

RESOLUTION NO. R- 85-562

RESOLUTION APPROVING ZONING PETITION 79-72(A), 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. 79-72(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 4th January 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. The proposal is 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 4th of January 1985, that Petition No. 79-72(A) the petition of GOULD OF FLORIDA INC., By Charles Simmons, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL TELEVISION MICROWAVE TRANSMISSION AND RELAY STATION AND TOWER, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a parcel of land lying in Section 23, Township 44 South, Range 41 East, being more particularly described as follows:

Commencing at the Northeast corner of said Section 23; thence North 89 degrees 36'27" West along the North line of said Section 23, a distance of 2694.29

feet to the Point of Beginning and the Northwest corner of the Plat of Commerce Park At Wellington - Planned Industrial Development, as

recorded in Plat Book 43, Page 116; thence South 01 degree 14'48" West along the West line of said Plat of Commerce Park At Wellington - Planned Industrial Development, a distance of 565.00 feet; thence North 89 degrees 36'27" West, a distance of 537.00 feet; thence North 01 degree 14'48" East, a distance of 565.00 feet to the intersection with the North line of said Section 23, thence South 89 degrees 36'27" East, along said North line, a distance of

537.00 feet to the Point of Beginning. Subject to a right-of-way over the

North 50.00 feet for Acme Improvement District. Said property located on

the south side of Pierson Road approximately 1.5 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. Prior to site plan certification a revised site plan shall be submitted providing 3 off street parking spaces and appurtenant landscaping.
2. 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.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.
5. The developer shall construct, concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer, Pierson Road from its present terminus east of the project's entrance road west to a point 50 feet west of the project's access road onto Pierson Road.
6. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently The Fair Share Fee for this project is \$125.00.

Commissioner WILKENS, moved for approval of the petition. The motion was seconded by Commissioner MARCUS, and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted  
this 9th day of April confirming action of the 4th January  
1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Lopez  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Judith Sprague  
County Attorney