

RESOLUTION NO. R-89- 747

RESOLUTION APPROVING ZONING PETITION NO. 87-110  
REZONING PETITION OF KENNETH A. DAVIS  
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. 87-110 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 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 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. 87-110, the petition of KENNETH A. DAVIS, for a REZONING FROM AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RTS-RESIDENTIAL TRANSITIONAL SUBURBAN ZONING DISTRICT on a parcel of land lying on the North 200.00 feet of the South 1630.00 feet of the West 1/2 of the Southwest 1/4 of Section 17, Township 41 South, Range 43 East, lying West of and measured along the West right-of-way line of the Intracoastal Waterway, as recorded in Plat Book 17, Page 5.

Excepting from the above description all that part of said West 1/2 of Southwest 1/4 lying West of the centerline of that certain County Road right-of-way 80.00 feet in width, which right-of-way is more fully described in Deed from Margaret J. Richardson and Henry C. Richardson, her husband, to Palm Beach County, dated

October 7, 1953, recorded in Deed Book 1036, Page 97; subject to right-of-way of said County Road as described in said Deed from Margaret J. Richardson joined by Henry C. Richardson, her husband, to County of Palm Beach, dated October 7, 1953.

TOGETHER WITH A QUIT CLAIM DEED to the property lying East of the above described 200.00 feet and West of the centerline of said Intracoastal Waterway and bounded on the North and South by the extension Eastwardly of the North and South line of the aforescribed 200.00 feet, located on the east side of Palmwood Road, approximately .2 mile south of Frederick Small Road, bounded on the east by the Intracoastal Waterway, 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:
  - a) \$804 per single family home under 2,000 square feet
  - b) \$1,045 per 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	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 1987.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY :

*Barbara Altman*  
COUNTY ATTORNEY

BY:

*June L. Staley*  
DEPUTY CLERK

