

RESOLUTION NO. R- 80-1402

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. 80-168 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of September, 1980, that Petition No. 80-168 the petition of ROBERT L. CLARK, JR., JAMES C. SMITH, FRANK CLARK and ESTER W. TOZER, by Lou Orosz, Agent, for a SPECIAL EXCEPTION TO ALLOW EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS on being the East 1350.0 feet of the North 1/4 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.R. 25). Said property located on the west side of U.S. 27 (S.R. 25), approximately two (2) miles north of the Broward County Line in an AC-Agricultural District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County two hundred sixteen (216) feet from centerline for the ultimate right-of-way of U.S. 27 (S.R. 25).
2. Petitioner shall install warning signs on U.S. 27 as warranted, as determined by the County Engineer.
3. Petitioner shall construct a left turn lane, south approach, and a right turn lane, north approach, at the intersection of U.S. 27 and the project's entrance when the hauling activities begin, subject to the approval of the county Engineer and the Department of transportation.
4. Petitioner shall maintain truck travel routes in a condition acceptable to the County Engineer.
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.
6. The approval shall be reviewed in five (5) years and reconsidered by the Board of County Commissioners of Palm Beach County.

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 14th day of October, 1980, confirming action of
25 September 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

