

RESOLUTION NO. R- 86-457

RESOLUTION APPROVING ZONING PETITION 80-168 (A), 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 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 80-168 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th December 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of December 1985, that Petition No. 80-168 (A) the petition of MACE SOD SERVICE', IIJC., By Robert L. Mace, for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SOIL, OR OTHER EXTRACTIVE MATERIALS on a parcel of land described as follows:

Being the East 1350.00 feet of the North 1/2 of Section 12, Township 47 South, Range 37 East, and

the North 1/2 of Section 7, Township 47 South, Range 38 East, and

that part of the North 1/2 of Section 8, Township 47 south, Range 38 East, lying South and West of the Southwesterly Right-of-Way line of

U.S. 27 (S.K. 25). Said property located on the west side of S.R. 25

(U.S. 27) approximately 2 miles north of the Broward County line in an AR-Agricultural Residential District was approved as advertised

subject to the following conditions:

1. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.

2. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.

3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

4. Prior to reclaiming any excavated areas, the petitioner will apply for a landfill permit through the Land Development section of the Palm Beach County Engineering Department.

5. The petitioner shall comply with all previously approved conditions of Petition 80-168 except for conditions modified herein.

6. Condition No. 2 which states:

"2. Petitioner shall install warning signs on U.S. 27 as warranted, as determined by the County Engineer.

Is hereby amended to state:

"2. Petitioner shall install warning signs on U.S. 27 as warranted as determined by the County Engineer and as approved by the Florida Department of Transportation."

7. Condition No. 4 which states:

"4. Petitioner shall maintain truck travel routes in a condition acceptable to the County Engineer."

Is hereby amended to state:

"4. Petitioner shall post Performance Security acceptable to the County Engineer required for any road restoration prior to the removal of any fill removal."

8. Condition No. 5 which states::

"5. Petitioner shall contribute Six Thousand Three Hundred Seventy-five Dollars (\$6,375.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the commencement of the hauling activities."

Is hereby amended to state:

"5. The property owner shall pay a Fair Share Fee prior to any fill removal. The Fair Share Fee for this project presently is \$13,663.00."

9. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

10. All rehabilitated and/or disturbed areas shall be reestablished with appropriate ground cover vegetation and growth. A littoral zone of native wetland vegetation shall be planted around the perimeter of excavation during the rehabilitation of the site. A species list will be approved by the County Planning, Zoning and Building Department.

Commissioner Spillias, moved for approval of the petition. The motion was seconded by Commissioner Owens, and

upon being put to a vote, the vote was as follows:

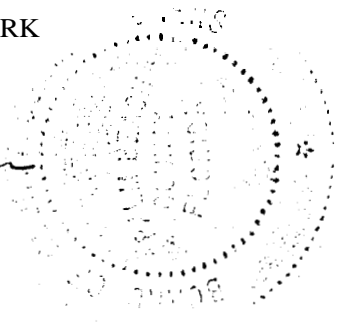
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	ABSENT
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 30th December 1985.

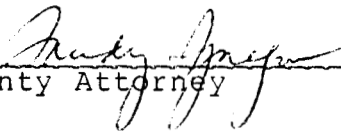
PALM BEACH COUNTY, FLOKIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONEKS

JOHN B. DUNKLE, CLERK

BY:   
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney