

RESOLUTION NO. R- 83-192

RESOLUTION APPROVING ZONING PETITION 82-39, SPECIAL EXCEPTION

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 no-tice 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. 82-39 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY

COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of October, 1982, that Petition No. 82-39 the petition of BRADY FARMS, INC., by Dwight R. Weyant, Agent, for THE FURTHER SPECIAL EXCEPTION TO ALLOW A MOBILE HOME RENTAL PARK on State Lots 1 and 2, of the Subdivision of Section 12, Township 43 South, Range 36 East; Less and Not Including: State Road 715 right-of-way and parcel described in Official Record Book 2925, page 1875; AND State Lot 2 of the Subdivision of Section 13, Township 43 South, Range 36 East, AND two parcels of Sovereignty Land, lying in the unsurveyed part of Section 13, Township 43 South, Range 36 East, described in Official Record Book 1286, page 600, as follows: Commence at the Northeast corner of Lot 2, Section 13, Township 43 South, Range 36 East, according to the Plat "Lands Offered for Sale in the Everglade by the Trustees of the I.I. Fund, Tallahassee, Florida, December 1, 1916"; thence North 0°07' East, 51.0 feet; thence North 89°53' West, 207.0 feet; thence South 55°13' West, 1127.32 feet along the right-of-way of the E.D.D. Levee as established by the Wallis Engineering Company; thence South 89°53'

East, 533.6 feet; thence North $45^{\circ}18'$ East, 842.73 feet to the Point of Beginning, and lying and being in Section 13, Township 43 South, Range 36 East, AND a parcel of sovereignty land in Palm Beach County, Florida, described as follows: Commence at the Northeast corner of Lot 2, Section 13, Township 43 South, Range 36 East, according to the plat: "Lands Offered for Sale in the Everglades by the Trustees of the Internal Improvement Fund, Tallahassee, Florida, December 1, 1916"; thence North $0^{\circ}07'$ East, 51.0 feet; thence North $89^{\circ}53'$ West, 207.0 feet to the Point of Beginning; thence continue North $89^{\circ}53'$ West, 734.51 feet; thence South $37^{\circ}11'30''$ West, 806.68 feet along the U.S. right-of-way line; thence North $89^{\circ}51'30''$ East 298.05 feet; thence North $55^{\circ}13'$ East 1125.13 feet to the Point of Beginning, and lying and being in Section 13, Township 43 South, Range 36 East. Said property located on the west side of S.R. 715 and on the north and south sides. of Hatcher Road, was approved as advertised subject to the following conditions:

1. Developer shall construct, prior to issuance of a Certificate of Occupancy:
 - a) Left turn lane south approach.
 - b) Right turn lane north approach.
2. Developer shall contribute the sum of Twenty-Eight Thousand One Hundred and Twenty Five Dollars (**\$28,125.00**) toward 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).
3. The Developer shall take reasonable precautions during the development of this project to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
4. The Developer shall take reasonable precaution to insure that run-off from this project will not pollute adjacent or near-by surface waters.
5. The proposed Mobile Home Rental Park shall be limited to five (5) dwelling units per acre.
6. Developer shall erect a 6' fence along entire southeastern boundary of the subject site except along Hatcher Road.
7. Developer shall construct Hatcher Road to County standards concurrent with internal mobile home park roadway improvements.

Commissioner Bailey , moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted
this 8th day of February, 1983, confirming action of
28 October 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Autrude Bladdin
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John R. [Signature]
County Attorney

