

RESOLUTION NO. R-93- 760

RESOLUTION APPROVING ZONING PETITION CA77-21(B)  
**CLASS A** CONDITIONAL USE  
PETITION OF **ALL** STAR SPORTS CAMPS, INC.

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 Land Development Code (Ordinance 92-20) 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 Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA77-21(B) was presented to the Board of County Commissioners at a public hearing conducted on June 24, 1993; 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 Land Development Code 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 Land Development Code.
3. This Class A Conditional Use **is** consistent with the requirements of the Palm Beach County Land Development Code.
4. This Class A Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach county 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 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 reservation and therefore complies with Art. 11, Adequate Public Facility Standards.
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 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 CA77-21(B), the petition of ALL STAR SPORTS CAMPS, INC., BY ROBERT STONE, AGENT for a CLASS A CONDITIONAL USE allowing a SCHOOL, ELEMENTARY OR SECONDARY 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 May 27, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 24th day of June, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY: *Richard Altier*  
COUNTY ATTORNEY

BY: *Jina M. Blair, DC.*  
DEPUTY CLERK

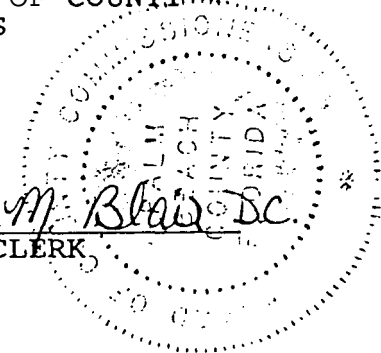


EXHIBIT A

LEGAL DESCRIPTION

THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPTING THEREFROM THE EAST 970.00 FEET OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 42 EAST.

LESS THE WEST 60 FEET THEREOF FOR RIGHT-OF-WAY FOR JOG ROAD.

AND LESS THE SOUTH 60 FEET OF SECTION 34, TOWNSHIP 46 SOUTH, RANGE 42 EAST FOR THE RIGHT-OF-WAY FOR CLINT MOORE ROAD..

EXHIBIT B

VICINITY SKETCH

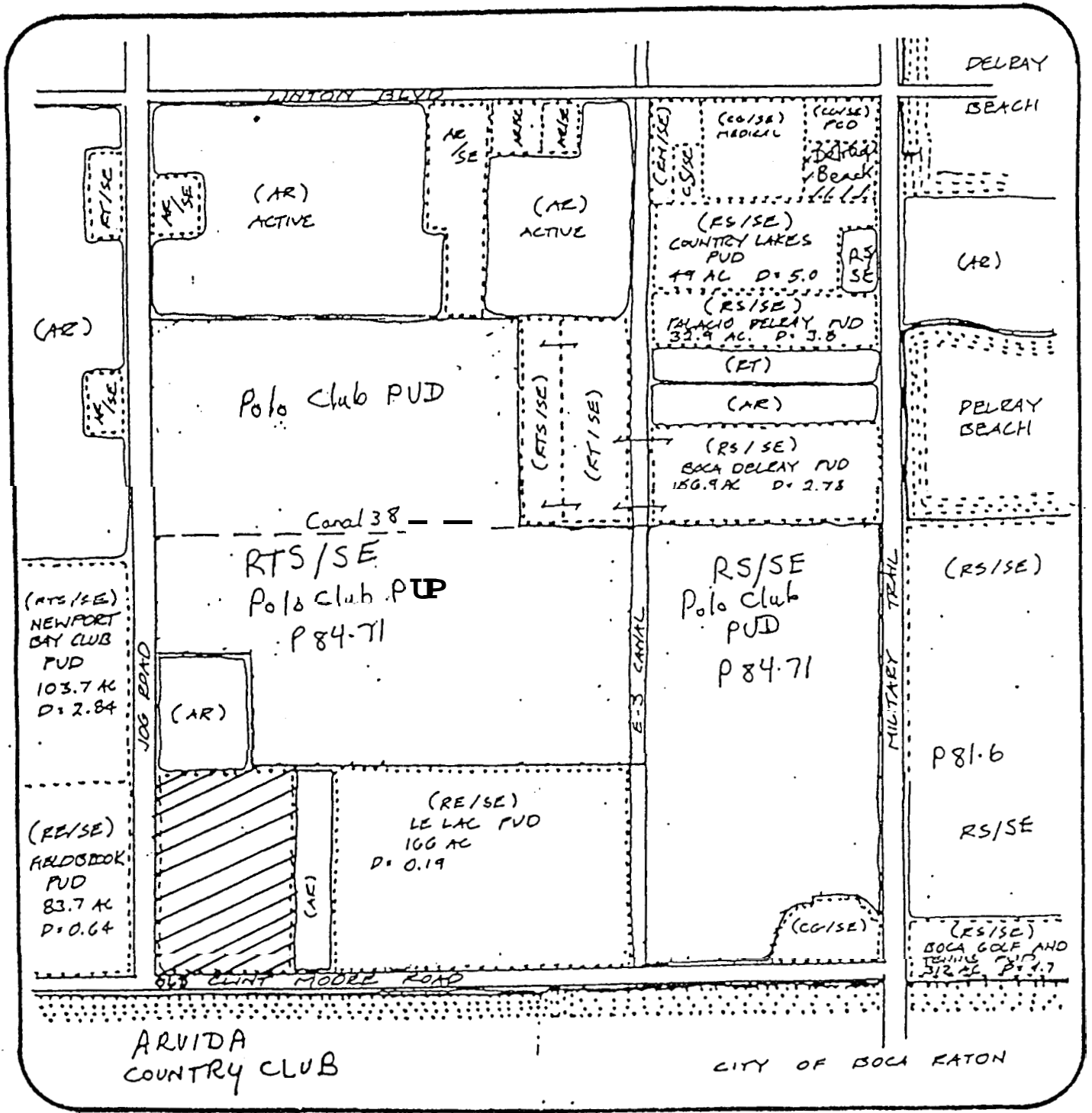


EXHIBIT C

CONDITIONS OF APPROVAL

A. ALL PETITIONS

1. Condition No. A.1 of Resolution No. R-92-181, which presently states:

**"The petitioner shall comply with all previous conditions of approval, including original deadlines for Zoning Code Section 402.9 compliance, unless expressly modified herein."**

Is hereby amended to state:

All previous conditions of approval applicable to the subject property have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval, including original deadlines Section 5.8 of the Palm Beach County Unified Land Development Code, as amended, unless expressly modified. (MONITORING) [REASON: CODE REQUIREMENT]

2. Condition No. A.2 of Resolution No. R-92-181, which presently states:

**"Prior to site plan certification, the site plan shall be amended to indicate compliance with all minimum property development regulations and land development requirements of Palm Beach County."**

Is hereby deleted.

[REASON: CODE REQUIREMENT]

3. Condition No. A.3 of Resolution No. R-92-181, which presently states:

**"Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 24). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Zoning Code Section 402.7(E)2(b) (Site Plan Review Committee Powers and Standards of Review) or required by the conditions of approval contained herein."**

Is hereby amended to state:

Development of the site is limited to the uses and site design shown on the site plan approved by the Board of County Commissioners (Exhibit No. 49). Any modifications must be approved by the Board of County Commissioners unless the proposed use or design changes are permitted pursuant to Section 5.4.E.13 (Minor Deviations) of the PBCULDC or required by the conditions of approval contained herein. (ZONING)

4. Condition No. A.4 of Resolution No. R-92-181, which presently states:

**"The petitioner shall submit an application to the Site Plan Review Committee for the certification of the site plan approved by the Board of County Commissioners for this site prior to February 7, 1992. The amended site plan shall indicate both the actual as-built and proposed buildings."**

Is hereby deleted.

B. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of 183,728 square feet. (Previously Condition No. B.1 of Resolution No. R-92-181) (ZONING)
2. All proposed air conditioning and mechanical equipment shall be screened from view on all sides by a visually opaque barrier consistent with the color and character of the principle structure or equivalent landscape material. (Previously Condition No. B.2 of Resolution No. R-92-181) (BUILDING)
3. Condition No. B.3 of Resolution No. R-92-181, which presently states:

**"The site plan shall be amended to indicate the locations of the proposed seventeen (17) trailers for the camp."**

Is hereby deleted.

[REASON: HAS BEEN COMPLIED WITH]

C. DUMPSTER

1. Condition No. C.1 of Resolution No. R-92-181, which presently states:

**"All areas or receptacles for the storage and disposal of trash, garbage or vegetation, shall be concealed behind a solid enclosure. The open end of the enclosure shall have an obscuring, opaque gate."**

Is hereby deleted.

[REASON: CODE REQUIREMENT]

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. The Petitioner shall submit an Affidavit of Notification to the Department of Environmental Resources Management prior to site plan certification. (Previously Condition No. D.1 of Resolution No. R-92-181) (ERM)

E. ENGINEERING

1. The Developer shall provide discharge control and treatment for 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 on-site the stormwater runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. 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 Board for enforcement. (Previously Condition No. E.1 of Resolution No. R-92-181) (ENGINEERING)

2. 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. (Previously Condition No. E.2 of Resolution No. R-92-181) (FAIR SHARE FEE COORDINATOR)
3. The property owner shall convey to the Lake Worth Drainage District the north 95 feet of the southeast one quarter of Section 34, Township 46 South, Range 42 East less the east 970 feet and also less the west 60 feet thereof for the required right-of-way for Lateral Canal No. 39, by Quit Claim Deed or an Easement Deed in the form provided by said District prior to January 15, 1992. Previously Condition No. E.3 of Resolution No. R-92-181) (ENGINEERING/MONITORING)
 

(NOTE: The Lake Worth Drainage District has indicated compliance with this condition.)
4. Property owner shall amend the proposed site plan prior to DRC approval to provide for a pedestrian pathway from Jog Road into this site. This pedestrian pathway shall also integrate the proposed uses for the school. This pedestrian pathway shall be constructed concurrent with the overall improvements for the middle/high school and shall be completed prior the issuance of a certificate of occupancy. (ENGINEERING)

F. HEALTH

1. Potable water supply shall be provided by the existing non-community water supply system. (Previously Condition No. F.1 of Resolution No. R-92-181) (HEALTH)
2. Sewage treatment and disposal shall be provided by the existing sewage treatment plant. Therefore, no septic tank system shall be permitted on site. (Previously Condition No. F.2 of Resolution No. R-92-181) (HEALTH)
3. All repair, maintenance and upgrading to the existing non-community water supply system shall be in compliance with the Palm Beach County Public Health Unit requirements, prior to Board of County Commissioners' approval. (Previously Condition No. F.3 of Resolution No. R-92-181) (HEALTH)

G. IRRIGATION QUALITY WATER

1. Condition No. G.1 of Resolution No. R-92-181, which presently states:

"When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system. The cost for connection shall be borne by the property owner."

Is hereby amended to state:

When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner.  
(UTILITIES)

H. LANDSCAPING - GENERAL

1. Prior to site plan certification, the petitioner shall work with Zoning staff to develop an in-fill landscape plan based on the minimum requirements of the Landscape Code. The petitioner shall revise the tabular data on the site plan to reflect conformance with this plan. Where appropriate credit shall be given for playing field areas and existing vegetation. (Previously Condition No. H.1 of Resolution No. R-92-181)
2. All trees required by the approval of this petition shall:
  - a. Be a minimum of fourteen (14) feet in height at installation
  - b. Have a minimum diameter of three and one-half (3.5) inches measured at a point which is at least four and one-half (4.5) feet above existing grade level.
  - c. Have a minimum of five (5) feet of clear trunk and a minimum seven (7) foot canopy spread. (Previously Condition No. H.2 of Resolution No. R-92-181)

I. LANDSCAPING ALONG LEASE PARCEL'S WEST PROPERTY LINE AND EXTENDING FIFTY FEET EAST

1. Landscaping and buffering shall be upgraded to include:
  - a. A minimum ten (10) foot wide landscape huffer strip.
  - b. A six (6) foot high opaque hedge, in accordance with Compatibility Buffer Alternative 3 (Section 500.35, Landscape Code). The hedge shall consist of wax myrtle, a minimum of four (4) feet in height, subject to availability, and shall be installed within 60 days of this approval. (Previously Condition No. I.1 of Resolution No. R-92-181) (ZONING)
2. The following landscaping requirements shall be installed on the interior side of the existing four (4) foot fence:
  - a. One fourteen (14) foot tall native canopy tree planted every twenty (20) feet on center. (Previously Condition No. 1.2 of Resolution No. R-92-181) (ZONING)
3. Landscaping and buffering shall be installed prior to the issuance of a Certificate of Occupancy for any of the trailers. (Previously Condition No. 1.3 of Resolution No. R-92-181) (ZONING)
4. Existing Australian pine trees:
  - a. May continue to be used as a hedge in accordance with Section 500.35.H.13.a. of the Zoning Code,
  - b. Shall not exceed twelve (12) feet in height.
  - c. May supersede the landscaping and buffering requirements of Conditions I.1. and 1.2. in those locations.
  - d. Shall be supplemented to create a solid opaque barrier in accordance with Section 500.35.H.13. of the Zoning Code. (Previously Condition No. 1.4 of Resolution No. R-92-181) (ZONING)



5. "Prior to site plan certification, staff shall determine the exact location of the fifty (50) foot extension east from the west property **line.**" (Previously Condition No. 1.5 of Resolution No. R-92-181) (ZONING)

J. LIGHTING

1. Condition No. J.1 of Resolution No. R-92-181, which presently states:

"All proposed outdoor lighting used to illuminate the premises and identification signs shall be of low intensity, shielded and directed downward and away from adjacent properties and streets."

Is hereby deleted.

[REASON: CODE REQUIREMENT]

K. PARKING

1. Prior to site plan certification, the applicant shall delete the "staff parking" designation on the site plan. (Previously Condition No. K.1 of Resolution No. R-92-181) (ZONING)
2. Vehicle parking shall be limited to the parking areas designated on the approved site plan. No parking of vehicles shall be permitted in landscaped areas, right-of-way or interior drives. (Previously Condition No. K.2 of Resolution No. R-92-181) (ZONING)

L. RECYCLE SOLID WASTE

1. The property owner and lessees shall participate in a recycling program when available in the area. Material to be recycled shall include, but not be limited to, paper, plastic, metal and glass products. (Previously Condition No. L.1 of Resolution No. R-92-181) (SWA)
2. Prior to site plan certification, receptacles for recycled material shall be designated on the site plan, located in the parking area or adjacent to the dumpster location. (Previously Condition No. L.2 of Resolution No. R-92-181) (SWA)

M. SIGNS

1. Any new or replaced signs fronting on Jog Road shall be limited as follows:
  - a. Maximum sign height - ten (10) feet.
  - b. Maximum total sign face area - 100 sq. ft. total.
  - c. Maximum number of signs - two (2). (Previously Condition No. M.1 of Resolution No. R-92-181) (ZONING)
2. Prior to issuance of permits for any new or replaced signs, the petitioner shall submit a Master Sign Program to the Zoning Division which specifies sign location, sign dimensions, unified color, unified graphics, typical base planting details, and conformance to all sign related conditions of approval. (Previously Condition No. M.2 of Resolution No. R-92-181) (ZONING)
3. There shall be no additional signs permitted on Old Clint Moore Road. The applicant shall be limited to the two signs that are existing on this road. (Previously Condition No. M.3 of Resolution No. R-92-181) (ZONING)

4. **No signs shall encroach into the perimeter landscape buffers or vegetation preservation areas.** (Previously Condition No. M.4 of Resolution No. R-92-181) (ZCNING)
5. Condition No. M.6 of Resolution No. R-92-181, which presently states:

**"All on site signs shall comply with the Palm Beach County Sign Code and shall indicate principal uses only. No snipe signs, balloons, banners or other prohibited types of advertisement or signs shall be permitted on-site."**

Is hereby deleted.

[REASON: CODE REQUIREMENT]

6. Condition No. M.6 of Resolution No. R-92-181, which presently states:

**"If, prior to the issuance of a building permit for the project, the Sign Code is amended to be more restrictive than the conditions of approval, the regulations of the amended Sign Code shall supersede all sign-related conditions of approval."**

Is hereby deleted.

[REASON: CODE HAS BEEN AMENDED]

N. USE LIMITATIONS

1. **The summer camp shall be limited to a maximum of 525 students.** (Previously Condition No. N.1 of Resolution No. R-92-181) (CODE ENFORCEMENT)
2. **No new outdoor loudspeaker system audible off site shall be permitted.** (Previously Condition No. N.2 of Resolution No. R-92-181) (CODE ENFORCEMENT)
3. **No outdoor camp activities, excluding drop-off/pick-up, shall be allowed on the site prior to 9:00 a.m. nor continue later than 4:00 p.m. All camp activities are limited to Monday through Friday.** (Previously Condition No. N.3 of Resolution No. R-92-181) (CODE ENFORCEMENT)
4. **Operation of the camp shall be limited to the months of June, July and August of each year.** (Previously Condition No. N.4 of Resolution No. R-92-181) (CODE ENFORCEMENT)
5. Condition No. N.5 of Resolution No. R-92-181, which presently states:

**"The seventeen (17) trailers (12,380 square feet) shall be removed from the site during the months that the summer day camp is not in operation."**

Is hereby amended to state:

The fifteen (15) trailers (9,380 square feet) shall be removed from the site during the months that the summer day camp is not in operation. (ZONING/CODE ENFORCEMENT)

6. The operator of the Oxley's Restaurant shall limit hours of operation to after 5:30 pm Monday through Friday, with the exception of preparing lunches for the school. (CODE ENFORCEMENT-Planning)

7. The operator of the Chukkers Lounge shall not sell alcoholic beverages before **5:30** pm, Monday through Friday. (CODE ENFORCEMENT-Planning)
8. The operator of the Hay Barn outdoor picnic area shall not serve alcoholic beverages before **5:30** pm Monday through Thursday, and before **5** pm on Friday. All Events will be scheduled in advance to not coincide with the regular school hours of **8:30** am to **5** pm. (CODE ENFORCEMENT-Planning)
9. The school shall be closed during annual events held elsewhere in the vicinity of the school that conflict with the regular school day, i.e. the circus, the artique car show, and the rodeo. (CODE ENFORCEMENT-Planning)
10. Prior to site plan certification by the Development Review Committee, the site plan shall be amended to indicate:
  - a) The maximum student enrollment, employee count and required/provided parking spaces pursuant to Section 7.2 of the Palm Beach County Unified Land Development Code;
  - b) The required school parking shall be separated from the stadium, restaurant, lounge and hay barn parking areas; and
  - c) Landscaping along the perimeter of the school site where it abuts the stadium, restaurant, lounge and hay barn. (PLANNING/ZONING)

0. COMPLIANCE

1. Condition No. 0.1 of Resolution No. R-92-181, which presently states:

"As provided in the Palm Beach County Zoning Code, Sections 400.2 and 402.6, failure to comply with any of these conditions of approval at any time may result in:

- a. The denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property; and/or
- b. The revocation of the Special Exception and any zoning which was approved concurrently with the Special Exception as well as any previously granted certifications of concurrency or exemptions therefrom; and/or
- c. A requirement of the development to conform with updated standards of development, applicable 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."

Is hereby deleted.

[REASON: CODE REQUIREMENT]

2. Condition No. 0.2 of Resolution No. R-92-181, which presently states:

"Appeals of any ,departmental-administrative actions hereunder may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Appeals of any revocation of Spacial Exception, Rezoning, or other actions based on a Board of County Commission decision, shall be by petition for writ of certiorari to the Fifteenth Judicial Circuit."

Is hereby deleted.

[REASON: CODE REQUIREMENT]