

RESOLUTION NO. R-88- 1554

RESOLUTION APPROVING ZONING PETITION NO. 86-114(A)
SPECIAL EXCEPTION PETITION OF CALVARY BAPTIST CHURCH

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. 86-114(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 2, 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. 86-114(A), the petition of CALVARY BAPTIST CHURCH, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PRIVATE EDUCATIONAL INSTITUTION INCLUDING A DAY CARE FACILITY previously approved under Zoning Petition No. 86-114 on December 3, 1986 to Increase the Building Square Footage, on a parcel of land lying on the East 1/2 of Lot 6, Block 2, Palm Beach Plantations, in subdivision of Section 12, Township 44 South, Range 42 East, according to the plat thereof recorded in Plat Book 10, Page 20, also described as the East 1/2 of the West 1/2 of the Northwest 1/4 of the Northwest 1/4 of said Section 12, Township 44 South, Range 42 East, located on the south side of Summit Boulevard, approximately 280 feet east of Haverhill Road, in an RM-Residential Multiple Family Zoning District (Medium Density),

was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to indicate the following:
 - a. southerly right-of-way line of Summit Boulevard, with subsequent relocation of the landscape strip and signage to accommodate the right-of-way.

3. Condition No. 1 of Zoning Petition No. 86-114, which states:

"1. The developer shall preserve the stand of pine trees located within the proposed running track. The developer may remove only those trees that lie within the track surface. The preserved trees shall be shown upon the site plan."

is hereby amended to state:

"1. The developer shall preserve the stand of pine trees located north of the proposed football field. The trees shall be designated on the approved site plan as "Preservation Area."

4. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
5. Since water service is available to the property, a potable water well shall not be approved for use on said property.
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 and additional \$30,460.00 (1,137 trips X \$26.79 per trip).
7. Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$7,615.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$38,075.00 to be paid prior to the issuance of the first building permit or prior to January 1, 1988 whichever shall first occur.

If the "Fair Share Contribution for Road Improvements

Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$7,615.00 shall be credited toward the increased Fair Share Fee.

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


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

The foregoing resolution was declared duly passed and adopted this 27th day of September, 1988 confirming action of September 2, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

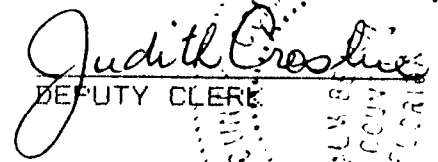
BY:



COUNTY ATTORNEY

JOHN B. DUNKLE, CLERK

BY:



DEPUTY CLERK

