

RESOLUTION NO R-93- 350

RESOLUTION APPROVING ZONING PETITION NO 92-28  
REZONING PETITION OF CHARLES L MOORE WALTER B HOOVER JR  
RUTH S HOOVER

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 92-28 was presented to the Board of County Commissioners of Palm Beach County sitting as the Zoning Authority at its Public Hearing conducted on August 27 1992, 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 92-28 the petition of CHARLES L MOORE, WALTER B HOOVER JR , RUTH S HOOVER BY KIERAN J KILDAY AGENT for a REZONING from the MULTIPLE-FAMILY RESIDENTIAL (RH) DISTRICT (HIGH DENSITY) TO THE GENERAL COMMERCIAL (CG) ZONING DISTRICT on a parcel of land lying in the East 250 00 feet of the North 329 24 feet of the West 3/4 of Lot 5 Block 4 Section 7 Township 44 South, Range 43 East, PALM BEACH PLANTATIONS a subdivision of Palm Beach County Florida LESS the North 53 00 feet for right-of-way of Forest Hill Boulevard subject to easements, reservations and restrictions of record and being located on the south side of Forest Hill Blvd approximately 200 feet E of Davis Road in the CG Zoning District, was approved on August 27 1992 as advertised subject to the following voluntary commitments

A STANDARD COMMITMENTS

- 1 The petitioner shall record a deed restriction, in a form and manner acceptable to the County Attorney, specifically limiting the use of the property to uses defined in the Palm Beach County Zoning Code as offices

dental medical and veterinary offices) prior to December 31, 1992 (MONITORING-Code Enforcement- County Attorney)

- 2 The petitioner shall upgrade the existing landscaping onsite to meet the minimum landscape code requirements as specified in the Palm Beach County Unified Land Development Code, Section 7 3 prior to December 31 1992 The applicant may submit a Alternative Landscape Betterment Plan to the Zoning Division if site conditions make it not feasible to comply with the landscape code in its entirety (ZONING/MONITORING)
- 3 The petitioner shall upgrade the existing parking to meet the parking code requirements of the Palm Beach County Unified Land Development Code Section 7 2 prior to December 31 1992 (MONITORING/ZONING)

**B** HEALTH

- 1 Water service is available to the property Therefore no potable well shall be permitted on the site (HEALTH - Building)

**C** ENGINEERING

- 1 The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application for any modifications However at a minimum this development shall retain onsite the stormwater 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 (ENGINEERING)
- 2 Property owner voluntarily agrees to restrict use of the property to that of office use or a similar use which would not exceed the traffic generation rate for the requested use subject to the approval by the County Engineer (ENGINEERING/ZONING)

Commissioner Marcus moved for approval of the Resolution

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

Mary McCarty, Chair	--	aye
Ken Foster	--	aye
Burt Aaronson	--	aye
Maude Ford Lee	--	aye
Karen T Marcus	--	aye
Warren H Newell	--	aye
Carol A Roberts	--	aye

The Chair thereupon declared the resolution was duly passed and adopted this 16th day of March, 1993

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY

  
COUNTY ATTORNEY

BY

  
DEPUTY CLERK