

RESOLUTION NO. R-89-432

RESOLUTION APPROVING ZONING PETITION NO. 88-1
REZONING PETITION OF JEFFREY M. SUMMERS
SUBJECT TO VOLUNTARY COMMITMENT CONDITIONS

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. 88-1 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 29, 1988; 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. 88-1, the petition of JEFFREY M. SUMMERS, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RE-RESIDENTIAL ESTATE ZONING DISTRICT, on a parcel of land lying in the East 1/2 of Parcel No. 48, Kramers Unrecorded Subdivision, more particularly described as follows:

The East 320.50 feet, less the North 4760.00 feet of the East 1/2 of Section 23, Township 42 South, Range 41 East, subject to a drainage and utility easement over the South and East side of the property, located approximately 260 feet east of 81st Court North, and approximately .2 mile south of 83rd Lane North, was approved as advertised, subject to the following voluntary commitments:

1. 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 the first one inch of the stormwater runoff per Palm Beach

County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.

2. 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 \$804.00 per single family home under 2,000 square feet and \$1,045.00 per single family home over 2,000 square feet.
3. Failure to comply with the voluntary commitments herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the voluntary commitments herein shall constitute violation of the Palm Beach County Zoning Code.

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

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

The foregoing resolution was declared duly passed and adopted this 14th day of March, 1989 confirming action of April 29, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Susan G. Luby
COUNTY ATTORNEY

BY: Jina M. Blair
DEPUTY CLERK

