

RESOLUTION NO. R-74- 761- E

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. 74-138 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 September 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of September, 1974, that petition No. 74-138, the petition of AMERIGO AND SUSAN M. BRUSCHI AND DALE AND MARGARET BRUSCHI for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF EXTRACTIVE MATERIALS on Tracts 11 through 24 inclusive in Section 29, Township 47 South, Range 41 East, Florida Fruit Land Company's Subdivision Map No. 2 as recorded in Plat Book 1, page 102; also including that portion of the Southwest 1/4 of the Southwest 1/4 of Section 20, Township 47 South, Range 41 East lying South of the South right-of-way line of State Road No. 827, as depicted on that survey prepared by Rossi and Malavasi Engineers, Inc., Job No. 3026-74, dated July, 1974, and on file at the office of the Director of Planning, Zoning and Building; containing 298.424 acres, more or less. Said property located on the south side of the

Hillsboro Canal approximately 4.5 miles west of State Road No. 7, was approved as advertised, subject to the following special conditions:

- 1) Prior to the excavation or removal of extractive materials the petitioner shall convey to Palm Beach County the additional right-of-way required to provide two hundred (200) feet of right-of-way for Hillsboro Road;
- 2) Petitioner shall construct a left turn lane east approach at project entrance and State Road 827;
- 3) Petitioner shall convey approximately one hundred twenty (120) acres of lake to Palm Beach County as a natural area;
- 4) Petitioner shall dedicate a fifty (50) foot access along the west property line for ingress and egress to the property to be conveyed to Palm Beach County as mentioned in Condition No. 3 above;.
- 5) Petitioner may bond the excavation in twenty (20) acre increments as per approval of the Site Plan Review Committee;
- 6) Petitioner shall execute a Removal Agreement for the three (3) mobile homes.

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

Robert F. Culpepper	- Absent
Lake Lytal	- Yes
E. W. Weaver	- Yes
Robert C. Johnson	- Yes
George V. Warren	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 22nd day of October , 1974, confirming action of 26 September 1974.

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

JOHN B. DUNKLE, Clerk

By

Mary J. Webster

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

Michael B. Small  
County Attorney