

RESOLUTION APPROVING ZONING PETITION 83-90(A) Special Exception

WHEREAS, the Board of County Commissioners, as the governing body pursuant to the authority vested in Chapter 163 and Chapter 185, Florida Statutes, is authorized and empowered to consider petitions relating to zoning, and

WHEREAS, the notice and hearing requirements as provided for in Chapter 42C 5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied, and

WHEREAS, Petition No. 83-90(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 1983, 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 agencies and the recommendations of the Planning Commission, and

WHEREAS, the Board of County Commissioners made the following findings of fact.

1. The proposed Special Exception is consistent with the Comprehensive Plan and Zoning Code

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA assembled in regular session this 22nd day December 1983, that Petition No. 83-90(A) the petition of WILLIAM R. BOOSE, III, TRUSTEE, for a SPECIAL EXCEPTION TO ALLOW EXCAVATION AND REMOVAL OF MUCK, SAND, ROCK, SHELL, OR OTHER EXTRACTIVE MATERIALS on Tracts 21, 22, 23, 25, 26, 27, 28, 37, 38, 39, 40 and 44, and to all that part of that certain platted 30 foot Road Right-of-Way lying southerly of and adjacent to said Tracts 25 through 28, all in Block 34 Palm Beach Farms Company Plat No. 3 in Section 31 Township 44 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54 inclusive. Excepting, however, the right-of-way for Lake Worth Drainage District Equalizing Canal E-1, as shown and recorded in Official Record Book 1702 Page 612, also excepting the right-of-way for Lantana Road said property located on the east side of State Road 7 (U.S. 441) and on the north side of Lantana Road in an R-1 Residential State District in part and AR-Agricultural Residential

District, in part was approved as advertised subject to the following conditions.

- 1 The property owner shall convey to Palm Beach County for the ultimate right-of-way of Lantana Road, 54 feet from centerline (approximately an additional 14 feet), within 90 days of approval; conveyance must be accepted by Palm Beach County prior to issuance of the first Excavation Permit.
2. Fill removed from this site shall be used only at the Lantana Landfill Site.
3. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
- 4 The developer shall take necessary measures during the the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
- 5 The significant vegetation along the southern portion of the property shall be preserved.
6. No excavation will be permitted within 1,000 feet of the East property line.
- 7 The property owner shall be solely liable for any