

RESOLUTION NO. R-88- 1217

**RESOLUTION APPROVING ZONING PETITION NO. 87-54
SPECIAL EXCEPTION PETITION OF DELRAY BEACH, FLORIDA CONGREGATION
OF JEHOVAH'S WITNESSES, INC.**

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. 87-54 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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 local land development regulations.**

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 87-54, the petition of DELRAY BEACH, FLORIDA CONGREGATION OF JEHOVAH'S WITNESSES, INC., by Rinaldo J. Perez, Agent, for a SPECIAL EXCEPTION TO ALLOW A PLACE OF WORSHIP on a parcel of land lying on the North 300 feet of the West 1/2 of the Southwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 1, Township 46 South, Range 42 East, LESS the West 40 feet thereof for road Right-Of-Way, located on the east side of Barwick Road, approximately 200 feet north of Ridgewood Road, in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

- 1. Prior to site plan certification, the site plan shall be amended to indicate the following:**

- a. The required amount of paved parking spaces or obtain variance relief from Board of Adjustment.
 - b. One (1) of three (3) alternative perimeter landscape strips adjacent to existing residential lots.
 - c. Required number of trees. The site plan is deficient in specifying trees for perimeter strips and interior islands.
 - d. No signs encroaching either the required five (5) foot setback or landscape strip.
2. The developer shall preserve existing vegetation in the proposed lawn areas surrounding the structure, in the required perimeter landscape strips, in the required landscape islands, and to the extent possible surrounding the proposed water retention area and shall incorporate said vegetation into the project design. Areas of existing vegetation to be preserved 'shall be shown upon the approved development plan prior to master plan and/or site plan certification.
 3. Since sewer service is available at the site, septic tank shall not be approved for use on said property.
 4. Since public water service is available to the property, a well shall not be approved for use on said property.
 5. The developer shall retain the stormwater runoff in accordance with al 1 applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by 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 as determined by the County Engineer, this matter will be referred to the Code Enforcement Eoard for enforcement.
 6. The property owner shall construct a right turn lane, south approach on Barwick Road at the project's entrance road concurrent with onsite paving and drainage improvements.

7. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvement5 Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$3,054.00 (114 trips X 826.79 per trip).

Commissioner Marcus, 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:

Carol A. Roberts -- Absent
Carol J. Elmquist -- Aye
Karen T. Marcus -- We
Dorothy Wilken -- Aye
Kenneth M. Adams -- Absent

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 24, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM PEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

