

RESOLUTION NO. R-75- 158

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, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 75-25 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 February 1975.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day of February, 1975, that petition No. 75-25, the petition of THOMAS W. EARNES for a SPECIAL EX-CEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SOIL OR OTHER EXTRACTIVE MATERIAL on the East 1475.0 feet of the Northeast 1/4 of Section 19, Township 45 South, Range 43 East, lying North of the Boynton Canal and also the East 1475.0 feet of the Southeast 1/4 of Section 18, Township 45 South, Range 43 East lying South of Northwest 22nd Avenue, less road right-of-way for Congress Avenue. Said property located at the southwest corner of the intersection of Congress Avenue and Northwest 22nd Avenue extension, and being bounded on the south by the L.W.D.D. Boynton Canal in an AC-Agricultural District, was approved as advertised subject to the following special conditions:

1. Any intersection improvements required on Congress Avenue and/or Northwest 22nd Avenue as determined by the County, due to the traffic from the proposed excavation, shall be the developer's responsibility.
2. Prior to commencement of any excavation, the developer shall convey to Palm Beach County the additional right-of-way to provide sixty (60) feet of right-of-way from the centerline of Congress Avenue.
3. Prior to the commencement of any excavation, the developer shall convey to the Lake Worth Drainage District any additional right-of-way required for the Boynton Beach Canal.

The foregoing resolution was offered by Commissioner **Medlen** , who moved its adoption. The motion was seconded by Commissioner **Lytal** , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	- Yes
Lake Lytal	- Yes
E. W. Weaver	- Yes
Robert C. Johnson	- Yes
William Medlen	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 18th day of **March** , 1975, confirming action of 27 February 1975.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

R. William Rutt

COUNTY ATTORNEY.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *A. Kate Baecher*

Deputy Clerk

