

RESOLUTION NO. R-89- 1237

RESOLUTION APPROVING ZONING PETITION NO. 83-153(B)
SPECIAL EXCEPTION PETITION OF ROBERT C. MALT

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. 83-153(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 31, 1989; 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. 83-153(B) the petition of ROBERT C. MALT, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR VICTORIA WOODS PLANNED UNIT DEVELOPMENT (PETITION 83-153(B)) TO REDESIGNATE THE PRESERVATION AREA on a parcel of land lying in the East 1/2 of the Northwest 1/4 of Section 11, Township 44 South, Range 42 East; also known as **Lots** 1 through 8, inclusive Model Land Company's Subdivision as recorded in Plat Book 5, Page 76. Together with the West 1/2 of the Northwest 1/4 of Section 11, Township 44 South, Range 42 East; also known as Lots 21 through 28, Model Land Company's Subdivision as recorded in Plat Book 5, Page 76. Subject to all restrictions, reservations, easements and Right-of-way of Record, being located on the south side of Summit Boulevard, approximately .5 miles east of Jog Road, in a RS-Single Family Residential Zoning District, was approved as advertised, subject to the following conditions:

1. All previous conditions of approval shall apply.

2. Sewer service is available to the property. Therefore, no septic tank shall be permitted on the site.
3. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water.
4. A site plan, including a planting plan and section, showing the designation of a Littoral Zone surrounding the Water Management Tracts shall be submitted for approval to Environmental Resource Management and Palm Beach County Engineering prior to site plan certification.
5. The developer shall be bound to the approved master plan with no residential development permitted in open space tracts. The petitioner may be permitted minor changes as permitted by Section 402.7 of the Zoning Code.
6. Failure to comply with any conditions of approval 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 Howard moved for approval of the petition. The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Carol J. Elmquist	--	Absent
Karen T. Marcus	--	Aye
Carol Roberts	--	Aye
Ron Howard	--	Aye
Carole Phillips	--	Absent

The foregoing resolution was declared duly passed and adopted this 27th day of June, 1989 confirming action of January 31, 1989.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:

Richard Altman
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY'S
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

June J. Hardy
DEPUTY CLERK