

RESOLUTION NO. R-90-1318

RESOLUTION APPROVING ZONING PETITION NO. 90-5
REZONING PETITION OF NICK De FELIPPIS
BY IRVING LESNICK, 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. 90-5 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 29, 1990; 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. 90-5, the petition of NICK De FELIPPIS, BY IRVING LESNICK, AGENT, for a REZONING FROM RE-RESIDENTIAL ESTATE ZONING DISTRICT TO AGRICULTURAL RESIDENTIAL ZONING DISTRICT on a parcel of land lying in Lot 103, Block 70, Palm Beach Farms Co. Plat No. 3, Plat Book 2, Pages 45 - 54, as in Section 27, Township 43 South, Range 42 East, and being located on the south side of 177th Place South, approximately .4 mile west of 90th Avenue South, and approximately .1 mile north of Clint Moore Road was approved on March 29, 1990, as advertised subject to the following voluntary commitments:

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. However, at a minimum, this development shall retain on site 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.

Commissioner Marcus moved for approval of the Resolution.

The motion was seconded by Commissioner Howard 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

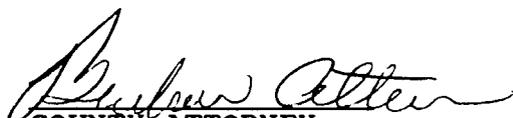
The Chair thereupon declared the resolution was duly passed and adopted this 7th day of August, 1990.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

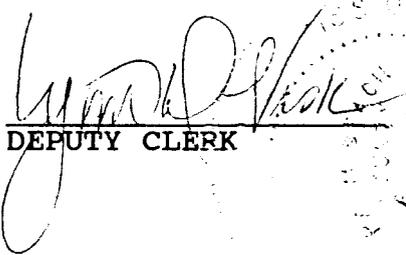
PALM BEACH COUNTY, FLORIDA
BY ITS **BOARD OF COUNTY**
COMMISSIONERS

JOHN B. DUNKLE, CLERK:

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

