

RESOLUTION NO. R-2000- 0581

RESOLUTION APPROVING ZONING PETITION CA99-084  
CLASS A CONDITIONAL USE  
PETITION OF APOSTOLIC MINISTRIES INTERNATIONAL  
BY GREG CELENTANO, AGENT  
(JESUS OUR SAVIOR CHURCH)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA99-084 was presented to the Board of County Commissioners at a public hearing conducted on April 27, 2000; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 5, Section 5.8 (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) 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 Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class A Conditional Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Class A Conditional Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Class A Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Class A Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Class A Conditional **Use** meets applicable local land development regulations.

7. This Class A Conditional Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Class A Conditional Use has a concurrency determination and complies with Article 11, Adequate Public Facility Standards of the ULDC.
9. This Class A Conditional Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Class A Conditional Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition CA99-084, the petition of Apostolic Ministries International, by Greg Celentano, agent, for a Class A Conditional Use (CA) to allow a church or place of worship in the Agricultural Residential (AR) Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on April 27, 2000, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson and, upon being put to a vote, the vote was as follows:

Maude Ford Lee, Chair	-	Aye
Warren Newell, Vice Chair	-	Absent
Karen T. Marcus	-	Aye
Carol A. Roberts	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye
Tony Masilotti	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on April 27, 2000.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

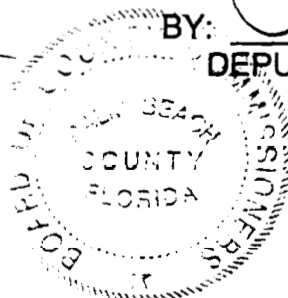
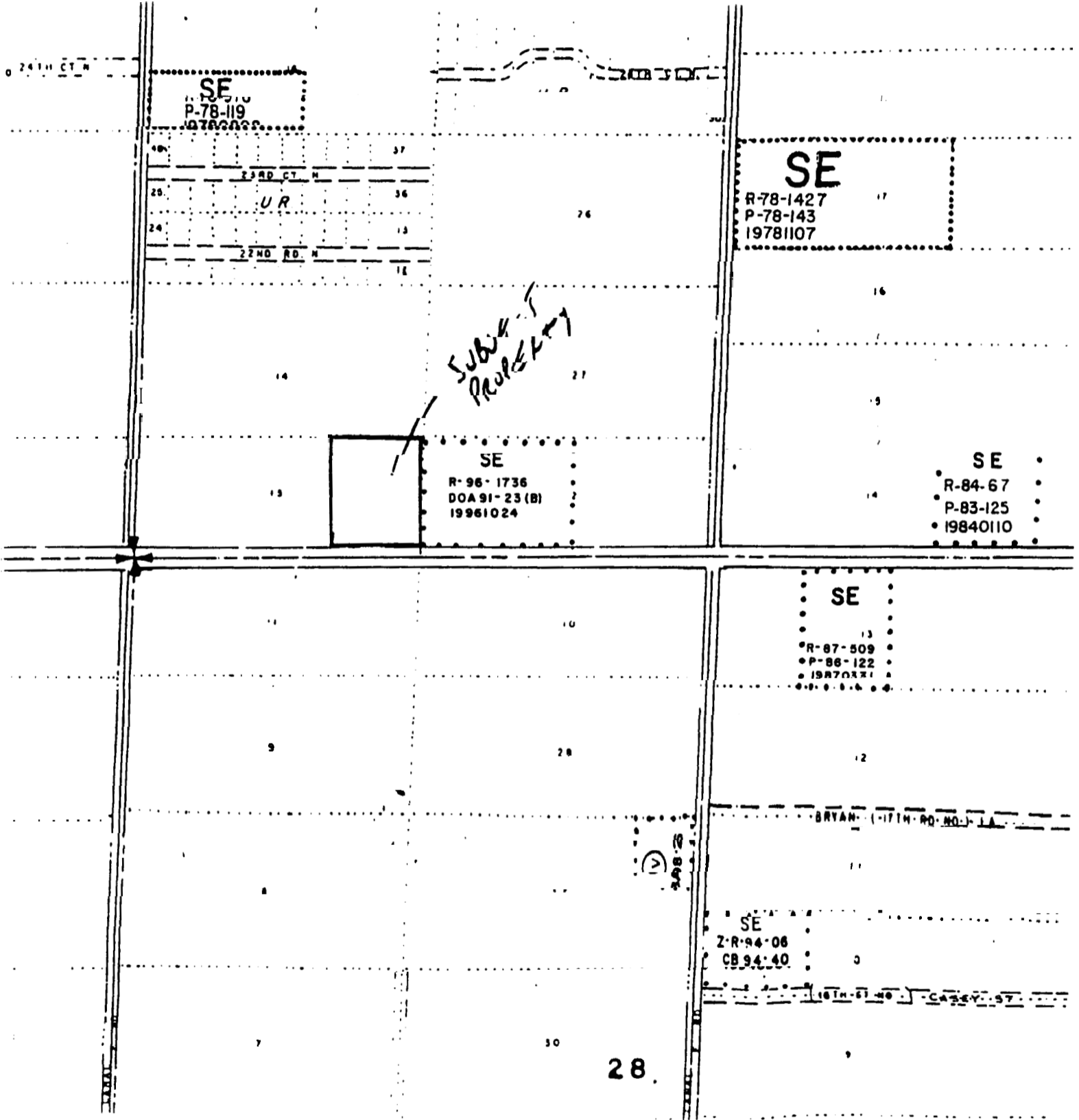


EXHIBIT A  
LEGAL DESCRIPTION

THE EAST 442.10 FEET OF TRACT 13, BLOCK "E" LOXAHATCHEE GROVES, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 12, PAGE 29; SUBJECT TO AN EASEMENT OVER THE NORTH 15 FEET FOR DRAINAGE AND UTILITIES.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### A. ALL PETITIONS

1. Development of the site is limited to the use as approved by the Board of County Commissioners. The approved site plan is dated February 16, 2000. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING)

#### B. ABANDONED/EXISTING STRUCTURES

1. All abandoned, dilapidated, unsafe, structures, including the existing trailer on the subject property, as indicated on survey dated November 17, 1999, shall be removed prior to January 1, 2003. (DATE: MONITORING - Bldg)

#### C. ARCHITECTURAL CONTROL

1. The proposed church building shall be designed and constructed to be consistent with the facade elevations by Ahrens Companies dated March 30, 2000. (BLDG PERMIT: BLDG - Zoning)

#### D. HEALTH

1. Application and engineering plans to construct an onsite sewage treatment and disposal system (OSTDS) in accordance with Rule 64E-6 FAC and Palm Beach County ECR-I must be submitted to the Palm Beach County Health Department prior to the final site plan approval. (DRC: HEALTH)
2. Application and engineering plans to construct a non-community well in accordance with Rule 62-555 FAC and Palm Beach County ECR-II must be submitted to the Palm Beach County Health Department prior to final site plan approval. (DRC: HEALTH)

#### E. ENGINEERING

1. Prior to issuance of a building permit the property owner shall convey a temporary roadway construction easement along Okeechobee Boulevard to Palm Beach County. Construction by the applicant within this easement shall conform to all Palm Beach County Standards and Codes. The location, legal sketches and the dedication documents shall be approved by the County Engineer prior to final acceptance. (BLDG PERMIT: MONITORING-Eng)
2. The property owner shall convey to Palm Beach County **Land Development Division** by road right-of-way warranty deed for Okeechobee Boulevard, 60 feet from centerline on or before February 1, 2001 or prior to the issuance of the first Building Permit whichever shall first occur. Right of way conveyance shall be along the project's entire frontage and shall be free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Corner Clips" where appropriate as determined by the County Engineer. (DATE/BLDG PERMIT: MONITORING-Eng)

F. LANDSCAPE

1. Prior to final Development Review Committee certification, the petitioner shall submit an Alternative Landscape Plan. (DRC:LANDSCAPE-Zoning)

G. PARKING

1. Prior to final site plan certification by the Development Review Committee (DRC), the site plan shall be amended to indicate grassed parking for the perimeter parking spaces adjacent to the west property line and shall be in accordance with regulations set forth in Article 7.2 of the ULDC. (DRC: ZONING)

H. PLANNING

1. Per Recommendation 1.4 of the Loxahatchee Groves Neighborhood Plan, prior to final site plan certification by the Development Review Committee (DRC), the petitioner shall submit to the Planning Division architectural elevations of the proposed building depicting a design compatible with the rural character of the area. (DRC: PLANNING)

I. SIGNS

1. Freestanding point of purchase sign fronting on Okeechobee Boulevard shall be limited as follows:
  - a. Maximum sign height, measured from finished grade to highest point - ten (10) feet;
  - b. Maximum sign face area per side - **80** square feet;
  - c. Maximum number of signs - one (1); and
  - d. Style - monument style only. (CO: BLDG)

J. COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance condition of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the conditions of approval for the subject property at any time may result in:
  - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
  - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

- c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing conditions; and/or
- d. Referral to code enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a majority vote of the Code Enforcement Board to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 5.8 of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval.

Appeals of any departmental administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Unified Land Development Code (ULDC), as amended. Appeals of any revocation of an Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment or other actions based on a Board of County Commission decision shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit. (MONITORING)