

RESOLUTION NO. R-90-844

RESOLUTION APPROVING ZONING PETITION NO. 88-80(B)
SPECIAL EXCEPTION PETITION OF DANIEL H. LEEVER
BY KIERAN J. KILDAY, AGENT

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. 88-80(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on December 28, 1989; 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 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, 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. 88-80(B), the petition of DANIEL H. LEEVER, BY KIERAN J. KILDAY, AGENT, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN FOR LAGO DEL SOL PLANNED UNIT DEVELOPMENT TO INCREASE THE DENSITY on a parcel of land lying in the East $\frac{3}{4}$ of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 36, Township 44 South, Range 41 East, **LESS** the South 40.00 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. Highway 441) in a RE-Residential Estate Zoning District, was approved on December 28, 1989 as advertised, subject to the following conditions:

1. All previous conditions of approval, pursuant to petition numbers 85-73, 88-80 and 88-80(A), shall apply unless expressly modified, herein.
2. Lot area and dimensions for all lots shall meet Zoning Code Requirements.
3. The ultimate right of way shall be shown as 80' for Lantana Road, or as required by the County Engineers.

4. Prior to Site Plan Review submittal, the required landscape data shall be shown on the site plan in tabular form.
5. Prior to Site Plan Review submittal, the variance date shall be shown on the site plan.
6. The application and engineering plans, calculations, etc. to construct well and/or septic tank must be submitted to the Health Department prior to issuance of Building Permits.

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:

Carol J. Elmquist, Chair	-- AYE
Karen T. Marcus	-- AYE
Carol Roberts	-- AYE
Ron Howard	-- AYE
Carole Phillips	-- AYE

The Chair thereupon declared the resolution was duly passed and adopted this 22nd day of May, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK