

RESOLUTION NO. R-79- 1252

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. 79-182 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 August 1979.

NOW, THEREFORE, BE **IT** RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 23d day of August, 1979, that petition No. 79-182 the petition of CUSHMAN FRUIT COMPANY, INC., by **Henry** Skokowski, Agent, *for* THE FURTHER SPECIAL EXCEPTION TO ALLOW A DAIRY PROCESSING FACILITY on a parcel of land in Section 7, Township 44 South, Range 43 East, being more particularly described as **follows**: Beginning at the northwest corner of the plat of Larkwood, as recorded in Plat Book 23, page 227; thence South $01^{\circ}28'20''$ East along the west line of said plat of Larkwood, being also known *as* the east line of the West 1/2 of Lot 3, Block 4, Palm Reach Plantations, Plat No. 1, as recorded in Plat Book 10, page 20, a distance of 242.60 feet to a point in a line, being 290.00 feet northerly of, as measured at right angles, and parallel with the South line of said West 1/2 of Lot 3; thence North $88^{\circ}13'30''$ West along said parallel line, a distance of 330.61 feet to a point in the west line of said West 1/2 of Lot 3; thence North $01^{\circ}28'47''$ West along said west line, a distance of 242.60 feet to a point in a

line, being the westerly extension of the North line of the said plat of Larkwood; thence South $88^{\circ}13'30''$ East along said westerly extension, a distance of 330.64 feet to the Point of Beginning; together with a parcel of land in Section 7, Township 44 South, Range 43 East, being more particularly described as follows: Commencing at the northwest corner of the plat of Larkwood, as recorded in Plat Book 23, page 227; thence South $01^{\circ}28'20''$ East along the west line of said plat of Larkwood, being also known as the east line of the West $1/2$ of Lot 3, Block 4, Palm Beach Plantations, Plat No. 1, as recorded in Plat Book 10, page 20, a distance of 242.60 feet to a point in a line, being 290.00 feet northerly of, as measured at right angles, and parallel with the south line of the *said* West $1/2$ of Lot 3, said point being the Point of Beginning; thence continue South $01^{\circ}28'20''$ East along said west line of the plat of Larkwood, a distance of 57.40 feet to the northwest corner of Lot 9 of said plat of Larkwood; thence South $88^{\circ}13'30''$ East along the north line of said Lot 9, a distance of 145.00 feet to a point in the west right-of-way line of Dalinda Lane, according to the said plat of Larkwood; thence South $01^{\circ}28'20''$ East along said west right-of-way line, a distance of 146.51 feet to a point in the northerly right-of-way return of Forest Hill Boulevard, as recorded in **road** Plat Book 5, pages 192-200, thence South $45^{\circ}09'05''$ West along said return, a distance of 36.34 feet to a point in the north right-of-way line of said Forest Hill Boulevard, also as recorded in Road Plat Book 5, page 192-200; thence North $88^{\circ}13'30''$ West along said north right-of-way line, a distance of 449.12 feet to a point in the west line of said West $1/2$ of Lot 3; thence North $01^{\circ}28'47''$ West along said west line, a distance of 230.37 feet; thence South $88^{\circ}13'30''$ East along the aforementioned parallel line, a distance of 330.61 feet to the Point of Beginning. Subject to reservations, easements, and rights-of-way of record. Said property located on the north side of Forest Hill Boulevard, approximately .3 mile west of Congress Avenue, was approved as amended per the petitioner's request for THE FURTHER SPECIAL EXCEPTION TO ALLOW A CITRUS PROCESSING FACILITY, subject to the following conditions:

1. Petitioner shall construct:
 - a. Right turn lane, east approach, on Forest Hill Boulevard at the project's main entrance,
 - b. Left turn lane, west approach, on Forest Hill Boulevard into the project's main entrance prior to the issuance of a Certificate of Occupancy for any new construction if the petitioner wishes to secure a Certificate of Occupancy prior to the reconstruction of Forest Hill Boulevard by the State Department of Transportation.
 - c. The main entrance on Forest Hill Boulevard to have one lane entering and two lanes exiting.
2. All landscaping shall be installed as shown on site plan submitted prior to a Certificate of Occupancy.
3. All lighting shall be directed inwards to illuminate the subject premises only and shall not spill over onto adjacent properties.
4. The public address system must be controlled so as not to adversely affect adjacent residential properties.
5. The water retention system must be operated and maintained by the petitioner so as not to become unsafe or unsightly.
6. Petitioner may substitute a six (6) ft. high wood privacy fence to supplement existing vegetation in lieu of a six (6) ft. high masonry wall.
7. Within ninety (90) days of Special Exception approval, petitioner shall dedicate to Palm Beach County thirty (30) feet of right-of-way from the centerline for Dalinda Lane.

Commissioner Foster, moved for approval of the petition.

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

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Absent
Peggy Evatt, Member	-	Yes
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted
this 18th day of September, 1979, confirming action of
23 August 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Beth Van Ottesen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John B. Dunkle
County Attorney