

RESOLUTION NO. R- 86-745

RESOLUTION APPROVING ZONING PETITION 83-78(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. 83-78(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th March 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 27th of March 1986, that Petition No. 83-78(A) the petition of WEST BOCA PRESBYTERIAN CHURCH, INC., By Christopher Todd, Agent for a SPECIAL EXCEPTION TO AMEND AND EXPAND THE SITE PLAN FOR A CHURCH WITH ACCESSORY BUILDINGS AND STRUCTURES, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-78, TO INCREASE THE LAND AREA BY ONE (1) ACRE AND TO INCREASE TOTAL BUILDING AREA on a portion of Tract 64, Florida Fruit Lands Company's Subdivision No. 2, in Section 25, Township 47 South, Range 41 East, as recorded in Plat Book 1, Page 102, more particularly described as follows:

Commence at the Southeast corner of said Tract 64; thence South 88 degrees 35'38" West along the South boundary of said Tract 64, a distance of 507.97 feet to the Point of Beginning; thence continue South 88 degrees 35'38" West, 779.45 feet to a point on the East

right-of-way of a 30.00 foot wide road right-of-way as shown on said plat; thence North 00 degree 59'33" West along said East right-of-way, 334.20 feet to a point on the North boundary of said Tract 64; thence North 88 degrees 25'49" East, along said North boundary, 779.46 feet; thence South 00 degree 59'33" East, 336.43 feet to the Point of Beginning. Said property located on the east side of Hammock Street, approximately .5 mile south of Palmetto Park Road was approved as advertised subject to the following conditions:

1. The developer shall preserve existing vegetation within the westerly 80 feet of the site and shall incorporate said vegetation into the project design. Appropriate measures shall be taken to protect these preservation areas during site clearing and construction.

2. Security lighting shall be directed away from nearby residences.

3. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification. These preservation areas shall receive appropriate protection from damage and disturbance during the site development and construction phase. The minimum protection shall include highlighting of preservation areas through the installation of stakes installed a maximum of fifty (50) feet apart. Ropes, plastic, tape or ribbons shall be attached to the stakes around the perimeter of the protected area. Marking materials shall not be attached to a protected tree.

In addition, individual trees not within a preserved area shall be protected by a barrier, constructed of metal or wood, placed a distance of six feet apart, or at the radius of the dripline, whichever is greater.

Additional tree preservation guidelines can be obtained from The Tree Protection Manual for Builders and Developers published by the Division of Forestry of the Florida Department of Agriculture and Consumer Services.

4. 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.

5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

6. The property owner shall construct a left turn lane, north approach on Hammock Street at the project's north entrance road 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 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. \$2,009.00 for Phase 1 - (up to 6,000 square feet) 75 trips X \$26.79

b. an additional \$1,527 for Phase 2 - more than 6,000 square feet (57 trips X \$26.79).

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.

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

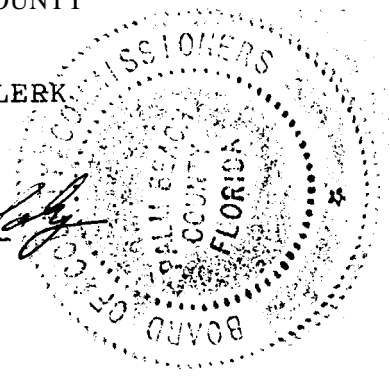
Karen T. Marcus, Chairman	--	AYE
Jerry L. Owens, vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE
Kenneth Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 27th day of May, 1986 confirming action of the 27th March 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Andy Applegate  
County Attorney