

RESOLUTION NO. R-2011- 0423

RESOLUTION APPROVING ZONING APPLICATION Z/DOA/CA-2010-01729
(CONTROL NO. 2003-00009)
A Development Order Amendment
APPLICATION OF Iglesia Cristo Mi Redentor, Inc
BY Cotleur & Hearing, Inc., AGENT
(Iglesia Cristo Mi Redentor)

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 applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied; and

WHEREAS, Zoning Application Z/DOA/CA-2010-01729 was presented to the Board of County Commissioners at a public hearing conducted on March 31, 2011; and

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

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a Development Order Amendment.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Application Z/DOA/CA-2010-01729, the petition of Iglesia Cristo Mi Redentor, Inc, by Cotleur & Hearing, Inc., agent, for a Development Order Amendment to allow a Place of Worship and to add and delete land area in the Single Family Residential (RS) 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 March 31, 2011, subject to the conditions of approval described in EXHIBIT C-2, attached hereto and made a part hereof.

Commissioner Aaronson moved for the approval of the Resolution.

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

Commissioner Karen T. Marcus, Chair	-	Aye
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 31, 2011.

Filed with the Clerk of the Board of County Commissioners on April 4th, 2011.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL 1

(PCN 00-42-44-01-00-000-7670)

THE SOUTH 250 FEET OF THE NORTHWEST QUARTER (1/4) OF LOT 6, BLOCK 3, PALM BEACH PLANTATIONS, A SUBDIVISION OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 10, PAGE 20, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXCEPTING THE WEST 40 FEET THEREOF AS CONVEYED TO THE COUNTY OF PALM BEACH FOR ROAD PURPOSES.

TOGETHER WITH:

PARCEL 2

(PCN 00-42-44-01-00-000-7640)

THE NORTH 165 FEET OF THE SOUTH 297 FEET OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, EXCEPTING THEREFROM THE EAST 20 FEET THEREOF.

TOGETHER WITH AN EASEMENT OVER THE EAST 20 FEET OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, FOR INGRESS AND EGRESS.

TOGETHER WITH:

PARCEL 3

(PCN 00-42-44-01-00-000-7080)

THE SOUTH 132 FEET OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 20 FEET THEREOF.

TOGETHER WITH RIGHT OF INGRESS AND EGRESS OVER SAID TWENTY (20) FOOT STRIP ALONG THE EAST BOUNDARY OF THE LAND HEREIN CONVEYED, AND OVER A TWENTY (20) FOOT STRIP RUNNING FROM THE NORTHEAST CORNER OF SAID LAND TO SUNNY LANE AVENUE OVER OTHER LANDS.

TOGETHER WITH:

PARCEL 4

(PCN 00-42-44-01-00-000-7570)

PARCEL A: THE WEST QUARTER (1/4) OF THE NORTH HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 55.00 FEET THEREOF FOR CANAL RIGHT-OF-WAY.

PARCEL B: THE EAST HALF (1/2) OF THE WEST HALF (1/2) OF THE NORTH HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF

THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 55.00 FEET THEREOF FOR CANAL RIGHT-OF-WAY.

PARCELS A AND B ALSO DESCRIBED AS THE NORTH HALF (1/2) OF THE WEST HALF (1/2) OF THE NORTH HALF (1/2) OF TRACT 5, BLOCK 3, PLAT NO. 1, PALM BEACH PLANTATIONS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 10, AT PAGE 20 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

PARCEL 5
(PCN 00-42-44-01-00-000-7620)

THE NORTH 132 FEET OF THE SOUTH 429 FEET OF THE EAST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF THE NORTHWEST QUARTER (1/4) OF THE SOUTHWEST QUARTER (1/4) OF SECTION 1, TOWNSHIP 44 SOUTH, RANGE 42 EAST, SUBJECT TO AN EASEMENT FOR RIGHT-OF-WAY IN COMMON WITH ADJOINING OWNERS OVER THE EAST 20 FEET OF SAID LAND.

AND TOGETHER WITH THE EASEMENT FOR ROAD RIGHT-OF-WAY IN COMMON WITH ADJOINING OWNERS OVER THE EAST 20 FEET OF LANDS LYING NORTH OF THE SAID LAND WHICH WAS CONVEYED BY WILLIAM T. BOATWRIGHT AND WIFE TO ALBERT M. MILLER AND WIFE BY THE WARRANTY DEED WHICH IS RECORDED IN DEED BOOK 1012, AT PAGE 84, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

LOCATION MAP

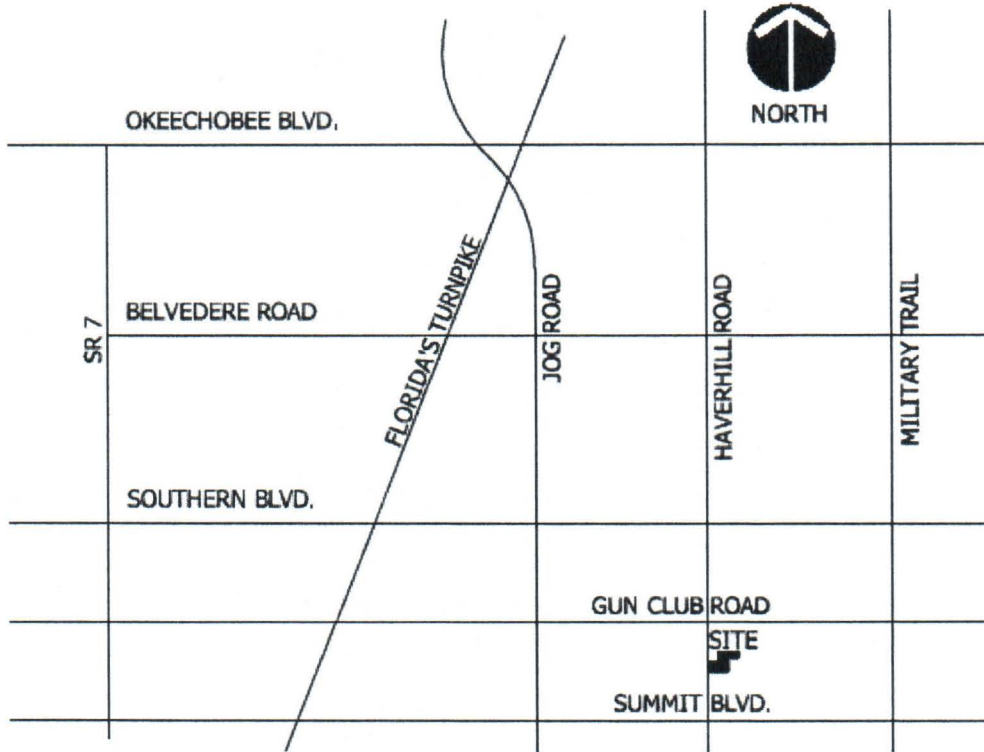


EXHIBIT C-2

CONDITIONS OF APPROVAL

ALL PETITIONS

1. Condition A.1. of Resolution R-2003-1123, Control No. 2003-009, which currently states:

Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated May 23, 2003. 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-Zoning)

Is hereby amended to read:

The approved preliminary site plan is dated March 7, 2011. Modifications to the development order inconsistent with the conditions of approval, or changes to the uses or site design beyond the authority of the DRO as established in the ULDC, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

2. All previous conditions of approval applicable to the subject property, as contained in Resolution R-2003-1123 (Control No. 2003-009), have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval and deadlines previously established by Article 2.E of the Unified Land Development Code (ULDC) and the Board of County Commissioners or Zoning Commission, unless expressly modified. (ONGOING: MONITORING - Zoning)

ARCHITECTURAL REVIEW

1. Previous condition B.1. of Resolution 2003-1123, Control 2003-009, which currently states:

At time of submittal for final DRC approval of the site plan, the architectural elevations for all buildings shall be submitted simultaneously with the site plan for final architectural review and approval. The elevations and the site plan shall be designed to be consistent with Section 6.6.E. and Section 6.6.C of the ULDC. Development shall be consistent with the approved architectural elevations and DRC approved site plan. (DRC: ZONING - Zoning)

Is hereby amended to read:

At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the Place of Worship shall be submitted simultaneously with the site plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC and generally consistent with the elevations submitted by Oscar S. Benitez, AIA Architect dated February 10, 2011. Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

ENVIRONMENTAL

1. All existing native vegetation, including understory, depicted on the site plan to remain shall be maintained in perpetuity. Areas where existing native vegetation have been incorporated into the site plan shall be maintained free from invasive, exotic and non-native species. (ONGOING:ERM-Erm) (Previous Condition C.1 of Resolution No. R-2003-1123, Control No. 2003-009)

LANDSCAPE - GENERAL

1. Previous Condition D.1 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Fifty-percent (50%) of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:

- a. tree height: Fourteen (14) feet;
- b. trunk diameter: 3.5 inches measured at 4.5 feet above grade;
- c. canopy diameter: Seven (7) feet diameter shall be determined by the average canopy radius measured at three (3) points from the trunk to the outermost branch tip. Each radius shall measure a minimum of 3.5 feet in length; and,
- d. credit may be given for existing or relocated trees provided they meet ULDC requirements. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

Fifty-percent (50%) of trees to be planted in the perimeter buffer shall be native canopy trees and meet the following minimum standards at installation:

- a. tree height: Fourteen (14) feet; and
- b. to meet grade standards. (CO: LANDSCAPE - Zoning)

2.Condition D.2. of Resolution R-2003-1123, Control No. 2003-009 which currently states:

All palms required to be planted on the property by this approval shall meet the following minimum standards at installation:

- a. palm heights: twelve (12) feet clear trunk;
- b. clusters: staggered heights twelve (12) to eighteen (18) feet; and,
- c. credit may be given for existing or relocated palms provided they meet current ULDC requirements. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

- a. palm heights: twelve (12) feet clear trunk; and,
- b. clusters: staggered heights twelve (12) to eighteen (18) feet. (CO: LANDSCAPE - Zoning)

3.Condition D.3 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

All shrub or hedge materials shall be planted in continuous masses and in a meandering and naturalistic pattern, consisting of a minimum of two (2) to three (3) varying heights. Shrub materials shall be continuously maintained to achieve the following heights and hierarchical effect:

- a. eighteen (18) to twenty-four (24) inches groundcover and small shrub;
- b. twenty-four (24) to thirty-six (36) inches medium shrub;
- c. forty-eight (48) to seventy-two (72) inches large shrub; and,
- d. this condition does not apply to the area where a single row of hedge is required on one or both sides of the fence. (CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code Requirements]

4.Condition D.4 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

All trees and palms shall be planted in a meandering and naturalistic pattern. (CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code Requirements]

5.A group of three (3) or more palm or pine trees may not supersede the requirement for canopy tree in that location, unless specified herein. (CO: LANDSCAPE - Zoning) (Previous Condition D.5 of Resolution R-2003-1123, Control No. 2003-009)

6.Previous Condition D.6 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Prior to final certification of the site plan, an Alternative Landscape Plan shall be submitted for landscaping along the north, south, and east property lines and/or any portion of the property where existing vegetation may affect the proposed landscaping. (DRC: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: No Longer Applicable]

7.Condition D.7 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Prior to final DRC certification, the petitioner shall meet with Landscape Section staff to ensure that the maximum amount of existing native vegetation is incorporated into the final site design. (DRO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: No Longer Applicable]

LANDSCAPE - GENERAL-LANDSCAPING ALONG THE WEST PROPERTY LINE (FRONTAGE OF HAVERHILL ROAD)

8.Condition F.1 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Landscaping and buffering along the west property line (Frontage of Haverhill Road) shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a minimum two (2) foot high continuous berm measured from top of curb;
- c. one (1) native canopy tree for each thirty (30) linear feet of the property line;
- d. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of eighteen (18) inches at installation;
- f. one (1) medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- g. one (1) large shrub for each six (6) linear feet of the property line. Shrub shall be a minimum height of thirty (30) inches at installation. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

In addition to Code requirements, landscaping and buffering along the west property line (Frontage of Haverhill Road) shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted; and
- b. one (1) palm or pine tree for each thirty (30) linear feet of the property line. (CO: LANDSCAPE - Zoning)

LANDSCAPE - GENERAL-LANDSCAPING ALONG THE NORTH, NORTHWEST, SOUTH AND EAST PROPERTY LINES (ABUTTING RESIDENTIAL)

9.Condition G.1 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Landscaping and buffering along the north property line shall be upgraded to include:

- a. a minimum ten (10) foot wide landscape buffer strip;
- b. a six (6) foot high black or green vinyl coated chain link fence;
- c. one (1) canopy tree for each twenty (20) linear feet of the property line, and shall be planted alternating on both sides of the fence;
- d. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, and shall be planted alternating on both sides of the fence;
- e. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and shall be installed on both sides of the fence. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

In addition to Code requirements, landscaping and buffering along the north, northwest, south and east property lines shall be upgraded to include:

- a. one (1) palm or pine tree for each thirty (30) linear feet of the property line. (CO: LANDSCAPE - Zoning)

LANDSCAPE - GENERAL-LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF SUNNY LANE)

10. Previous Condition H.1 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Landscaping and buffering along the south and east property lines shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip;
- b. a six (6) foot high black or green vinyl coated chain link fence to be located on the plateau of the berm;
- c. one (1) canopy tree planted for each twenty (20) linear feet of the property line, and shall be planted alternating on both sides of the fence;
- d. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, and shall be planted alternating on both sides of the fence. (CO: LANDSCAPE - Zoning)

Is hereby amended to read:

In addition to Code requirements, landscaping and buffering along the east property line (frontage of Sunny Lane) shall be upgraded to include:

- a. a minimum fifteen (15) foot wide landscape buffer strip, no width reduction;
- b. one (1) canopy tree planted for each twenty (20) linear feet of the property line; and
- c. one (1) palm or pine tree for each thirty (30) linear feet of the property line. (CO: LANDSCAPE - Zoning)

LANDSCAPE - GENERAL

11. Condition H.2 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

The following landscaping requirements shall be installed on the exterior side of the required fence:

- a. one (1) small shrub for each two (2) linear feet of the property line. Shrub shall be a minimum height of twenty-four (24) inches at installation; and,
- b. one (1) native medium shrub for each four (4) linear feet of the property line. Shrub shall be a minimum height of thirty-six (36) inches at installation. (CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code requirements]

12. Condition H.3 of Resolution R-2003-1123, Control No. 2003-009 which currently

states:

Along the interior side of the required fence, the petitioner shall install twenty-four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code requirements]

LANDSCAPE - INTERIOR

13.Condition D.3 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

A minimum of one (1) landscape island shall be provided for every ten (10) parking spaces. The maximum spacing between landscape islands shall not exceed one hundred (100) linear feet. (DRO: ZONING - Zoning)

Is hereby deleted - [Reason: Code requirements]

14.Condition I.2 of Resolution R-2003-1123, Control No. 2003-009, which currently states:

Foundation planting or grade level planters for the church building shall be provided along the facades of all structures as shown on the certified site plan dated May 23, 2003. (DRO / CO: ZONING / LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code requirements]

15.Condition I.3 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Foundation planting or grade level planters shall be provided along the north, east, and west facades of the church office consisting of the following:

- a. The minimum width of the required landscape areas shall be five (5) feet;
- b. The length of the required landscaped areas shall be no less than fifty (50) percent of the total length of each side of the structure; and,
- c. Landscape areas shall be planted with a minimum equivalent of one (1) tree or palm for each twenty (20) linear foot of building facade and appropriate ground cover. (DRO / CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code requirements]

16.Condition I.4 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Landscaping for terminal islands in the parking area shall consist of the following:

- a. one (1) canopy tree for each island; and,
- b. a continuous hedge between all trees within the islands where applicable. Shrub or hedge materials or groundcover shall be maintained at a maximum height of thirty (30) inches. (CO: LANDSCAPE - Zoning)

Is hereby deleted - [Reason: Code requirements]

LIGHTING

1.All outdoor lighting used to illuminate the subject property and identification signs shall be of minimum necessary to satisfy the Palm Beach County Security Code, low intensity, shielded and directed down and away from adjacent properties and streets. (CO / ONGOING: BLDG /CODE ENF - Zoning) (Previous Condition J.1 of Resolution R-2003-1123, Control No. 2003-009)

2.All outdoor, freestanding lighting fixtures shall not exceed twenty-five (25) feet in height measured from finished grade to highest point. (CO: BLDG - Zoning) (Previous Condition J.2 of Resolution R-2003-1123, Control No. 2003-009)

3.All outdoor, freestanding lighting fixtures be setback twenty (20) feet from the north, south, and east property lines. (CO: BLDG - Zoning) (Previous Condition J.3 of Resolution R-2003-1123, Control No. 2003-009)

4.Condition J.4 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

All outdoor lighting shall be extinguished no later than 9:30 p.m. excluding security lighting only. (ONGOING: CODE ENF - Zoning)

Is hereby amended to read:

All outdoor lighting shall be extinguished no later than one-half (1/2) hour after operating hours excluding security lighting only. (ONGOING: CODE ENF - Zoning)

5.The lighting conditions above shall not apply to proposed security or low voltage landscape/accent type lights used to emphasize plant material. (ONGOING: CODE ENF - Zoning) (Previous Condition J.5 of Resolution R-2003-1123, Control No. 2003-009)

PALM TRAN

1.Prior to issuance of the first Building Permit, the property owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran is required. (BLDG PERMIT: MONITORING-Palm Tran)

PLANNING

1.Planning Condition 1 of Resolution 2003-1123, Control No. 2003-009 which currently states:

Prior to final site plan approval by the Development Review Committee (DRC), the site plan shall provide for pedestrian pathways (sidewalks) consistent with the sidewalks that were indicated on the site plan dated May 23, 2003. (DRC: PLANNING-Planning) [COMPLETE]

Is hereby amended to read:

Prior to final site plan approval by the development Review Officer (DRO), the site plan shall provide for pedestrian pathways (sidewalks) consistent with the sidewalks that were indicated on the site plan dated May 23, 2003. (DRO: PLANNING-Planning) [COMPLETE]

2.Planning Condition 2 of Resolution 2003-1123, Control No. 2003-009 which currently states:

Prior to the issuance of the certificate of occupancy, the petitioner shall pave the external sidewalk along Haverhill Road at the locations shown on the final DRC approved certified site plan. (CO:MONITORING/PLANNING-Planning)

Is hereby amended to read:

Prior to the issuance of the certificate of occupancy, the petitioner shall pave the external sidewalk along Haverhill Road at the locations shown on the final DRO approved certified site plan. (CO:MONITORING/PLANNING-Planning)

SIGNS

1. Condition L.1 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Signs shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - six (6) feet;
- b. maximum sign face area per side thirty (30) square feet;
- c. maximum number of signs - one (1);
- d. style - monument style only;
- e. location - Frontage of Haverhill Road; and
- f. Sign shall be limited to identification of tenants only and schedule of services. (CO: BLDG - Zoning)

Is hereby amended to read:

Signs shall be limited as follows:

- a. maximum sign height, measured from finished grade to highest point - six (6) feet;
- b. maximum sign face area per side sixty (60) square feet;
- c. maximum number of signs - one (1);
- d. style - monument style only;
- e. location - Frontage of Haverhill Road; and
- f. Sign shall be limited to identification of tenants only and schedule of services. (CO: BLDG - Zoning)

USE LIMITATIONS

1. All services shall be held within the church and the hours of operation shall be limited to 7:00 a.m. to 9:00 p.m. daily, excluding holiday services. (ONGOING: CODE ENF - Zoning) (Previous Condition M.1 of Resolution R-2003-1123, Control No. 2003-009)

2. Previous Condition M.2 of Resolution R-2003-1123, Control No. 2003-009 which currently states:

Accessory outdoor uses such as temporary sales events shall be limited to a maximum of four (4) events per year and shall be setback a minimum of fifty (50) feet from all perimeter property lines. No temporary amusements or special events are permitted on the property. (ONGOING / SPECIAL PERMIT: CODE ENF - Zoning)

Is hereby amended to read:

Accessory outdoor uses such as temporary sales shall be limited to a maximum of four (4) per year and shall be setback a minimum of fifty (50) feet from all perimeter property lines. No temporary amusements or special events are permitted on the property. (ONGOING / SPECIAL PERMIT: CODE ENF - Zoning)

3. Condition I.2 of Resolution R-2003-1123, Control No. 2003-009, which currently states:

The church shall be limited to a maximum of one hundred and forty four (144) seats. (ONGOING: CODE ENF-Zoning)

Is hereby amended to read:

The church shall be limited to a maximum of six hundred and eighty (680) seats. (ONGOING: CODE ENF-Zoning)

4. Outdoor speaker or public address systems which are audible from any property line shall not be permitted on the property. (ONGOING: CODE ENF - Zoning) (Previous Condition M.4 of Resolution R-2003-1123, Control No. 2003-009)

COMPLIANCE

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner/applicant 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 (CO); 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 Unified Land Development Code (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 the Code Enforcement Special Master 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 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)