

RESOLUTION NO. R-78- 596

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, 78-69 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 April 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 27th day of April, 1978, that petition No. 78-69 the petition of MICHAEL F. CHILLEMI for a SPECIAL EXCEPTION TO ALLOW EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS on the East 1/2 of Tract 11, and the West 1/2 of Tract 12, Block 11, Palm Beach Farms Company Plat No. 3, in Section 5, Township 44 South, Range 42 East, as recorded in Plat Book 2, pages 45-54. Said property located on the north side of Pioneer Road, approximately 1/2 mile west of Benoist Road in an AG-Agricultural District, was approved as advertised subject to the following special conditions:

1. Excavation and rehabilitation of the subject lake area shall be in conformance with that Site Plan, Exhibit No. 3, on file in the office of the Director of Planning, Zoning, and Building, with the proposed lake area not to exceed one hundred forty (140) feet by two hundred (200) feet in dimension nor to exceed ten (10) feet in depth. In addition, the location of the subject lake shall comply with the location as depicted on said Site Plan, said lake area being more particularly described as follows:

The North 140 feet of the West 200 feet of the South 1/2 of the West 1/2 of Tract 12, Block 11, Palm Beach Farms Company Plat No. 3, in Section 5, Township 44 South, Range 42 East, as recorded in Plat Book 2, pages 45-54.

2. Petitioner shall excavate the lake area with a minimum side slope of five to one (5:1) to a depth of six (6) feet below grade.
3. All excavation and rehabilitation shall be completed within a period of six (6) months.
4. Petitioner shall provide a berm around the subject lake for runoff quality improvement.
5. The subject operation shall be limited to a maximum of one (1) truck only in and out of the subject site.

Commissioner **Bailey**, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 16th day of May, 1978, confirming action of 27 April 1978.

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

JOHN B. DUNKLE, Clerk

By: *Geeth Van Otterden*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Law Dell
County Attorney