

RESOLUTION NO. R- 85-1429

RESOLUTION APPROVING ZONING PETITION 75-38(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 482.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 75-38(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th July **1985**; 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. With minor modification to the site plan, this proposal will be 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 25th of July 1985, that Petition No. 75-38(A) the petition of LIVING WORLD LUTHERAN CHURCH By Reverend C. Edwin Musselman, Pastor for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A CHURCH PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 75-38 **on** a certain 3,893 acre parcel of land being a portion of Lots A, 1, 2, 3, and **4** of the Plat of Lake Osborn Park, in Section 5, Township **45** South, Range **43** East, as recorded in Plat Book **7**, Page **10**, being more particularly described as follows:

All those lands; bounded on the North by the South Right-of-way of Lantana Road, as laid out and now in use; bounded on the East by the East line of said Plat of Lake Osborn Park; bounded on the South by the South line of Lot **4**, said Plat of Lake Osborn Park; and bounded

on the West by the East Right-of-Way of Pine Drive, as laid out and now in use. Said property located on the southeast corner of the intersection of Lantana Road (S.R. 812) and Pine Drive in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

- 1) Prior to site plan certification, the site plan shall be revised to reflect the following:
 - a) A minimum twenty (20) foot back up distance between the front property line, and the first parking stall.
 - b) Provision for an additional (199) square feet minimum of parking lot interior landscaping, pursuant to the Landscape Code Section, 4.G. (PARKING AREA INTERIOR LANDSCAPING).
 - c) A lot area coverage percentage calculation, pursuant to Code Section 202.2 (DEFINITIONS - LOT COVERAGE).
- 2) 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.
- 3) The property owner shall convey for the ultimate right of way of:
 - (a) Lantana Road 54 feet from centerline,
 - (b) Pine Drive, 30 feet from centerline.

All 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.

- 4) 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 presently is \$1,607.
- 5) 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.
- 6) Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
- 7) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

Ken Adams, Chairman	--	AY
Karen T. Marcus, Vice Chairman	--	AY
Kenneth Spillias, Member	--	AY
Jerry L. Owens, Member	--	AY
Dorothy Wilken, Member	--	AY

The foregoing resolution was declared duly passed and adopted this 17 day of September confirming action of the 25th July 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *John B. Dunkle*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandra H. Hines
County Attorney