

RESOLUTION NO. R-82-469

RESOLUTION APPROVING ZONING PETITION 82-23, 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. 82-23 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 February 1982; 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 would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of February, 1982, that Petition no. 82-23 the petition of CHARLES E. MEARS and JAMES L. MEARS by Alan Ciklin, Attorney, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO COMMUNICATIONS RELAY TOWER on Tract 1, less the North 132 feet

thereof, "Adams Subdivision" of the South 1320 feet of Government Lot 1 and 2, Section 1, Township 43 South, Range 42 East, as recorded in Plat Book 20, page 23. Said property located on the west side of Military Trail (S.R. 809), approximately 250 feet north of 45th Street in a CG-General Commercial District, was approved as advertised subject to the following conditions:

- A. Petitioner shall:
 1. Convey to Palm Beach County within ninety (90) days of Special Exception approval 60 ft. from centerline for the ultimate right-of-way for Military Trail.
 2. Reserve for future right-of-way for Military Trail is required in the Thoroughfare Right-of-Way Protection Map. 16 ft. in addition to the 60 ft. from centerline to be conveyed pursuant to paragraph 1 above.
 3. Submit calculations substantiating the position of the one hundred and ten percent (110%) fall area before site plan approval.
- B. Petitioner shall install landscape buffer between tower and Military Trail.
- C. Petitioner shall provide an 8 ft. chain link fence around the tower..

Commissioner Evatt, 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:

Norman Gregory, Chairman	-	AYE
Peggy Evatt, Vice Chairman	-	AYE
Bill Bailey, Member		AYE
Dennis Koehler, Member		AYE
Frank Foster, Member		AYE

The foregoing resolution was declared duly passed and adopted this 4th day of May, 1982, confirming action of 25 February 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Keith Van Allen*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

John Coakley
County Attorney

