setback for the priest's residence shall be fifty (50) feet from the east and south property lines. The minimum setback for the church/parish hall shall be one hundred-fifty (150) feet from the south property line. (DRO: ZONING-Zoning) (Previous Building and Site Design Condition 1 of Resolution R-1997-254, Control No. 1996-120)

2. The maximum height for all structures, measured from finished grade to highest point, shall not exceed one story thirty-five (35) feet. (BLDG PERMIT: BLDG - Zoning) (Previous Condition BUILDING AND SITE DESIGN 2 of Resolution R-1997-254, Control No. 1996-120)

3. Previous Building and Site Design Condition 5 of Resolution R-1997-254, Control No. 1996-120) which currently states:

All outdoor storage areas and mechanical or electrical equipment shall be screened from view on all sides so as not to be visible from any property line. (DRO: ZONING-Zoning)

Is hereby deleted: [REASON: Code Requirement of ULDC Article 5]

USE LIMITATIONS

1. Previous Building and Site Design Condition 3 of Resolution R-1997-254, Control No. 1996-120 which currently states:

The combined seating for the proposed parish hall and future church hall be limited to 1200 seats. (DRO: ZONING-Zoning)

Is hereby deleted: [REASON: Seating is regulated by Preliminary Site Plan and All Petition Condition]

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners 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 Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. 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; the 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 Unified Land Development Code 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 of Approval; 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 Official Zoning Map Amendment, Conditional Use, Requested Use, 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. (ONGOING: MONITORING - Zoning)