

RESOLUTION NO. R-87-441

RESOLUTION APPROVING ZONING PETITION 86-123, 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. 86-123 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 23, 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 required site plan modifications, 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 24th day of March, 1987, that: Petition No. 86-123, the petition of THE FAITH CHURCH OF THE NAZARENE, INC., By Timothy S. Marshall, Agent, for a SPECIAL EXCEPTION TO ALLOW A CHURCH on the West 587.96 feet of the East 1/2 of Section 23, Township 42 South, Range 42 East, lying Northerly of Canal No. 1 as described in Official Record Book 1855, Page 1378, LESS and Excepting therefrom the Northerly 107.45 feet road Right-of-way of Lake Park Road West. Said property located on the south side of

Lake Park West Road (S.R. 809A), approximately .2 mile west of Kelso Drive 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. Required number of trees.
 - b. One (1) of three (3) alternative perimeter landscape strips.
2. No vegetation shall be removed from the southern portion of the site other than for removal of prohibited species until such time as this petition is subject to subsequent Board review. Existing non-prohibited vegetation within the proposed twenty (20) foot buffer area shall also be preserved.
3. The southern portion of the site as well as and the twenty (20) foot buffer area shall be maintained as natural areas until such time as this petition is subject to subsequent Board review.
4. The developer shall meet the stormwater requirements in effect at the time of the permit application for the applicable drainage district. However, at a minimum the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained to the satisfaction of the County Engineer, the matter shall be submitted to the Code Enforcement Board for review and possible citation.
5. The property owner shall convey for the ultimate right-of-way of Northlake Boulevard, 80 feet from centerline (approximately an additional 30 feet) within 90 days of the approval of the Resolution approving this project,
6. The property owner shall construct a left turn lane, east approach on Northlake Boulevard concurrent with the construction of intersection improvements at the intersection of the entrance to the site of Petition No. 86-99 and Northlake Boulevard prior to construction of Phase II (more than 50 parishioners), whichever shall first occur.
7. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal lake system which is adjacent to the property capable of accommodating all runoff from those segments of Northlake Boulevard along the property frontage and for a maximum 400 ft. distance each side of the property boundary lines along Northlake Boulevard. The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable Drainage District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.
 - a. 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 \$1,634.00 (61 trips X \$26.79 per trip).

Commissioner Wilken, 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	--	AYE
Jerry L. Owen	--	AYE
Ken Spillias	--	ABSENT
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 24th day of March, 1987 confirming action of October 23, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldering
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney