

RESOLUTION NO. R- 80-1102

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. 80-117 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 July 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 July, 1980, that Petition No. 80-117 the petition of SOUTH FLORIDA EXCAVATION, INC., by Leon Glidewell, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL, OR OTHER EXTRACTIVE MATERIALS on Tracts 23 and 24, Block 35 of "The Palm Beach Farms Company Plat No. 3" in Section 36, Township 44 South, Range 41 East, as recorded in Plat Book 2, page 48, less however the right-of-way for State Road No. 7, as recorded in Road Plat Book 1, page 40; TOGETHER WITH a portion of Tract 26, Block 35, of said PALM BEACH FARMS COMPANY PLAT NO. 3, being more particularly described as follows: Beginning at the Northwest corner of said Tract 26; thence due South (assumed) along the West line of said Tract 26, a distance of 242.99 feet; thence North 89°59'45" East, a distance of 602.87 feet; thence North 2°31'12" East, a distance of 243.22 feet to a point in the North line of said Tract 26; thence South 89°59'45" West, along said North line of Tract 26, a distance of 613.56 feet to the POINT OF BEGINNING aforescribed; TOGETHER WITH certain portions of that road right-of-way abandoned by Resolution No. R-78-759 as recorded in Official Record Book 2898 on Pages 203 through 206, inclusive. Said property located on the west side of S.R. #7 (U.S. 441), approximately 700 feet south of 55th Street South in an AG-Agricultural District, was approved as advertised subject to the following conditions:

1. Within twelve (12) months of Special Exception approval, petitioner shall convey to Palm Beach County two hundred forty (240) feet from the base line of survey according to R.B. 1, page 40, for the ultimate right-of-way for S.R. 7. The land area within the ultimate right-of-way for S.R. 7 shall be reclaimed to its original elevation with material acceptable to the County Engineer.

2. Petitioner shall maintain truck travel routes in a condition acceptable to the County Engineer.
3. Petitioner shall provide proper signage for entering and exiting S.R. 7.
4. Petitioner shall contribute One Hundred Fifty Dollars (\$150.00) 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).
5. 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.
6. Petitioner shall submit a revised reclamation plan prior to Board of County Commission approval.

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	- No
Peggy B. Evatt, Member	- Absent

The foregoing resolution was declared duly passed and adopted this 19th day of August, 1980, confirming action of 24 July 1980.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Peter W. Ottewill*  
 Deputy Clerk

APPROVE AS TO FORM  
 AND LEGAL SUFFICIENCY

*Charles F. Schoech*  
 County Attorney

