

RESOLUTION NO. R-89-749

RESOLUTION APPROVING ZONING PETITION NO. 74-87(A)
SPECIAL EXCEPTION AND MODIFICATION PETITION OF
SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY

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. 74-87(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 29, 1987; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; and

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

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 74-87(A), the petition of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY, by Peter L. Schneider, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 74-87 ON JUNE 27, 1974 (R-74-539 ADOPTED JULY 9, 1974), FOR THE EXPANSION OF TELEPHONE CENTRAL OFFICE FACILITIES TO DELETE 4.6 ACRES OF LAND AND A CONCURRENT MODIFICATION OF COMMISSION REQUIREMENTS TO AMEND/DELETE THE CERTAIN CONDITION(S) PLACED ON ZONING PETITION NO. 74-87 (A), on a parcel of land lying on all of Block 8, Greenland Subdivision Plat No. 3 in Section 24, Township 44 South, Range 42 East as recorded in Plat Book 4, Page 5. Together with the South 1/2 of that portion of Helen Street vacated by Resolution R-75-53 recorded in Official Record Book 2389, Pages 56 and 57, subject to the Right-of-way of Military

Trail (SR 809). Together with the West 80.00 feet of the North 205.12 feet of the South 445.08 feet of the East 1/2 of the Northwest 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 24, located on the east side of Military Trail (S.R. 809), approximately .15 mile north of Lake Worth Road (S.R. 802), in a CG-General Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition No. 2 of Resolution No. R-74-539 which presently states:

"Prior to the issuance of any building permits the petitioner shall execute an agreement to be prepared by the County Attorney. Said agreement will require the petitioner to convey to Palm Beach County the additional right-of-way required to provide for one hundred (100) feet of right-of-way from the centerline of Military Trail (S.R. 809) at the time the existing building is vacated."

Is hereby deleted.

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

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 25th day of April, 1989 confirming action of October 29, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

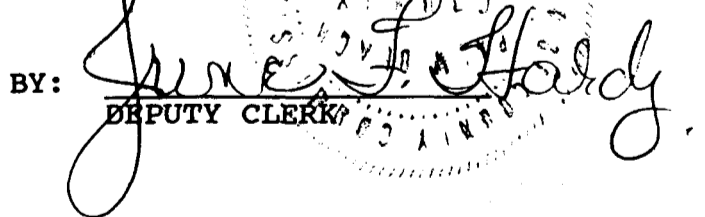
BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK