

RESOLUTION NO. R-87-1177

RESOLUTION APPROVING ZONING PETITION 83-153(A):
Modification of Commission Requirements

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. 83-153(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 23, 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 and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 83-153(A) the petition of ROBERT C. MOLT, for a MODIFICATION OF COMMISSION REQUIREMENTS TO DELETE THE FOLLOWING CONDITION PLACED ON ZONING PETITION NO. 83-153, APPROVED DECEMBER 1, 1983:

'Condition 9A of Zoning Petition No. 83-153 which states:

9A. "installation of screening along the south and eastern boundaries to effect an immediate minimum 75 percent opaque screening of six (6) feet in height above adjoining properties."

Request: Condition No. 9A to be deleted.

The property is located on the south side of Summit Boulevard, approximately .5 miles east of Jog Road in an RS-Single Family Residential Zoning District and 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. Condition No. 9.(a) of Zoning Petition No. 83-153 (Resolution No. R-84-350) which states:

"9. Prior to certification, the proposed master plan shall be amended to reflect the following:

a) Installation of screening along the south and eastern boundaries to effect an immediate minimum 75% opaque screening of six feet in height above adjoining properties."

is hereby deleted.

3. The property owner shall provide to Palm Beach County a road drainage easement within the project's internal drainage system which is adjacent to the property capable of accommodating all runoff from those segments of Summit Boulevard along the property frontage and for a maximum 400 foot distance each side of the property boundary lines along Summit Boulevard, The drainage system within the project shall have sufficient retention/detention capacity to meet the storm water discharge requirements of the applicable County Control District and South Florida Water Management District. The design of the system shall assume the ultimate Thoroughfare Plan Section road drainage runoff.

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 | -- | RYE |
| Carol J. Elmquist | -- | <i>Rye</i> |
| Karen T. Marcus | -- | Absent |
| Dorothy Wilken | -- | Rye |
| Kenneth M. Adams | -- | Absent |

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of April 23, 1987.

PRLM BEACH COUNTY, FLORIDA
BY ITS BORRD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Lisa E. Ossey*
Deputy Clerk

RPPROVED AS TO FORM
RND LEGAL SUFFICIENCY

MA
County Attorney