

RESOLUTION NO. R-88-1627

RESOLUTION APPROVING ZONING PETITION NO. 87-85
SPECIAL EXCEPTION PETITION OF RIVIERA BEACH CHURCH OF GOD

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. 87-85 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 28, 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. 87-85, the petition of RIVIERA BEACH CHURCH OF GOD, for a SPECIAL EXCEPTION TO ALLOW A CHURCH, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES, on Parcel Z-218: Lying in Section 22, Township 41 South, Range 42 East. Being the East 235.3 feet of a certain part of the North 235 feet of the South 770 feet of said Section 22, with the East line of said certain part being at right angles to the South line of said Section, and so located that the Northerly projection of said East line intercepts the North line of the South 250 feet of said Section at a point 2955.3 feet east of the intersection of said North line with the West Section line; and with all indicated dimensions being measured along lines parallel to the West and South lines of said Section 22, containing 1.3 acres, more or less.

Subject to and together with easements of records, including a road easement for ingress and egress over the West 30 feet thereof, TOGETHER WITH, commencing at the Southeast corner of Section 22, Township 41 South, Range 42 East; Thence North 0 degrees 56'48" East, along the East line of Section 22, a distance of 75.43 feet to a point on the Northerly Right-of-Way of Donald Ross Road; thence South 84 degrees 49'46" West, along said Right-of-Way line, a distance of 1725.52 feet to a point; Thence North 05 degrees 10'14" West, a distance of 300 feet to the Point of Beginning; Thence South 84 degrees 49'46" West, a distance of 350 feet to a point; Thence North 05 degrees 10'14" West, a distance of 950.00 feet to a point; Thence North 84 degrees 49'46" West, a distance of 321.68 feet to a point being 300 feet Westerly from the Westerly Right-of-Way Line of the Sunshine State Parkway, as measured perpendicularly thereto; Thence South 21 degrees 29'59" East, parallel to said Right-of-Way line, a distance of 989.93 feet to a point; Thence South 84 degrees 49'46" West, a distance of 250 feet to the Point of Beginning TOGETHER WITH: Legal Description of a 20.0 foot wide access easement lying in Section 22, Township 41 South, Range 42 East, particularly described as follows:

From the Southwest corner of said Section 22, Bear North 01 degrees 25'14" East, along the West line of said Section 22, a distance of 1250.00 feet; Thence North 84 degrees 23'18" East, along a line parallel with the South line of Section 22, a distance of 2750.00 feet to the Point of Beginning; thence North 05 degrees 31'42" West, a distance of 20.00 feet; Thence North 84 degrees 28'18" East, a distance of 205.30 feet; Thence South 05 degrees 31'42" East, a distance of 20.00 feet; Thence South 84 degrees 23'18" West, a distance of 205.30 feet to the Point of Beginning. SUBJECT TO a Non-exclusive easement over the North 85.0 feet thereof and an easement over the South 20.0 feet of the North 85 feet thereof, located on the east side of 64th Drive, approximately 425 feet north of Donald Ross Road, in a RT-Residential Transitional 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. All parking stalls and access aisles be paved, or obtain variance relief from the 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 the total number of trees,

perimeter requirements, and in verifying tree credit information.

2. Developer shall submit a landscape betterment plan for the southern and western property lines prior to receiving site plan certification.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm (3.0 inches) 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.
4. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to site plan approval (or prior to issuance of Building Permit for straight rezoning).
5. The property owner shall construct a right turn lane, east approach on Donald Ross Road at its intersection with 64th Drive concurrent with construction of Phase III, or more than 300 seats.
6. 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 \$10,019.00 (374 trips X \$26.79 per trip).
7. All services held at the site shall take place entirely within all buildings.
8. No exterior loud speakers or public address system shall be permitted on the site.
9. Security lighting shall be low intensity and directed away from adjacent properties, shining only on the site. Lighting fixtures shall not exceed twenty (20) feet in height.

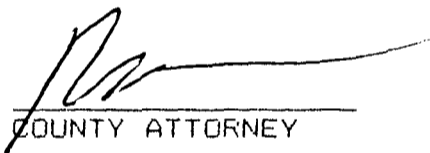
Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 4th day of October, 1988 confirming action of September 28, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

