

RESOLUTION NO. R-89- 351

RESOLUTION APPROVING ZONING PETITION NO. 88-30
REZONING PETITION OF THE BOARD OF COUNTY COMMISSIONERS

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. 88-30 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 24, 1988; 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. 88-30, the petition of THE BOARD OF COUNTY COMMISSIONERS, by Stephen H. Jaekel, Agent, for a REZONING FROM PO-PUBLIC OWNERSHIP ZONING DISTRICT, IN PART, AND AR-AGRICULTURAL RESIDENTIAL ZONING DISTRICT, IN PART, TO ENTIRELY PO-PUBLIC OWNERSHIP ZONING DISTRICT (IN ORDER TO ENLARGE THE EXISTING CORRECTIONAL FACILITY), on a parcel of land in the West 1/2 of Tracts 7, 12 and 13, Block 8, Palm Beach Farms Company Plat No. 3 in Section 31, Township 43 South, Range 42 east, as recorded in Plat Book No. 2, Pages 45-54, inclusive, LESS the North 36.00 feet of Tract 13 for Lake Worth Drainage District Lateral Canal No. L-4 in accordance with Deed Book 67, Page 41, located on the southwest corner of the intersection of Fairgrounds Road North and West Fairgrounds Road, was approved as advertised, subject to the following voluntary commitments:

1. The site plan shall be modified to meet all special regulations of the PO-Public Ownership Zoning District (Section 617.C of the Palm Beach County Zoning Code)

prior to the issuance of a building permit.

2. The developer shall retain 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 onsite three (3) inches of the stormwater runoff generated by a three (3) year-one (1) hour storm as required by the Permit Section, Land Development Division. 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.
3. The petitioner shall convey to the Lake Worth Drainage District the south 14 feet of the north 50 feet of the west half of Tract 13, Block 8 according to Palm Beach Farms Plat Book 2, Pages 45-54 for the required right-of-way for Lateral Canal No. 4, by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of the approval of the Resolution approving this project.
4. Since sewer service is available to the property, septic tank shall not be approved for use on the property.
5. Because water service is available to the property, a well shall not be approved for potable water use.
6. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance of a stop work order; the denial of a Certificate of Occupancy on any building or structure; or the denial or revocation of any permit or approval for any developer-owner, commercial-owner, lessee, or user of the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations of the conditions herein shall constitute violation of the Palm Beach County Zoning Code.

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	--	Absent
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 28th day of February, 1989 confirming

action of March 24, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Juan Lubet*
COUNTY ATTORNEY

BY: *June J. Hardy*
DEPUTY CLERK

