

RESOLUTION NO. R-88-1540

RESOLUTION APPROVING ZONING PETITION NO. 87-84
SPECIAL EXCEPTION PETITION OF BRENDA B. AND ALEXANDER R. PHILLIPS

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. 87-84 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 27, 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. 87-84, the petition of BRENDA B. AND ALEXANDER R. PHILLIPS, for a SPECIAL EXCEPTION TO ALLOW A CHURCH AND ACCESSORY BUILDINGS AND STRUCTURES on a parcel of land lying on the North 200 feet of the South 2180 feet of the East 1/4 of the Southeast 1/4 of Section 27, Township 45 South, Range 42 East, less the East 40 feet Road Right-of-Way, located on the West side of El Clair Ranch Road, approximately .6 mile South of Boynton Beach Boulevard (S.R. 804), in a RS-Single Family Residential 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. The required amount of paved parking spaces, 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.
 - d. Required landscaping between off-street parking areas and abutting properties.
 - e. Required interior islands.
 - f. Required trees in terminal islands.
 - g. Labeling, location, delineation, and dimension of required parking areas for Phase III.
 - h. The delineation and labeling of all existing vegetation to be preserved, specifically the slash pines within the westernmost 250 feet of the site.
2. 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.
 3. 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).
 4. Since water service is available to the property, a potable water well shall not be approved for potable water use on said property.
 5. The property owner shall convey for the ultimate right-of-way of El Clair Ranch Road, 55 feet from centerline (approximately an additional 15 feet) within 90 days of the approval of the Resolution approving this project.
 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 \$3,376 (126 trips X \$26.79 per trip) which may be pro-rated with the phasing of the project.


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

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

The foregoing resolution was declared duly passed and adopted this 27th day of September, 1988 confirming action of August 27, 1987

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

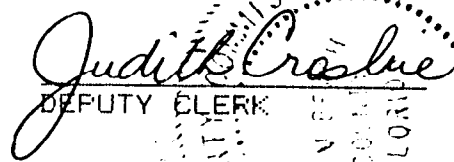


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:



DEPUTY CLERK

