

RESOLUTION NO. R-89-1022

RESOLUTION APPROVING ZONING PETITION NO. 88-80(A)
MODIFICATION OF COMMISSION REQUIREMENTS
PETITION OF DANIEL H. LEEVER

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. 88-80(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on September 23, 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 and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 88-80(A), the petition of DANIEL H. LEEVER, by Kieran J. Kilday, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS (Petition No. 85-73), on a parcel of land lying on the East 3/4 of the East 1/2 of the Southwest 1/4 of Section 36, Township 44 South, Range 41 East, less the South 40 feet thereof for Right-of-way for Lantana Road, being located on the north side of Lantana Road (SR 812), approximately .5 mile west of State Road 7 (U.S. 441), in a RE-Residential Estate Zoning District, was approved subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval, for Petition No. 85-73 (R-86-633) unless expressly modified herein.
2. Condition No. 9 of Zoning Petition No. 85-73 (Resolution R-86-633) which currently states:

R89 1022

"9. The property owner shall construct:

- a) Lantana Road from State Road 7 west to the project's entrance road. This construction shall include 2-12 foot travel lanes, positive drainage with all structures constructed for ultimate 4 lanes, location of the proposed 2 lanes shall be per the County Engineer's approval"

is hereby amended to read:

"The property owner shall construct:

- a. Lantana Road from State Road 7 west to the project's entrance road in a manner acceptable to the County Engineer."
3. Failure to comply with the conditions 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.

Commissioner Watt 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	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Aye

The foregoing resolution was declared duly passed and adopted this 6th day of June, 1989 confirming action of September 23, 1988.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: [Signature]
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK
BY [Signature]
DEPUTY CLERK



R89 1022