

RESOLUTION NO. R- 87-1116

RESOLUTION APPROVING ZONING PETITION **87-9**: Rezoning

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. **87-9** was presented to the Board of County Commissioners of Palm Beach County, sitting **as** the Zoning Authority, at its public hearing conducted on March **26, 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, petitioner shall extend the ingress/egress easement along the southern property line from east to west, a minimum of **180** feet to satisfy frontage requirement in the RE-Residential Estate Zoning District: and

WHEREAS, 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: and

WHEREAS, the application and engineering plans, calculations etc. to construct well and / or septic tank must be

submitted to the Health Department prior to site plan approval (or prior to issuance of Building Permit for straight rezoning); 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, assembled in regular session that Petition No. 87-9, the petition of MARK LYNN, by Kevin McGinley, Agent, for a REZONING FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RE-RESIDENTIAL ESTATE ZONING DISTRICT of the West 1/2 of the North 1/2 of the following described parcel: the South 680 feet of the North 4760 feet, Less the East 1923 feet thereof, of the East Half of Section 23, Township 42 South, Range 41 East. Also known as Lot 42, Kramer's Subdivision (unrecorded). Subject to a drainage and utility easement over the West 40 feet thereof. Together with an easement for ingress and egress over and across the following described parcels: the South 10 feet of the East 1/2 of the North 1/2 of the South 680 feet of the North 4760 feet, Less the East 1923 feet thereof, of the East 1/2 of Section 23, Township 42 South, Range 41 East, and the East 20 feet of the South 1/2 of the South 680 feet of the North 4760 feet, Less the East 1923 feet thereof, of the East 1/2 of Section 23, Township 42 South, Range 41 East. The property is located approximately .2 mile west of 112th Terrace North and approximately .8 mile south of Kelsey City West Road was approved as advertised.

Commissioner Adams, 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
Karen T. Marcus -- Absent
Dorothy Wilken -- Absent
Kenneth M. Adams -- Aye
Carol J. Elmquist -- Aye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 26, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney