

RESOLUTION NO. R- 86=573-24

RESOLUTION APPROVING ZONING PETITION 86-10, Special Exception

WHEREAS, the Board of County Commissioners, as the zoning authority, 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. 86-10 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th 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 30th of January 1986, that Petition No. 86-10 the petition of THE FIRST UNITARIAN CHURCH OF PALM BEACH COUNTY, INC., By Edward Burnham, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHURCH INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on the South 1/8 of the East 1/2 of Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of Section 17, Township 42 South, Range 43 East, less the South 90 feet thereof and less the East 33 feet for Road Right-of-Way.

Together with

That part of the Southwest 1/4 of Section 17, Township 42 South, Range 43 East, lying North of the Earman River (Canal C-17) less the East 40 feet thereof, together with the South 90 feet of the East 1/2 of the Southeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of

said Section 17, less the East 40 feet thereof. Said property located on the west side of Prosperity Farms Road, approximately .1 mile south of Lighthouse Drive, being bounded on the south by the Earman River in an RS-Residential Single Family District was approved as advertised subject to the following conditions:

1. Security lighting shall be directed away from nearby residences.
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. This drainage system shall be maintained in an acceptable condition per the County Engineers approval.
5. 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 \$563.00 (21 trips X \$26.79 per trip).
6. 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.
7. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Prosperity Farms Road.
8. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
9. The developer shall preserve existing vegetation wherever possible and incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.

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

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

The foregoing resolution was declared duly passed and adopted this 22nd day of April, 1986 confirming action of the 30th January 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Paly
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Judy Brown
County Attorney