

RESOLUTION NO. R- 85-1453

RESOLUTION APPROVING ZONING PETITION 85-94, Rezoning

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. 85-94 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th July 1985; 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, the petitioner agreed that reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties; and

WHEREAS, the petitioner agreed that reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters; and

WHEREAS, the petitioner agreed that the development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended; and

WHEREAS, the petitioner agreed that they shall comply with all provisions of Palm Beach County Subdivision and Platting Ordinance 73-4 as amended including but not limited to:

- a) Recording a Plat of the subject property.
- b) Seek variance relief from the provision of Subdivision and Platting Ordinance requiring access to the lots via recorded right-of-way or provide right-of-way to the subject lots.

c) Seek variance relief or provide paved access to the site; and

WHEREAS, the petitioner agreed that they shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting; 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 Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 25th of July 1985, that Petition No. 85-94 the petition of DOYLE P. & CAROL J. CORBITT By Daniel J. O'Brien, Agent for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO RT-RESIDENTIAL TRANSITIONAL DISTRICT on the North 511 feet of the South 584 feet of Tract 43, Block 32, Palm Beach Farms Company Plat No. 3, in Section 33, Township 44 South, Range 42 East, as recorded in Plat Book 2, Pages 45 thru 52, being a portion of the unrecorded Plat of the Subdivision of said Block 32, known as Biltmore Acres. Said property located on the west side of 3rd. Road, approximately .5 mile north of Lantana Road was approved as advertised subject to voluntary commitments.

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	A T
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 17 day of September confirming action of the 25th July 1985.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Daniel J. O'Brien*  
 Deputy Clerk

APPROVED AS TO FORM  
 AND LEGAL SUFFICIENCY

*Henry Spillias*  
 County Attorney