

RESOLUTION NO. R- 86-573-3

RESOLUTION APPROVING ZONING PETITION 80-120(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. 80-120(A) 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. With site plan revisions or variance relief, 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 30th of January 1986, that Petition No. 80-120(A) the petition of REVEREND THOMAS V. DAILY, BISHOP OF THE DIOCESE OF PALM BEACH By Reverend Francis Lechiara, Agent, for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A CHURCH AND ACCESSORY BUILDINGS AND STRUCTURES, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 80-12G TO INCREASE THE BUILDING SQUARE FOOTAGE on a portion of Tracts 7, 8 and 9 of the Subdivision of Section 26, Township 45 South, Range 42 East, according to the Plat thereof recorded in Plat Book 6 at Page 26, said portion being more particularly described as follows:

Beginning at the Southeast corner of Tract 8 of the said Plat of Subdivision of Section 26; thence Northerly, along the East line of

Tracts 7 and 8, a distance of 695.0 feet; thence Westerly, and parallel with the South line of Tract 8, a distance of 370.0 feet; thence Southerly, and parallel with the East line of Tracts 7 and 8, a distance of 134.0 feet; thence Westerly, and parallel with the South line of Tract 8, a distance of 381.39 feet, thence Southerly, and parallel with the East line of Tracts 7 and 8, a distance of 561.0 feet to the intersection with the South line of Tract 9; thence Easterly, along the South line of Tract 9 and Tract 8, a distance of 751.39 feet to the Point of Beginning aforescribed.

Less the East 35.00 feet thereof. Said property located on the west side of Military Trail (S.R. 809), approximately .9 mile south of Boynton Beach Boulevard (S.R. 804) in an AR-Agricultural Residential 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 front setback of 100 feet or seek variance relief from the Board of Adjustment.

b) A building height of less than thirty-five (35) feet or variance relief obtained from the Board of Adjustment.

c) All native vegetation between the front of the proposed building and the Military Trail right-of-way shall be preserved.

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 construct a right turn lane, north approach at both project's entrance roads and lengthen the existing left turn lane, south approach to a minimum of 250 feet in length concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.

6. The property owner shall provide Palm Beach County a road drainage easement within the project's internal lake system for legal positive outfall to accommodate the runoff of Military Trail along the property frontage and for a maximum 400 foot distance each side of the property boundary lines along Military Trail. The drainage system within the project shall have sufficient retention/detention capacity to accommodate the ultimate Thoroughfare Plan Section road drainage runoff and be subject to all governmental agency requirements.

7. 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 \$30,916.00 (1,154 trips X \$26.79 per trip).

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 Military Trail.

10. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

11. The developer shall preserve existing veyetation as demonstrated on Exhibit Number 25.

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:

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'Reilly
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Rudolph Lopez
County Attorney