

RESOLUTION NO. R-81-1061

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, 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 Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 81-126 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 July 1981; and

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

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **23** day of **July** **1981**, that Petition No. 81-126 the petition of TENTH AVENUE CHURCH OF CHRIST, INC., by Daniel J. O'Brien, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHURCH AND ACCESSORY BUILDINGS AND STRUCTURES, INCLUDING A CHILD **DAYCARE** CENTER, EDUCATIONAL FACILITY, SEWAGE TREATMENT PLANT AND ON-SITE WATER TREATMENT FACILITY on the Southeast **1/4** of the Southeast **1/4** of the Southwest **1/4** of Section 2, Township 45 South, Range 42 East, less right-of-way for **Hypoluxo** Road and less canal right-of-way as described in O.R.B.

1737, page 918. Said property located on the north side of Hypoluxo Road and being bounded on the east by L.W.D.D. Equalizing Canal No. . 3 in an AG-Agricultural District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of **Special Exception** approval, petitioner shall convey to Palm Beach County 108' from the south line of Section 2, Township 45 South, Range 42 East for the ultimate right of way for Hypoluxo Road.
2. Petitioner shall:
  - a. **construct** at the project's east entrance and **Hypoluxo** Road a right turn lane east approach
  - b. **construct** at the project's west entrance and Hypoluxo Road a left turn Lane west approachThis condition is to be done in conjunction with the review of the County Engineer
3. Petitioner shall contribute Five Thousand Five Hundred Eighty-eight Dollars (**\$5,588.00**) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s).
4. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
5. The developer will take necessary precautions to insure there will be no pollutant run-off from this project to adjacent or nearby surface waters.
6. The Lake Worth Drainage District will require a parcel of land 35 feet in width lying west of and adjacent to that right of way described in O.R.B. 1737, page 918. This would be for the right of way for Equalizing Canal No. 3. We will accept a Quit Claim Deed or an Easement (on our form), whichever the owner prefers.
7. The on-site water and sewage treatment plant is authorized as a temporary facility only. The development shall be required to tie into community facilities when capacity becomes available.

Commissioner **Koehler** , moved for approval of the petition.

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

Frank Foster, Chairman	- Aye
Norman Gregory, Vice Chairman	- <b>Aye</b>
Bill Bailey, Member	- <b>Aye</b>
Dennis Kdehler, Member	- Aye
Peggy B. Evatt, Member	- Aye

The foregoing resolution was declared duly passed and adopted  
this 25 day of August 1981, confirming action of  
23 July 1981.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney

[Faint circular stamp or seal]