

RESOLUTION NO. R-78- 1262

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. 78-193 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 25th day of September, 1978, that petition No. 78-193 the petition of CHARLES C. McALILEY, by Jan A. Wolfe, Agent for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS on that part of Tract 48, lying Westerly of the Westerly right-of-way of the Florida State Turnpike as that line is described in deed recorded in Deed Book 1166, page 214, all in Block 11, the Palm Beach Farms Co. Plat No. 3, in Section 5, Township 44 South, Range 42 East, as recorded in Plat Book 2, pages 45 to 54 inclusive. Said property located on the north side of 7th Place South, approximately .2 mile north of Dillman Road in an RE-Residential Estate District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County ten (10) feet for the ultimate right-of-way for Seventh Place South,
2. Petitioner shall provide the thirty (30) feet west of and adjacent to the West Right-of-Way line of the lands acquired by the Florida Turnpike for the required right-of-way for Equalizing Canal No. 2W, a major outfall. Said provision shall be by Quit Claim Deed or an Easement Agreement, whichever the petitioner prefers.

Commissioner Lytal , 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	-	Absent
Lake Lytal	-	Yes
William Medlen	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted
this 10th day of September , 1978, confirming action
of 25 September 1978,

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

