

RESOLUTION NO. R- 81-878

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. 81-99 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 June 1981; 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 21st day of JULY, 1981, that Petition No. 81-99 the petition of SUNSHINE MEADOWS, INC., by Daniel J. O'Brien, Agent, for a SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS on the South 1/4 of Section 25, Township 46 South, Range 41 East, and a tract

of land described as follows: Begin at intersection of the South line of the North 1/2 of the South 1/2 of the West right-of-way line of State Road No. 7, for the Point of Beginning; thence Northerly along said West right-of-way line, a distance of 8.0 feet; thence Southwesterly at an angle of 89°50'00" measured from South to West, a distance of 929.35 feet more or less to a point in the South line of the North 1/2 of the South 1/2; thence Easterly along said South line, a distance of 929.35 feet more or less to the Point of Beginning, Less the following described property: the South 40.0 feet of the South 1/4 of Section 25, Township 46 South, Range 41 East; and the right-of-way for State Road 7; and also a tract described as: Beginning at the Southwest corner of Section 25; thence Northerly along the West line of said Section 25, a distance of 1354.53 feet to the point of intersection to the West line of Section 25, and the South line of the North 1/2 of the South 1/2 of Section 25, and also being the Point of Beginning; thence Easterly along said South line of the North 1/2 of the South 1/2 of Section 25, a distance of 1799.69 feet; thence Southerly parallel to said West line of Section 25, a distance of 101.0 feet; thence Westerly at an angle of 91°06'30" measured from North to West, a distance of 1800.18 feet more or less to a point in the West line of Section 25; thence Northerly along said West line of Section 25, a distance of 144.28 feet to a Point of Beginning, Less and Excepting: That part of the East 766 feet of the North 615 feet of the South 655 feet of the Southeast 1/4 of the Southeast 1/4 of Section 25, lying West of State Road No. 7, together with the North 1/2 of the **Northeast 1/4** of the Northeast 1/4 of Section 35, Township 46 South, Range 41 **East**; and Tracts 9, 10, 11 and 12, Block 69, in Section 36, Township 46 South, Range 41 East, Palm Beach Farms Co. Plat No. 3, recorded in Plat Book 2, pages 45 to 54. Also the South 40 feet of the Southwest 1/4 of Section 25, Township 46 South, Range 41 East, together with the West 3/4 of the South 1/2 of the North 1/2 of Section 25, Township 46 South, Range 41 East, less the West 100.0 feet and less the North 125.0 feet for Lake Worth Drainage District Canal right-of-way; and the West 3/4 of the North 1/2 of the South 1/2 of Section 25, less the West 100.0 feet; and the

North 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 25, less the North 125.0 feet for Lake Worth Drainage District Canal right-of-way; and the West 330.0 feet of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 25, and the North 76.0 feet of the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 25, less the West 330.0 feet; and the West 330.0 feet of the Northeast 1/4 of the Southeast 1/4 of Section 25, and a tract of land described as follows: Begin at the Southwest corner of Section 25, thence Northerly along the West line of said Section 25, a distance of 1,354.53 feet to a point, said point being the intersection of the West line of said Section 25, and the South line of the North 1/2 of the South 1/2 of said Section 25; thence Easterly along said South line of the North 1/2 of the South 1/2 of Section 25, a distance of 100.0 feet to the Point of Beginning; thence continue Easterly along the said South line, a distance of 1699.69 feet; thence Southerly and parallel to said West line of Section 25, a distance of 101.0 feet; thence Westerly at an angle of 91°06'30" measured from North to West, a distance of 1700.18 feet more or less to a point in a line parallel to and 100.0 feet East of, measured at right angles, to said West line of Section 25; thence Northerly along said parallel line, a distance of 141.88 feet to the Point of Beginning, together with, the West 100.0 feet of the South 1/2 of the North 1/2, less the North 125.0 feet for Lake Worth Drainage District right-of-way; and the West 100.0 feet of the North 1/2 of the South 1/2, all in Section 25, and a tract of land described as follows: Begin at the Southwest corner of Section 25, thence Northerly along the West line of said Section 25, a distance of 1354.53 feet to a point; said point being the intersection of the West line of said Section 25, and the South line of the North 1/2 of the South 1/2 of said Section 25, and also the Point of Beginning; thence Easterly along said South line a distance of 100.0 feet; thence Southerly and parallel to and 100.0 feet East of measured at right angles to said West line of Section 25, a distance of 141.88 feet; thence Westerly at an angle of 91°06'30" measured from North to West, a distance of 100.04 feet, more or less, to a point in the West line of said Section 25; thence Northerly along said West line, a distance of 144.28 feet to the Point

of Beginning, together with, the East 3/4 of the Northeast 1/4 of the Southeast 1/4 less Tracts in Official Record Book 334, page 565 and/or Official Record Book 1059, page 27, and less a parcel of land measuring 60.0 feet East-West and 537.0 feet North-South, lying West of, adjacent to and contiguous with that certain said parcel **described in** Official Record Book 1059, on page 27; the East 3/4 of the South 1/2 of the Southeast 1/4 of the Northeast 1/4, less the North 76.0 feet in Section 25, Township 46 South, Range 41 East. Said property located on the west side of U.S. 441 (S.R. 7) and on the south side of L.W.D.D. Lateral Canal L-36 in an AG-Agricultural District, was approved as **advertised** subject to the following conditions:

1. petitioner shall maintain truck travel **routes in** a condition acceptable to the County Engineer.
2. petitioner shall provide proper **signage for entering** and exiting S.R. 7.
3. Petitioner shall contribute Five Hundred Dollars (\$500.00) toward the cost of meeting **this project's** direct and identifiable traffic impact to be paid at the time of issuance of the excavation permits.
4. 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.
5. **The developer will** take necessary precautions to **insure there will** be no pollutant run-off from this Project to adjacent or nearby surface waters.

Commissioner Evatt , moved for approval of the petition.

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

Frank Foster, Chairman	AYE
Norman Gregory, Vice Chairman	AYE
Bill Bailey, Member	AYE
Dennis Koehler, Member	AYE
Peggy B. Evatt, Member	AYE

The foregoing resolution was declared duly passed and adopted

this 21st day of JULY, 1981, confirming action of
25 June 1981.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Reed Van Otteren*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John M. B... ..
County Attorney

