

RESOLUTION NO. R-83-612

RESOLUTION APPROVING ZONING PETITION 83-17, 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 notice and hearing requirements as provided for in Chapter 407.5 of the Palm Beach County Zoning Code Ordinance No* 73-2 have been satisfied; and

WHEREAS, Pet it ion No. 83-17 was presented to the Board of County Commissioners of Paim Beach County at its public hearing conducted on 24th February 1983; 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 recommendat ions of the Planning Commission; and

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

1. The proposed user; are consistent with the Comprehensive Plan.
2. The proposed uses can be accommodated to the subj cct site while meeting all property development regulations.
3. The proposed uses should not have any significant impacts upon surrounding proper ties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of February, 1983, that Petition No. 83-17 the petition of SOUTH FLORIDA TROTting CENTER, INC., By Howard Beissinger, President, for a SPECIAL EXCEPTION TO ALLOW A HORSE BREEDING AND TRAINING FARM INCLUDING ACCESSORY BUILDINGS AND STRUCTURES AND AN ON-SITE WATER AND SEWAGE TREATMENT PLANT on Lots 17 to 23, inclusive, Block 44, Palm Beach Farms Company, Plat 3, in Section 12, Township 45 South, Range 41 East, as recorded in Plat Book 2, Pages 45 through 54; less that part of Lot 17 conveyed for road purposes in Deed Book 636, Page 96, and the South 677.10 feet of the East 321.66 feet of the North 1/2 of the Southwest 1/4 of Section 12, Township 45 South, Range 41 East ^{AND THE West- $\frac{1}{2}$} of Tract. 82 of the

Unrecorded Plat of Heritage Farms in Section 12, Township 45 South, Range 41. East; more particularly described as follows : Commence at the Northeast corner of the West 1/2 of said Section 12; thence on an assumed bearing of South 0°15'28" East along the East line of the said West 1/2 a distance of 3,315.33 feet, thence South 88°55'17" West a distance of 331.50 feet to the Point of Beginning of this description; thence continue South 88°55'17" West a distance of 331.50 feet ; thence South 0°20'40" East a distance of 706.40 feet; thence North 89°46' 02" East a distance of 331.0 feet; thence North 0°18'04" West a. distance of 711.29 feet to the Point of Beginning; subject to easement over the east 35 feet thereof; and the East 1/2 of Tract 82 in the Unrecorded Plat of Heritage Farms in Section 12, Township 45 South, Range 41 East, described as follows: Commence at the Northeast corner of the West 1/2 of said Section 12; thence on an assumed bearing of South 00°15'28" East along the East line of the said West 1/2 a distance of 3,315.33 feet to the Point of Beginning; thence south 88°55'17" West 331.50 feet; thence South 00°18'04" East 711.29 feet to the South line of the North 1/2 of the Southwest 1/4 of said Section 12; thence North 89°46 ' 02" East along the said South line a distance of 331.00 feet to the East line of the said West 1/2; thence North 00°15'28" West along the said East line a distance of 716.18 feet to the Point of Beginning; less the South 677.10 feet of the East 321.66 feet of the North 1/2 of the Southwest 1/4 of said Section 1.2. Said property located on the Southwest corner of the intersection of U.S. 441. (S.R. #7) and 75th Street South in an AR-Agricultural Residential District, was approved as advertised subject to the following conditions:

1. Petitioner shall seek Health Department guidance in locating the sewer plant as near to the center of the property as feasible.
2. The property owner shall dedicate the North 40.00 feet of Tracts 17, 18, 19 & 20, Block 44, Palm Beach Farms Co. Pl3.tNo. 3, for the right-of-way for Canal S-8 according to the maps on file in the Clerk of the Circuit Court's Office. All rights-of-way can be by Quit Claim Deed or Easement (on our form) , whichever the owner prefers. All rights-o f-way must be unencumbered.

3. Reasonabl e precautions shall. be employed during the site development to prevent dust particles from this property from becoming a nui sance to neighboring properties.
4. Reasonable measures shall be taken during site develop- ment to insure that runoff Prom this property does not pollute adj acent or nearby surface waters.
5. The property owner shall convoy to Palm Beach County, within ninety (90) days of Special Exception approval, 240 feet west of the Base Line Survey according to Road Book 1, Page 39, for the ultimate right -of-way for S. R. 7 (approximately an additional 165 feet of right-of-way).
6. The developer shall construct on S.R. 7 at the project's entrance road concurrent with a Paving and Drainage Permit issued by the office of the County Engineer, a left.- turn lane south approach.
7. The developer shall contribute Six Thousand Five Hundred and Sixty-Three Dollars (\$6,563.00) toward the cost of meet ing this project. 's direct and identifi able impact, tobepaidat the time of the issuance of the first building permit.
8. The previously approved landing strip is hereby deleted from the previous approval.

Commissioner Spillias , 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:

Peggy E. Evatt, Chairman	Aye
Ken Spillias, Vice Chairman	- Aye
Dennis P. Koehler , Member	- Absent
Dorothy Wilken, Member	- Aye
Bill Bailey, Member	- Absent

The foregoing resolution was declared duly passed and adopted this 24th day of MAY , 1983 , confirming action of 24th of February 1983.

PALM BEACH COUNTY, FLORIDA
BY IT'S BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Scott Jay Olsen*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Entress
County Attorney

