

RESOLUTION NO. R- 85-271

RESOLUTION APPROVING ZONING PETITION 80-187(A), Special Exception

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. 80-187(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 1984; 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 is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 1st of November 1984, that Petition No. 80-187(A) the petition of TRINITY ASSEMBLY OF GOD By James D. Carlton, Agent for a SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A CHURCH PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-187, BY ADDING ADDITIONAL PARKING FOR THE CHURCH on Tract 9, in the Northwest 1/4, of Section 12, Township 45 South, Range 42 East, the amended Plat of Mary A. Lyman Subdivision. Said property located on the west side of Military Trail (S.R.809), approximately .3 mile south of Hypoluxo Road in an AR-Agricultural Residential District in part and RS-Residential Single Family District, in part was approved as advertised subject to the following conditions:

1. Prior to Site Plan Certification the developer shall obtain a variance from the Board of Adjustments to allow grass parking.

2. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

4. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.

5. The property owner shall convey for the ultimate right of way of Military Trail, 60 feet from centerline within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.

6. The petitioner shall keep the southern access to Military Trail closed with a chain link fence. This access shall be opened only after services to permit additional egress from the site. This access shall be posted as "No entrance-Exit only." In the event that the Compliance Section of the Zoning Division determines that this condition is being violated, the developer shall construct a left turn lane, South approach, at the project's South entrance road and Military Trail.

7. The Developer 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. Presently The Fair Share Fee for this project is \$4,213.00.

Commissioner Koehler, moved for approval of the petition. The motion was seconded by Commissioner Wilken, and upon being put to a vote, the vote was as follows:

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, Vice Chairman	--	AYE
Peggy Evatt, Member	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 1st of November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Ware
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Rogers
County Attorney