

1-1, 5, 22, 23, 264, 25/47/41

**FILE COPY**

RESOLUTION NO. R-86-453

RESOLUTION APPROVING ZONING PETITION 75-68(B), 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. 75-68(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; 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. 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 3rd of January 1986, that petition No. 75-68(B) the petition of THE PRESBYTERY OF TROPICAL FLORIDA, INC., By Russell Scott, Agent, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN OF LOGGER'S RUN PLANNED UNIT DEVELOPMENT, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 75-68, TO CHANGE A 3.0 ACRE PARCEL KNOWN AS TRACT "T" FROM COMMERCIAL DESIGNATION TO A CHURCH SITE on a parcel of land situate in Section 23, Township 47 South, Range 41 East, being a portion of Tract "T" of boundary plat of Oriole Country, as recorded in Plat Book 32, on Pages 175 through 180, being more particularly described as follows:

Beginning at the Northwest corner of said Tract "T", thence North 66 degrees 05'49" East along the North perimeter of said Tract, a distance of 160.77 feet; thence South 25 degrees 30'10" East

'departing said perimeter, a distance of 96.31 feet; thence North 64 degrees 29'50" East, a distance of 130.00 feet; thence South 25 degrees 30'10" East, a distance of 217.17 feet; thence North 64 degrees 29'50" East to a point on the perimeter of said tract, a distance of 100.56 feet; thence South 23 degrees 54'11" East along the perimeter of said tract, a distance of 129.46 feet; thence South 66 degrees 05'49" West, a distance of 375.00 feet; thence North 68 degrees 54'11" West, a distance of 35.36 feet; thence North 23 degrees 54'11" West, a distance of 411.38 feet to the point of Beginning. Said property located on the northeast corner of the intersection of Oriole Country Road and Ponderosa Road in an RE-Residential Estate District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the Master Plan will be revised to reflect the proposed amendments. In addition, the Master Plan site data shall reflect proposed and existing development dwelling unit counts.
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-24 hour storm per requirements of the Permit Section, Land Development Division.
5. Prior to site plan certification of the Master Plan the property owner shall identify the access locations to the site per the County Engineers approval.
6. The property owner shall construct turn lanes at the project's entrance(s) per the County Engineer's approval concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
7. The property owner shall pay a Fair Share Fee in the amount and manner require 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 \$2,545.00 (95 trips x \$26.79 per trip) for the proposed Church.
8. 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.
9. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Oriole Country Road or Ponderosa Road.
18. Condition No. 3.C) of Resolution No. R-75-778, as amended by Resolution No. R-85-1430 which states:

"3. The property owner shall convey for the ultimate right-of-way of :

c) The additional right-of-way requited for the "Special Intersection" at Glades Road and Palmetto Park Road per Palm Beach County's Thoroughfare right-of-way Protection Map."

is hereby deleted.

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

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 3rd January 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy Sprague  
County Attorney