

RESOLUTION NO. R-74-58

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 73-226 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 4 January 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 4th day of January, 1974, that petition No. 73-226, the petition of FLORIDA POWER AND LIGHT COMPANY by Robert J. Snyder, Right-of-Way Supervisor, for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF EXTRACTIVE MATERIALS on the following described parcel: commencing at the Northeast corner of Section 6, Township 44 South, Range 40 East; thence North 89° 50' 19" West along the North section line of said Section 6 for a distance of 295.6 feet to the Point of Beginning; said Point of Beginning being located on the Northwest right-of-way line of Central & Southern Florida Flood Control District Levee L-7; thence continue Westerly along the North section line of said Section 6 for a distance of 1704.4 feet; thence Southwesterly for a distance of approximately 2810 feet to a point on the East-West centerline of said Section 6 that is 600 feet, measured at right angles, from the Northwest right-of-way line of Central &

Southern Florida Flood Control District Levee L-7; thence South 34° 45' 40" West for a distance of 1500 feet; thence South 55° 14' 20" East for a distance of 100 feet; thence South 34° 45' 40" West to a point on the West section line of Section 7, Township 44 South, Range 40 East; thence Southerly along the West section line of said Section 7 to the Northwest right-of-way line of Central & Southern Florida Flood Control District Levee L-7; thence North 34° 45' 40" East for a distance of approximately 9106.2 feet to the Point of Beginning; together with the following parcel: commencing at the Northeast corner of Section 6, Township 44 South, Range 40 East; thence Westerly along the North section line of said Section 6, for a distance of 295.6 feet to a point on the Northwest right-of-way line of Central & Southern Florida Flood Control District Levee L-7 said point being the Point of Beginning; thence continue Westerly along North section line of said Section 6, for a distance of 1704.4 feet; thence Northerly along a line that is perpendicular to the North section line of said Section 6, to the South right-of-way line of Central & Southern Florida Flood Control District Levee L-7 extended; thence Easterly along the South right-of-way line of Levee L-7 extended for approximately 2000 feet to a point on a line that is perpendicular to the North section line of said Section 6 and passes through the Northeast corner of said Section 6; thence Southerly along said line that passes the Northeast corner of said Section 6 to a point on the Northwest right-of-way line of Central & Southern Florida Flood Control District Levee L-7; thence Southwesterly along the Northwest right-of-way line of Levee L-7 for approximately 520 feet to the Point of Beginning; together with the following described parcel of land: the Point of Beginning is on the East right-of-way line of State Road 80, further described as the Southwest corner of that parcel of land described in Deed Book

887 at Page 189; thence South 38° West a distance of 218 feet to a point on the Easterly right-of-way line of State Road 80; thence South 89° East a distance of 500 feet to a point; thence due North 0° a distance of 90 feet to a point, said point being 75 feet South of, adjacent to and parallel with the Southerly right-of-way line of Levee L-7 extended; thence South 89° East a distance of 1100 feet to a point; thence North 0° a distance of 75 feet to a point; said point being further described as the West line of the hereinabove described parcel; thence North 89° West a distance of 1100 feet to a point; thence North 52° West a distance of 80 feet to a point; further described as the Northeast corner of that parcel of land described in Deed Book 887 at Page 189; thence South 38° West a distance of 200 feet to a point; thence North 52° West a distance of 200 feet to the Point of Beginning. Said property located on the south side of State Road 80, on the west side of CSFFCD Levee L-7 in an AG-Agricultural District, containing approximately 232 acres, was approved as advertised subject to the following special conditions:

- 1) All excavations made below a water-producing depth shall be properly sloped up to a water depth of six (6) feet at a slope not greater than 5:1;
- 2) Petitioner shall continue in their aggressive efforts to acquire the "Big Mounds";
- 3) Petitioner shall take every precaution for the preservation of the Everglade Kite.

The foregoing resolution was offered by Commissioner Culpepper , who moved its adoption. The motion was seconded by Commissioner Weaver , and upon being put to a vote, the vote was as follows:

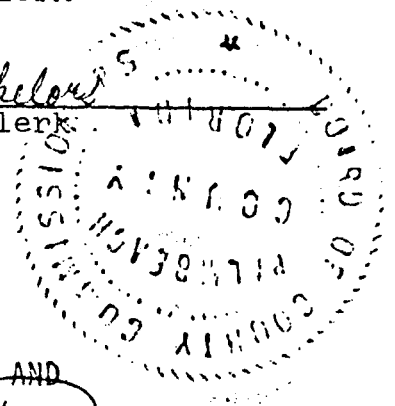
Lake Lytal	- aye
E. W. Weaver	- aye
Robert C. Johnson	- nay
George V. Warren	- aye
Robert F. Culpepper	- aye

The Chairman thereupon declared the resolution duly passed and adopted this 29th day of January, 1974, confirming Board action of January 4, 1974.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: James B. Shelton
Deputy Clerk



APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Michael B. Small

Michael B. Small
County Attorney