

RESOLUTION NO. R- 1656

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. 79-198 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 October 1979; 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 will not generate excessive noise or traffic
2. The proposal will conform to the character of the district and its peculiar suitability for particular uses
3. The proposal will be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of October, 1979, that Petition No. 79-198 the petition of GEORGE YOUNT and PATRICIA A. HUDSON by Jan A. Wolfe of Jan A. Wolfe & Associates, Inc., Agent, for THE FURTHER SPECIAL EXCEPTION TO ALLOW THE EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR OTHER EXTRACTIVE MATERIALS on Tracts 17, 18, 19,

30, 31 and 32, in Block 12, The Palm Beach Farms Co. Plat No. 3, in Section 4, Township 44 South, Range 42 East, as recorded in Plat Book 2, pages 45 to 54, inclusive; less easements and rights-of-way of record. Said property located on the southwest corner of the intersection of Pioneer Road and Cleary Road (70th Avenue South), was approved as advertised subject to the following conditions:

1. All trucking activity related to the excavation operation shall use Pioneer Road as access and shall not use Cleary Road or Dillman Road.
2. Excavation shall be limited to a minimum setback of eighty (80) feet along the north, east and west property lines.
3. Excavation shall be limited to a minimum setback of forty (40) feet along the south property lines.
4. Petitioner shall preserve all significant trees along the banks of the proposed lakes.
5. Staff shall make periodic inspections during excavation to insure compliance with the above conditions.
6. The operation of the shellmining activity shall be limited to no more than five days (Monday-Friday) per week and shall be limited to between the hours of 7:00 A.M. to 5:00 P.M.

Commissioner Koehler, 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:

Bill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Yes
Peggy B. Evatt, Member	-	Absent
Frank H. Foster, Member	-	Absent
Norman R. Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted this 27th day of November, 1979, confirming action of 25 October 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Reith Law Clerken*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

