

RESOLUTION NO. R-80-1015

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. 80-115 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 June 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 consistent with the needs of the County for land areas for specific purposes to serve population and economic activities
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
3. The proposal would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day of June, 1980, that Petition No. 80-115 the petition of KAY-ESS REALTY CORPORATION by Daniel Brod, President, for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS on Tracts 46 thru 60 inclusive, Block 72, of PALM BEACH FARMS CO. PLAT NO. 3, in Section 5, Township 47 South, Range 42 East, as recorded in Plat Book 2, pages 45 thru 54 inclusive, TOGETHER with the abandoned 30 foot road right-of-way as recorded in O.R. Book 2909, page 1305, LESS the right-of-way for Florida's Turnpike. Said property located on the west side of Florida's Turnpike and being bounded on the south by L.W.D.D. Lateral Canal No. 41 in an RM-Residential Multiple Family District (Medium Density), was approved as advertised subject to the following conditions:

1. Petitioner shall maintain truck travel routes in a condition acceptable to the County Engineer's office, and implement traffic controls deemed warranted.
2. Petitioner shall contribute Six Hundred Twenty-five Dollars (\$625.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the excavation permit(s).
3. The developer will take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from the project do not become a nuisance to neighboring properties.

Commissioner Bailey , 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:

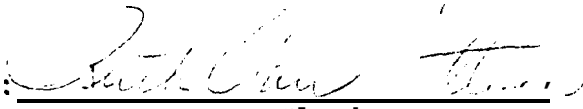
Dennis Koehler, Chairman	- Absent
Frank Foster, Vice Chairman	- Aye
Bill Bailey, Member	- Aye
Norman R. Gregory, Member	- Aye
Peggy B. Evatt, Member	Absent

The foregoing resolution was declared duly passed and adopted
this 29th day of July, 1980 , confirming action of
26 June 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By :


Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney

