

RESOLUTION NO. **ZR-93-2**

RESOLUTION-APPROVING ZONING- PETITION **CB93-09**
CLASS B CONDITIONAL USE
PETITION OF YOUNG ISRAEL OF BOCA **RATON**

WHEREAS, the Palm Beach County Zoning Commission, 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 B 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 **CB93-09** was presented to the **Zoning** Commission at a public hearing conducted on May 6, 1993; and

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the petitioner and other interested **parties**, and the recommendations of the various county review agencies; 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 Zoning Commission made the following findings of fact:

1. This Class B Conditional Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Class B 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 B Conditional Use is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Class B 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 B 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 B Conditional Use meets applicable local land development regulations.
7. This Class B Conditional Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Class B Conditional Use has a concurrency reservation and therefore complies **with Art. 11**, Adequate Public Facility Standards.

9. This Class B 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 B 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 Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition **CB93-09**, the petition of YOUNG ISRAEL OF BOCA RATON for a CLASS B CONDITIONAL USE allowing a Church or Place of Worship in the CG 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 6, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foley moved for the approval of the Resolution.

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

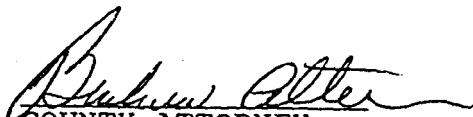
Allen J. Kaplan, Chair	--	yes
Sherry L. Hyman	--	absent
Phil Leslie	--	yes
Frank Behrman	--	yes
Kevin Foley	--	yes
Mark A. Guzzetta	--	absent
Al Miller	--	yes

The Chair thereupon declared that the resolution was duly passed and adopted this 6th day of May, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSION CHAIR

BY:


COUNTY ATTORNEY

BY:



EXHIBIT A

LEGAL DESCRIPTION

PHASE 3

LEGAL DESCRIPTION

BUILDING PARCEL 1, LOT 2
DEL MAR PLAZA - TRACT 11-B

A parcel of land being a portion of Lot 2, DEL MAR PLAZA-TRACT 11-B as recorded in Plat Book 43, Pages 128-130 of the Public Records of Palm Beach County, Florida, said parcel being more particularly described as follows:

BEGINNING at the Northeast corner of the aforesaid Lot 2; thence with a bearing of S. $00^{\circ} 29' 33''$ E., along the East line of Lot 2, a distance of 550.00 feet to a point; thence -with a bearing of S. $89^{\circ} 30' 27''$ W., a distance of 35.00 feet to a point; thence with a bearing of N. $00^{\circ} 29' 33''$ W., a distance of 32.00 feet to a point; thence with a bearing of S. $89^{\circ} 30' 27''$ W., a distance of 257.30 feet to a point; thence with a bearing of N. $00^{\circ} 29' 33''$ W., along the East line of Lot 4 of the aforesaid plat (and extension thereof), a distance of 518.00 feet to the Northeast corner of Lot 4; thence with a bearing of N. $89^{\circ} 30' 27''$ E., along the North line of Lot 2, a distance of 292.30 feet, more or less, to the POINT OF BEGINNING.

Containing 3.502 Acres, more or less, and subject to easements and rights-of-way of record.

EXHIBIT B
VICINITY SKETCH

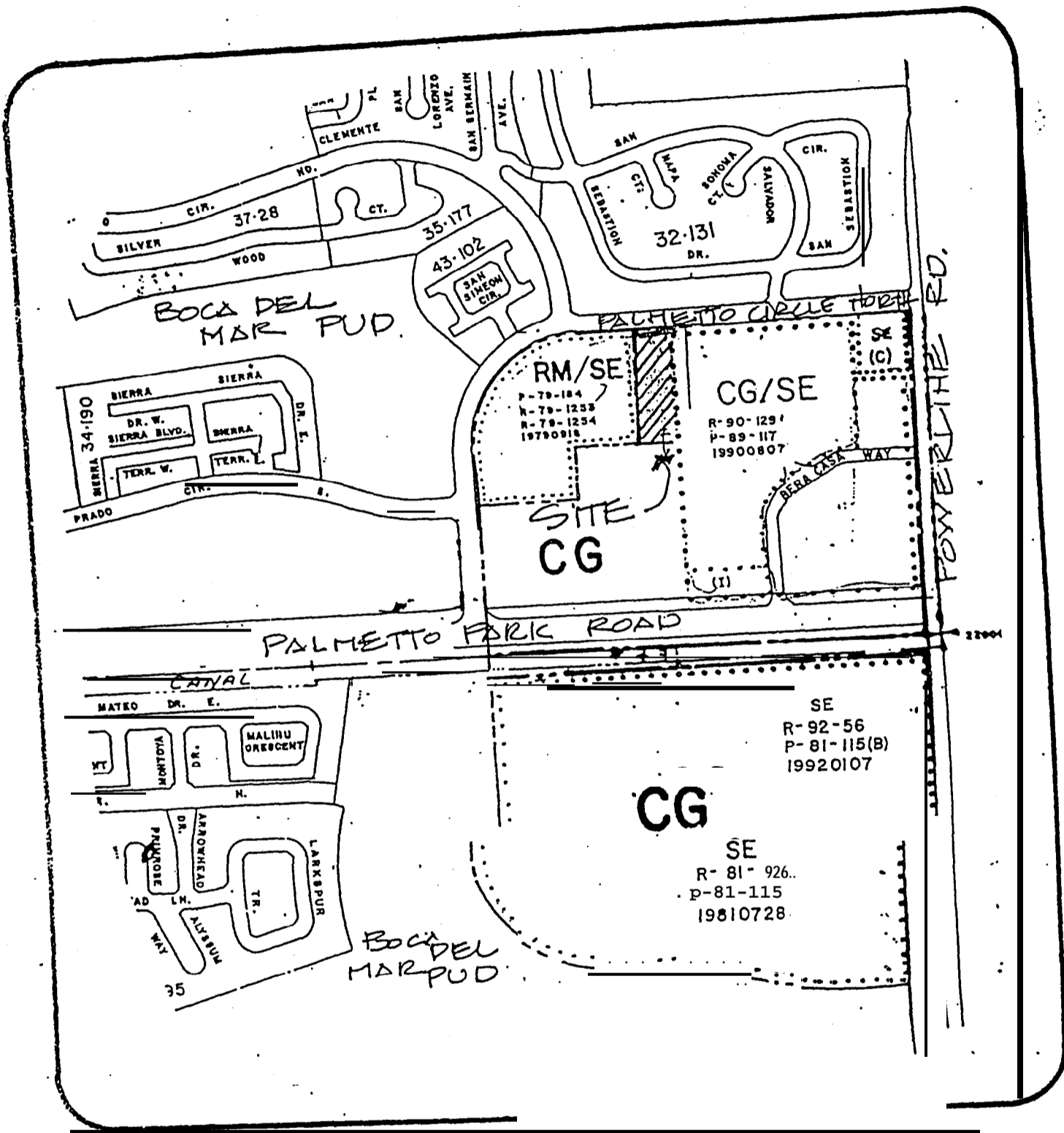


EXHIBIT C .

CONDITIONS OF APPROVAL

A. BUILDING AND SITE DESIGN

1. Total gross floor area shall be limited to a maximum of 10,000 square feet. Additional square footage **may** be allowed pursuant to Article 5.4.E.13 (Minor Deviations) of the Unified Land Development Code. (ZONING)
2. Prior to site plan certification by the Development Review Committee, the petitioner shall submit to **the** Zoning Division evidence, satisfactory to the **Zoning** Division, that a request to enter into a cross parking agreement with the developments to the south and west has been requested from the abutting property owners. (ZONING)
3. In the event that a cross parking agreement **is** obtained with the surrounding developments, the petitioner shall amend the site plan to:
 - a. eliminate the on site parking provided by the cross parking agreement; and,
 - b. expand the preservation area to include the area of reduced parking. (ZONING)
4. Prior to site plan certification by the Development Review Committee, the petitioner shall submit a completed application for a grass parking special permit from the Zoning Division. (ZONING)

B. CONCURRENCY

1. Prior to site plan certification, the petitioner shall amend his Concurrency Reservation to be consistent with his request. (PLANNING)

C. DUMPSTER

1. All areas or receptacles for the storage and disposal of trash, garbage or vegetation shall not be located within thirty (30) feet of the north, south, or west property lines. (BUILDING/CODE ENFORCEMENT)

D. ENVIRONMENTAL RESOURCES MANAGEMENT

1. A Wellfield Affidavit of Notification must be submitted to ERM prior to DCR Final Plan certification.(ERM)

E. ENGINEERING

1. Prior to DRC approval of the proposed site plan the property owner shall apply for and receive approval through the Office of the County Engineer for release of the limited access easement on Palmetto Circle North. (ENGINEERING).

F. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site. All existing on-site sewage disposal systems must be abandoned in accordance with Chapter **10D-6**, FAC and Palm Beach County ECR-I. (HEALTH)

2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing on-site potable water supply systems must be abandoned **in** accordance with Palm Beach County ECR-II. (HEALTH)

G. LANDSCAPING - GENERAL

1. Prior to site plan certification, the petitioner shall revise the landscape tabular data on the site plan to reflect conformance to minimum Landscape Code requirements and all landscape/vegetation preservation conditions of approval. (ZONING)
2. All trees required to be planted on site by this approval shall meet the following minimum standards at installation:
 - a) Height: fourteen (14) feet
 - b) Caliper: three and one half (3.5) inches; measure four and one half (4.5) feet above grade;
 - c) Canopy: seven (7) feet

H. LANDSCAPING ALONG THE WEST PROPERTY LINE

1. Landscaping and buffering along the west property line shall be upgraded to include:
 - a. A minimum ten (10) foot wide landscape buffer strip;
 - b. One native canopy tree planted for every twenty (20) feet, not to exceed thirty (30) feet on center;
 - c. One native palm tree for each thirty (30) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location; and
 - d. A continuous hedge shall be planted at 36 inches in height 24 inches on center at installation. (ZONING)
2. Existing vegetation may be counted toward meeting these requirements for all **required** landscaped areas where the preserve area abuts these property lines, and/or where native vegetation can be preserved 'or transplanted,. (ZONING)

I. LIGHTING

1. Lighting fixtures **shall** not exceed fifteen (15) feet in height measured from finished grade to the highest point. (BUILDING/CODE ENFORCEMENT)
2. All outdoor shall be extinguished no later than **11:00 p.m.** Security lighting only is excluded from this requirement. (CODE ENFORCEMENT)

J. SIGNS

1. Signs shall be limited as follows:
 - a. Maximum sign height: ten (10) feet, measured from finished grade to the highest point.

- b. Maximum **sign single** face area: one hundred **(100)** square feet.
- c. **Maximum number** of signs: **one** (1).
- d. Type: monument type only.
- e. Location: Sign limited to Palmetto Park **Circle** North frontage only. (BUILDING)

K. USE LIMITATION

- 1. Principal use of the subject property shall be limited to a church, or place of worship with a total of 250 seats and administrative offices. (ZONING)