

RESOLUTION NO. R-89- 581

RESOLUTION APPROVING ZONING PETITION NO. 87-149  
REZONING PETITION OF ROCCO AND ELIZABETH FALOTICO  
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. 87-149 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 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. 87-149, the petition of ROCCO AND ELIZABETH FALOTICO, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RE-RESIDENTIAL ESTATE ZONING DISTRICT, on a parcel of land lying on the South 336.68 feet of the East 1/4 of the East 1/2 of Section 4, Township 41 South, Range 41 East, Subject to an easement for road purposes over and across the East 40.00 feet thereof. South line of Section 4 Township 41 South, Range 41 East, assumed to bear North 88 degrees 89' 59" East, and all bearings shown hereon are relative thereto, located on the east side of 131st Street Terrace, approximately 1.06 miles south of Indiantown Road (S.R. 706), was approved as advertised, subject to the following voluntary commitments:

1. The petitioner shall submit a warranty deed that

matches the sites legal description as noted on the survey, exhibit 2.

2. The petitioner shall meet all requirements of the Subdivision and Platting Regulation Ordinance.
3. 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.
4. The developer 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 approved single family home under 2,000 square feet and \$1,045.00 per approved single family home over 2,000 square feet.

Commissioner Marcus 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	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Absent

The foregoing resolution was declared duly passed and adopted this 4th day of April, 1989 confirming action of January 29, 1988.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLEE, CLERK

BY:

  
DEPUTY CLERK