

RESOLUTION NO. R- 80-221

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. 80-3 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 January 1980; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of January, 1980, that Petition No. 80-3 the petition of MARTIN A. MANLEY for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SOIL OR OTHER EXTRACTIVE MATERIALS, on a parcel of land lying in Section 33, Township 40 South, Range 41 East, being more particularly described as follows:

the North 517 feet of the South 4336 feet of the West 873 feet of the East 1771 feet of that part of said Section 33, lying North of State Road No. 706 right-of-way; Subject to an easement for ingress and egress over the Easterly 30.0 feet thereof; together with an easement for ingress and egress over, across and upon the West 60 feet of the East 2674 feet of the South 4486 feet of that part of said Section 33, lying North of State Road 706, together with an easement for ingress and egress over, across and upon the South 10 feet of the following described property: the West 873 feet of the East 2644 feet of that part of said Section 33, lying North of State Road 706 right-of-way, less the South 4336 feet thereof, and together with an easement for ingress and egress over, across and upon the North 10 feet of the following described property: the North 517 feet of the South 4336 feet of the West 873 feet of the East 2644 feet of that part of said Section 33, lying North of State Road 706 right-of-way; together with an easement for ingress and egress over, across and upon the West 60 feet of the East 928 feet of that part of said Section 33, lying North of State Road 706 right-of-way. Said property located approximately 800 feet east of 134th Way, approximately 800 feet south of the Martin County Line, and approximately .7 mile north of Indiantown Road (S.R. 706) in an AG-Agricultural District, was approved as advertised subject to the following conditions:

1. Petitioner shall contribute One Hundred Eighty-seven Dollars and Fifty Cents (\$187.50) for the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s), This Fair Share Traffic Impact contribution has been determined in accordance with the provisions of Ordinance 79-7. However, regardless of the present or future status of this Ordinance, this development shall be required to provide the above One Hundred Eighty-seven Dollars and Fifty Cents (\$187.50) toward alleviating some of its direct and identifiable traffic impact.
2. The proposed lake shall be constructed at 5:1 side slopes and a berm shall be constructed around the perimeter.

Commissioner Evatt, moved for approval of the petition.  
The motion was seconded by Commissioner Gregory, and upon being  
put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted  
this 12th day of February, 1980, confirming action of  
24 January 1980.

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

