

RESOLUTION NO. **R-91-597**

RESOLUTION APPROVING ZONING PETITION NO. **91-2**
REZONING PETITION
BOARD OF COUNTY COMMISSIONERS, KAREN MARCUS, CHAIR

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, have been satisfied; and

WHEREAS, Petition No. **91-2** was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its Public Hearing conducted on January **24, 1991**; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, 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 the 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

WHEREAS, Chapter **402.5** of the Zoning Code, requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. **91-2**, the petition of BOARD OF COUNTY COMMISSIONERS, KAREN MARCUS, CHAIR, BY RUSSELL C. SCOTT, AGENT, for a REZONING FROM AR TO PO, for a parcel lying in Section **20**, Township **43** South, Range **37** East; commencing on the north line of said Section **20**, at a point **664.60** feet east from the Northwest corner of said Section **20**, run thence south **00°11'56"** East a distance of **660.53** feet to the southeast corner of the northwest **1/4** of the northwest **1/4** of the northwest **1/4** of said Section **20**, and POINT OF BEGINNING; continue thence South **00°11'56"** East a distance of **360.01** feet; thence South **89°49'26"** East a distance of **840.00** feet; thence North **00°11'56"** West a distance of **360.01** feet; thence North **89°49'26"** West a distance of **840.00** feet to the POINT OF BEGINNING, and being located APPROXIMATELY **.08** MILE E. OF SR **15**, APPROXIMATELY **.1** MILE S. OF PROPOSED SR. **80**, was approved on January **24, 1991**, as advertised, approval of the petition is subject to the following voluntary conditions:

A. ENGINEERING

- E1. The Development shall provide **discharge** control and treatment for the storm-water 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 on-site the storm-water runoff generated by a three (3) year-one (1) hour storm with a total rainfall of 3 inches as required by the Permit Section, Land Development Division. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer, this matter will be referred to the Code Enforcement Board for enforcement.

E2. The Property owner shall construct left and right turn lanes as required by the County Engineer and the Florida Department of Transportation at the project's entrance road and State Road 80/State Road 15 concurrent with on-site paving and drainage improvements. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.

B. ENVIRONMENTAL RESOURCES MANAGEMENT

1. The approval of the Department of Environmental Resources Management is required prior to any on-site de-watering.

C. HEALTH

1. Water and sewer shall be provided by the City of Belle Glade.

Commissioner Elmquist moved for approval of the Resolution.

The motion was seconded by Commissioner McCarty and, upon being put to a vote, the vote was as follows:

| | | |
|------------------------|----|--------|
| Karen T. Marcus, Chair | -- | AYE |
| Carole Phillips | -- | AYE |
| Carol A. Roberts | -- | ABSENT |
| Carol J. Elmquist | -- | AYE |
| Mary McCarty | -- | AYE |
| Ken Foster | -- | AXE |
| Maude Ford Lee | -- | AYE |

The Chair thereupon declared the resolution was duly passed and adopted this 7th day of May, 1991.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK