

RESOLUTION NO. R- 85-308

RESOLUTION APPROVING ZONING PETITION 78-233(A), Rezoning

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. 78-233(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of November 1984; 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 is consistent with the requirements of the Zoning Code and the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of November 1984, that Petition No. 78-233(A) the petition of BOARD OF COUNTY COMMISSIONERS BY KEN SPILLIAS, CHAIRMAN FOR THE REZONING, FROM RE-RESIDENTIAL ESTATE DISTRICT TO AR*AGRICULTURAL RESIDENTIAL DISTRICT OF Tracts 33 and 34, Block 11, Palm Beach Farms Company Plat No. 3 in Section 5, Township 44 South, Range 42 east, as recorded in Plat Book 2, Pages 45 to 54. Said property located on the southwest corner of the intersection of Benoist Farms Road (80th Avenue South) and 5th Street South was approved as advertised.

Commissioner **Marcus** , moved for approval of the petition. The motion was seconded by Commissioner **Adams** , and upon being put to a vote, the vote was as follows:

Club, a distance of 812.22 feet to the point of curvature of a curve concave to the Southwest and having a radius of 2865.0 feet; thence Southeasterly and Southerly along the arc of said curve and Easterly limits of Wellington Aero Club through a central angle of 13 degrees 13'24", a distance of 661.22 feet; thence North 81 degrees 13'24" East along a radial line, a distance of 658.45 feet; thence North 00 degree 49'46" East along a line parallel with the East line of said Section 18, a distance of 373.95 feet; thence South 89 degrees 10'14" East, a distance of 368.47 feet to the intersection with the West right-of-way of Acme Improvement District Canal C-2, said West right-of-way being 80.0 feet West of and parallel with the East line of said Section 18; thence North 00 degree 49'46" East along said West right-of-way, a distance of 913.62 feet to the intersection with the South right-of-way of Acme Improvement District Canal C-15, said South right-of-way being 50.0 feet South of and parallel with the North line of said Section 18; thence North 89 degrees 45'01" West, along said South right-of-way, a distance of 1517.16 feet to the Point of Beginning, together with the South 1/2 of Section 7, Township 44 South, Range 41 East, less the West 100.0 feet thereof, the East 80.0 feet thereof and the South 50.0 feet thereof. Said property located on the east side of Landings Drive, and on the north side of Acme Improvement District Canal C-15, being bounded on the west by Acme Improvement District Canal C-1 in an RE-Residential Estate 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. 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. Comply with all previously imposed conditions of Petition 78-287, except for Condition No. 2 which shall be as follows:

Petitioner shall construct dual left turn lanes, east approach at the intersection of S.R. 80 and Big Blue Trace at the time of the four laning of S.R. 80 by others.

Ken Spillias, Chairman	--	ABSENT
Dorothy Wilkens, vice Chairman	--	AYE
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted
this day of **FEB 19 1985** confirming action of the 29th of
November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney