

RESOLUTION NO. R- 85-1945

RESOLUTION APPROVING ZONING PETITION 79-64(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. 79-64(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th September 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 site plan modifications, and variance relief **for** grassed parking, this 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 30th of September 1985, that Petition No. 79-64(A) the petition of TRINITY TEMPLE, INC., By L. Thomas Graham, Vice President, for a SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A CHURCH PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 79-64, BY ADDING 1.33 ACRES INCLUDING A NEW SANCTUARY, FELLOWSHIP HALL, AND CLASSROOMS on all of Lot 2, the South 140 feet of **Lots** 3, 4, and 5; all of Lots 6,7, and 8, Block 5; and Lot 14, Block 4 of Bermuda Park Addition No. 1 in Section 17, Township 44 South, Range 43 East, as recorded in Plat Book 21, Page 50. Said property located on the west side of Prairie Road and partially on the south side of Lark Road approximately 350 feet south of Meadow Road and being bounded on the

south by Lake Worth. Drainage District Lateral Canal No. 9 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 amended to reflect the following:
  - a) Calculations reflecting required and proposed interior parking lot landscaping, including dimensions.
  - b) Twenty (20) percent of the total number of parking spaces shall be paved, and Board of Adjustment variance relief must be granted to allow the remainder to be turf-surfaced.
2. No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted in the rear of the church.
3. No parking of any vehicles shall be permitted along the rear of the church except in designated spaces or unloading areas.
4. Security lighting shall be directed away from nearby residences.
5. All exterior walls of the church shall be given architectural treatment consistent with the front to avoid an incompatible appearance impact upon nearby residential development.
6. Wheel stops, or other appropriate parking space delineation devices, shall be employed to restrict automobile encroachment onto the root zone areas of existing trees and to prevent damage to new plantings.
7. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
8. 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.
9. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
10. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.
11. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Lark Road.

is hereby amended to state:

"4. Petitioner shall pursue the abandonment of Lark Road from the northwest corner of Lot 3 easterly to Prairie Road; however, in the event the abandonment of Lark Road fails, petitioner shall not open Lark Road to Prairie Road and shall revise the existing site plan to reflect Lark Road not being abandoned."

12. Condition No. 4 (Resolution No. R-79-720) which presently states:

"4. Petitioner shall pursue the abandonment of Lark Road from the northwest corner of Lot 3 easterly to Prairie Road; however, in the event the abandonment of Lark Road fails, petitioner shall not open Lark Road to Prairie Road."

13. 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. The Fair Share Fee for this project presently is:

- a) Phase I-145 average trips/day X \$26.79/trip = \$3,885
- b) Phase II-103 average trips/day X \$26.79/trip = \$2,759

14. 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 Adams, and upon being put to a vote, the vote was as follows:

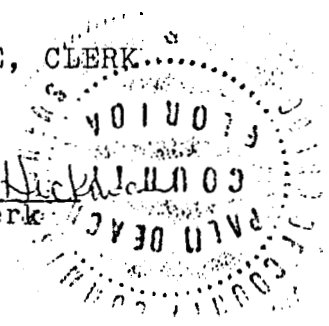
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 3rd day of December 1985 confirming action of the 30th September 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Hick  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

[Signature]  
County Attorney

FILED THIS ..... DAY OF  
 ..... DEC. 03 1985 ..... , 19 .....  
 AND RECORDED IN  
 MINUTE BOOK NO. .... AT  
 PAGE ..... RECORD VERIFIED  
 JOHN B. DUNKLE, CLERK  
 BY ..... L H ..... D.C.