

RESOLUTION NO. R- 86-130

RESOLUTION APPROVING ZONING PETITION 85-148, Special Exception

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. 85-148 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th October 1985; 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. With minor modification to the site plan, this proposal will be consistent with the requirements of 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 the 30th of October 1985, that Petition No. 85-148 the petition of JOHN E. CORBALLY, JAMES M. FURMAN, AND DAVID M. MURDOCH, TRUSTEES, By Russell L. Bielenberg, Agent, for a SPECIAL EXCEPTION TO ALLOW EXCAVATION AND THE REMOVAL OF MUCK, SAND, ROCK, SHELL OR OTHER EXTRACTIVE MATERIALS on that part of the Southeast 1/4 of Section 7, Township 42 South, Range 42 East lying North of the North Right-of-way line of Bee Line Highway (S.R. 710) together with that part of the South 1/2 of the Northeast 1/4 of said Section 7, lying North of the North Right-of-way line together being more particularly described as follows:

From the Northeast corner of Section 7, Township 42 South, Range 42 East run South 02 degrees 14'42" West along the East line of said

Section 7, a distance of 1355.03 feet; to the Point of Beginning. From the Point of Beginning continue thence South 02 degrees 14'42" West along said East line of Section 7 a distance of 3054.39 feet to a point on the North Right-of-way line of said Bee Line Highway; thence North 53 degrees 40'08" West along the said North Right-of-way line a distance of 3225.44 feet; thence North 01 degree 50'15" East along the West line of the said Northeast 1/4 of Section 7, a distance of 1218.91 feet; thence South 88 degrees 21'01" East along the North line of the South 1/2 of the said Northeast 1/4 of Section 7 a distance of 2680.11 feet to the Point of Beginning. Said property located on the northeast side of the Bee Line Highway (S.R. 710), approximately 3 miles west of Florida's Turnpike (Sunshine State Parkway) in an AR- Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be revised to reflect the following:
 - a) Requisite rehabilitated and reclamation perimeter land dimensions.
 - b) A rehabilitation and reclamation surety shall be posted in a form satisfactory and acceptable to the Office of the County Attorney.
2. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
3. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. Prior to reclaiming any excavated areas, the petitioner will apply for a land fill permit through the Land Development Section of the Palm Beach County Engineering Department.
6. The development shall retain onsite 100% of the stormwater runoff generated by a three (3) year-24 hour storm per requirements of the Permit Section, Land Development Division.
7. Property owner shall restrict the use of the fill material to the construction of Beeline Highway or shall construct left and right turn lanes at the project's entrance road per the County Engineer's and Florida DOT approval.
8. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Commissioner Wilken, moved for approval of the petition. The motion was seconded by Commissioner Owens, and

upon being put to a vote, the vote was as follows:

Ken Adams, Chairman	--	ABSENT
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted
this day of **FEB 11 1986** confirming action of the 30th October
1985.

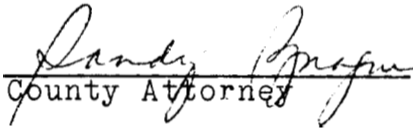
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney