

RESOLUTION NO. R-78-289

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, 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. 78-4 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 February 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 23^d day of February, that petition No. 78-4 the petition of ROBERT W. EELL, TRUSTEE, Ry Jan A. Wolfe, **Sr.**, Agent **for** the REZONING, FROM AG-AGRICULTURAL DISTRICT TO RE-RESIDENTIAL ESTATE DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED UNIT DEVELOPMENT on Tracts 35 and 46, Block 11, Palm Beach Farms Co., Plat No. 3, in Section 5, Township 44 South, Range 42 East, as recorded in Plat **Book** 2, page 46, less however the Cast 30 feet thereof for road purposes. Said property located on the west side of Marginal Road (82nd Drive South), approximately 1/4 mile south of Pioneer Road, was approved as advertised subject to the following special conditions:

1. Petitioner shall provide a sixty (60) foot right-of-way **for** access road along the west property line (thirty (30) feet **from** the subject parcel and thirty (30) feet from the adjacent parcel to the west).

2. Petitioner shall provide a fifty (50) foot right-of-way for access road along the south property line.
3. Petitioner shall pave the access road along the south and west property lines.
4. Prior to the Site Plan Review Committee Meeting, the Petitioner shall submit a Site Rehabilitation and Reclamation Plan, a certified tree count coordinated with the County Forester, and such information as may be required pursuant to Section 500.3 of the Palm Beach County Zoning Code, as amended.
5. No trucks shall transport excavated materials on the northerly roads during the hours of pick-up and delivery of children going to and from school.

Commissioner Lytal , moved for approval of the petition.

The motion was seconded by Commissioner Bailey , and upon being put to a vote, the vote was as follows:

Peggy Evatt , Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Yes
Lake Lytal	-	Yes
William Medlen	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted this 7th day of March , 1978, confirming action of 23 February 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Otterson*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Law Dill
County-Attorney

