

RESOLUTION NO. R-87-22

RESOLUTION APPROVING ZONING PETITION 86-47, 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. 86-47 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 26th June 1986; 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, the petitioner agreed that the developer shall preserve existing slash pine and palmetto within the required interior and perimeter landscape strips and required side and rear yards; and

WHEREAS, the petitioner agreed that the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition per the County Engineers approval; and

WHEREAS, the petitioner agreed that the property owner shall convey for the ultimate right-of-way of Military Trail, 60 feet from centerline (approximately an additional 10 feet) within 90 days of the approval of the Resolution by the Board of County Commissioners; 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 Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th of June 1986, that Petition No. 86-47 the petition of ELLIOTT & KAREN ZACKER AND EUGENE KRUGER By Decl Kruger, Agent, for the REZONING, FROM AR-AGRICULTURAL RESIDENTIAL DISTRICT TO CS-SPECIALIZED COMMERCIAL DISTRICT on Lots 176 through 183, inclusive, according to Plat 2 of Delray Garden Estates, in Section 11, Township 46 South, Range 42 East, as recorded in Plat Book 23, Page 139. Said property located on the northwest corner of the intersection of Military Trail (S.R. 809) and Oak Hill Road was approved as advertised subject to the voluntary commitments.

Commissioner Adams, moved for approval of the petition. The motion was seconded by Commissioner Wilken and upon being put to a vote, the vote was as follows:

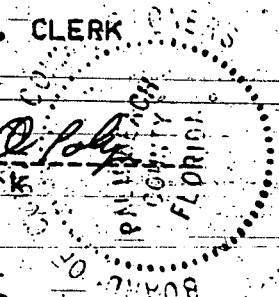
Karen Marcus -- ABSENT
Jerry L. Owens -- AYE
Ken Spillias -- ABSENT
Dorothy Wilken -- AYE
Kenneth M. Adams -- AYE

The foregoing resolution was declared duly passed and adopted this 13th day of January, 1987 confirming action of June 26, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Polk
Deputy Clerk



APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
County Attorney

FILED THIS 13th DAY OF Jan 1987
AND RECORDED IN
MINUTE BOOK NO. AT
PAGE RECORD VERIFIED
JOHN B. DUNKLE, CLERK
BY: [Signature]