

RESOLUTION NO. R-88-1197

RESOLUTION APPROVING ZONING PETITION NO. 87-53  
REZONING PETITION OF LAWRENCE CALVERT, III AND JODY CALVERT

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. 87-53 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on JULY 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 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. 87-53, the petition of LAWRENCE CALVERT, III AND JODY CALVERT, by Lawrence Calvert III, Agent, for a REZONING, FROM AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT TO RT-RESIDENTIAL TRANSITIONAL ZONING DISTRICT on a parcel of land lying in Section 36, Township 43 South, Range 41 East, more particularly described as follows: Beginning at a point in the South Right-Of-Way line of the West Palm Beach Canal at a distance of 385 feet Easterly from the West line of the Southeast 1/4 of the Southwest 1/4 of Section 36, thence Easterly along said Right-Of-Way line a distance of 330 feet; thence Southerly parallel to the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 36 a distance of 330 feet; thence Westerly, parallel to said Southerly Right-Of-Way line, a distance of 330 feet; thence Northerly, parallel to the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 36, a distance of 330 feet to the Point of Beginning,

located on the north side of Acme Road, approximately .4 mile west of U.S. Highway 441 (S.R. 7) and is bounded on the north by the West Palm Beach Canal, was approved as advertised, subject to the following voluntary commitments:

1. The developer shall meet the stormwater retention requirements in effect at the time of the permit application for the applicable drainage district. However, at a minimum this development shall retain onsite the first (1) one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
2. The property owner shall convey for the ultimate right-of-way of Acme Road, thirty (30) feet from centerline (approximately an additional fifteen (15) feet) within ninety (90) days of the approval of the Resolution approving this project.
3. 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 \$804 per dwelling unit under 2,000 square feet and \$1045 per single family dwelling unit over 2,000 square feet.


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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 9th day of August, 1988 confirming action of July 23, 1987.


APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:

  
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN BUNKLE, CLERK

BY:   
DEPUTY CLERK  
FLORIDA