

RESOLUTION NO. R- 87-1180

RESOLUTION RPPROVING ZONING PETITION 86-51(B):  
Modification of Commission Requirements

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. 86-51(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on April 23, 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, 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 and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA that Petition No. 86-51(B), the petition of UNITY OF LORKE WORTH, INC., by Reverend W. Lawrence Kendrick, Agent, for a MODIFICATION OF COMMISSION REQUIREMENTS TO REMOVE AND DELETE THE FOLLOWING CONDITIONS PLACED ON ZONING PETITION NO. 86-51, APPROVED MAY 22, 1986:

Condition No. 9 of Zoning Petition No. 66-51 which states:

9. "The property owner shall 'construct a left turn lane, west approach on Summit Boulevard at the project's entrance road concurrent with onsite paving and drainage improvements."

Request: Condition No. 9 be deleted.

Condition No. 10 of Zoning Petition No. 66-51 which states:

10. "The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is 97,046 (263 trips X \$26.79 per trip)."

Request: Condition No. 10 to read:

10. "The property owner shall pay a fair share fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$884 (33 trips at \$26.79 per trip. "

The property is located on the north side of Summit Boulevard approximately 230 feet west of Ferguson Lane in an RS-Single Family Residential Zoning District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 10 of Zoning Petition No. 86-51 which states:  
"10. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share

Contribution for Road Improvements Ordinance" as it presently exists or as it .may from time to time be amended. The Fair Share Fee for this project presently is 67,046 (263 trips X 826.79 per trip)."

is hereby modified to state:

"10. The property owner shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is 6884.07 (33 trips X 826.79 per trip)."

3. Condition No. 9 of Zoning Petition No. 86-51 which states:

"9. The property owner shall construct a left turn lane, west approach, on Summit Boulevard at the project's entrance road concurrent with onsite paving and drainage improvements."

is hereby deleted.

Commissioner Wilken, 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	--	Rye
Carol J. Elmquist	--	Rye
Karen T. Marcus	--	Rbsent
Dorothy Wilken	--	Rye
Kenneth M. Rdams	--	Rbsent

The foregoing resolution was declared duly passed and adopted this 11th day of August, 1987 confirming action of April 23, 1987.

PRLM BERCH COUNTY, FLORIDR  
BY ITS BORRD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa E. Daisey  
Deputy Clerk

RPPROVED AS TO FORM  
RND LEGRL SUFFICIENCY

[Signature]  
County Attorney