

RESOLUTION NO. R-89 -580

RESOLUTION APPROVING ZONING PETITION NO. 87-146  
REZONING PETITION OF JUDITH MCLENDON  
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. 87-146 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 28, 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. 87-146, the petition of JUDITH MCLENDON, for a REZONING FROM AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RE-RESIDENTIAL ESTATE ZONING DISTRICT, on a parcel of land lying on the North 390.00 feet of the East 1/2 of Tract 52, Block 11, The Palm Beach Farms Company Plat No. 3, Sections 5 and 8, Township 44 South, Range 42 East, as recorded in Plat Book 2, Page 46, Subject to an easement for ingress and egress over the easterly 20.00 feet of Tract 52 and the South 264.00 feet of the East 1/2 of Tract 52, Block 11, The Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Page 46, together with an easement for ingress and egress over the Easterly 20.00 feet of Tract 52, located on the south side of Seventh Place South, approximately 330.00 feet east of Ranch Road, was approved as advertised, subject to the following voluntary commitments:

1. The petitioner shall submit a survey which will indicate the subdivision of 5 acres in two 2.5 acre tract.
2. 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.
3. 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 \$1,045 per single family home over 2,000 square feet and \$804.00 per single family home under 2,000 feet.

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

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1988 confirming action of January 28, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY: Barbara Atteinn  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Blair  
DEPUTY CLERK