

RESOLUTION NO. R-84-68

RESOLUTION APPROVING ZONING PETITION 83-126, 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. 83-126 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 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 review agencies and the recommendations of the Planning Commission; and

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

1. The use of this site shall be coordinated with the County to avoid placement of any compost material in the ultimate right-of-way for University Parkway.
2. The proposed Special Exception would be consistent with the minimum requirements of the Comprehensive Plan and Zoning Code.
3. The proposed compost area is far enough removed from residential areas to negate potential noise or odor impacts.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day September 1983, that Petition No. 83-126 the petition of LAKE WORTH DRAINAGE DISTRICT By Robert A. Cain, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMPOST WASTE SITE, on Tracts 3 and 6, Block 68, Palm Beach Farms Company, Plat No. 3, in Section 26, Township 46 South, Range 41 East, as recorded in Plat Book 2, Pages 45 through 54 inclusive, together with all that part of the South 660.00 feet of Section 23, Township 46 South, Range 41 East, lying Easterly of the Northerly extension of the West line of Tract 3, Block 68 and Westerly of the Northerly extension of the East line of Tract 3, Block 68, Palm

Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 through 54 inclusive. Said property located on the north side of Avenida De Rio (162nd Place South), approximately 1.26 miles west of U.S. 441 (S.R. 7) in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. The development shall retain onsite 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. The property owner shall cooperate with the County Engineer in reserving 384 feet for the ultimate right-of-way for University Parkway, and to the extent possible, avoid placement of debris and organic material under the proposed Parkway.
3. The property owner shall provide access to Tract No. 2 "not included parcel".
4. 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.
5. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. The developer shall implement any screening measures as may be required by the County to prevent any unsightly views or noise impacts upon adjoining properties.
7. This site shall be secured to prevent illegal dumping by the public.
8. There shall not be any signs indicating that this is a land fill.

Commissioner Bailey , moved for approval ,

of the petition. The motion was seconded by Commissioner Koehler , and upon being put to a vote, the vote was as follows:

Peggy E. Evatt, Chairman	--	ABSENT
Ken Spillias, Vice Chairman	--	AYE
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of Jan. , 1984 , confirming action of 29th September 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Carlene Harris
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Barrett
County Attorney