

RESOLUTION NO. R-95- 1321.12

RESOLUTION APPROVING ZONING PETITION CA95-49
CLASS A CONDITIONAL USE
PETITION OF REV. REUBEN JACKSON

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 CA95-49 was presented to the Board of County Commissioners at a public hearing conducted on September 28, 1995; 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 reservation and therefore complies with Art. 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 CA95-49, the petition of Rev. Reuben Jackson for a Class A Conditional Use (CA) to allow a church or place of worship in the Residential Transitional Urban (RTU) 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 September 28, 1995, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted this 28th day of September, 1995.

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

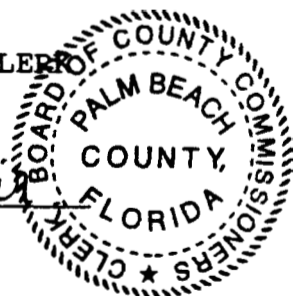


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

LESS THE FOLLOWING DESCRIBED PARCEL:

BEING A PART OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE SOUTH 89 DEGREES 15 MINUTES 51 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 1198.51 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING SOUTH 89 DEGREES 15 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.0 FEET; THENCE NORTH 00 DEGREES 10 MINUTES 03 SECONDS WEST, A DISTANCE OF 517.00 FEET; THENCE NORTH 89 DEGREES 15 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.0 FEET; THENCE SOUTH 00 DEGREES 10 MINUTES 03 SECONDS EAST, A DISTANCE OF 517.00 FEET TO THE POINT OF BEGINNING.

AND LESS THE SOUTH 30 FEET THEREOF

EXHIBIT B
VICINITY SKETCH

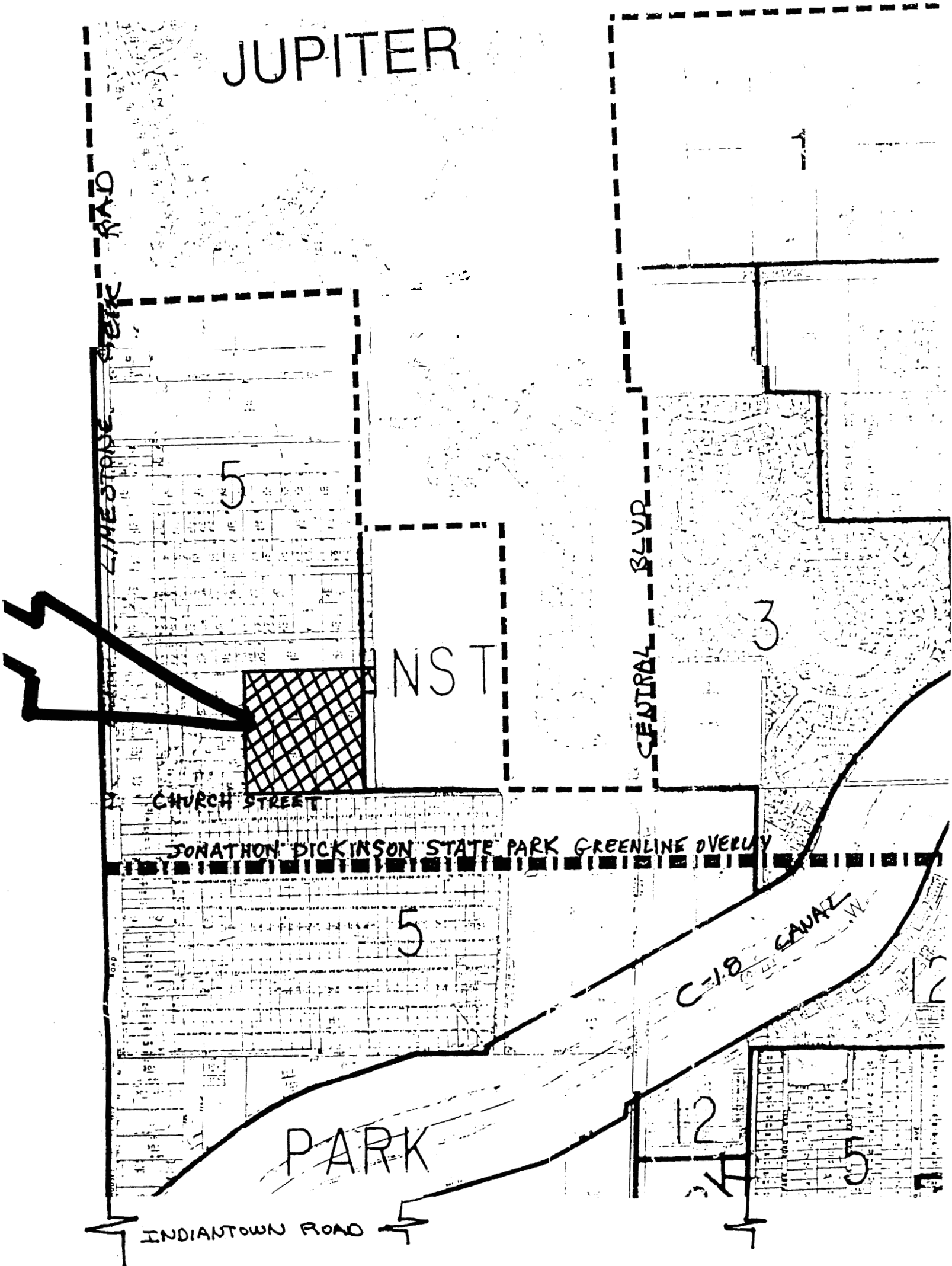


EXHIBIT C

CONDITIONS OF APPROVAL

A. ANNEXATION

1. The property owner shall voluntarily annex into the Town of Jupiter at such time the subject property becomes contiguous to the Town of Jupiter or is the subject of an annexation proposal by the Town of Jupiter. (PLANNING)

B. BUILDING AND SITE DESIGN

1. The church shall be limited to a maximum of 230 seats. (BUILDING - Zoning)

C. LANDSCAPING

1. A ten (10) foot wide landscape buffer shall be installed along the west 530 feet of south property line (adjacent to Church Street). The buffer shall consist of the following:
 - a. trees planted a minimum of thirty (30) feet on center; and
 - b. hedge material a minimum of twenty-four (24) inches in height at time of planting. (BUILDING - Zoning)
2. A ten (10) foot wide landscape buffer shall be installed along the south 300 feet of the west property line (adjacent to the grassed parking area). The buffer shall consist of the following:
 - a. trees planted a minimum of twenty (20) feet on center; and
 - b. hedge material a minimum of twenty-four (24) inches in height at time of planting. (BUILDING - Zoning)

E. ENGINEERING

1. 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, Zoning Petition Number 95-49, to be paid at the time of issuance of the Building Permit presently is \$275.00 (5 additional trips X \$55.00 per trip) (IMPACT FEE COORDINATOR).