

RESOLUTION NO. R-84-71

RESOLUTION APPROVING ZONING PETITION 83-123, 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

WHEREFIS, 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. 83-129 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29th September 1983; and

WHEREFIS, 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

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

1. The proposed Special Exception is consistent with the requirements of the Comprehensive Plan.
2. The proposed use can be accommodated to the subject site while meeting all property development regulations.
3. The proposed tower is compatible with the industrial development on surrounding properties.

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. 83-129 the petition of MCI TELECOMMUNICATIONS CORPORATION By Alan J. Ciklin, Esquire, for a SPECIAL EXCEPTION TO ALLOW A TELECOMMUNICATIONS TOWER on a parcel of land lying in the Northwest 1/4, Section 36, Township 42 South, Range 42 East, being more particularly described as follows: The East 512.00 feet of the West 882.00 feet of the North 1/2, of the Northwest 1/4, of the Northwest 1/4, of said Section 36, less the South 40.00 feet for right-of-way of Dyer Boulevard; also less the North 64.25 feet and less the right-of-way of 49th Terrace as shown in Official Record Book 1844, Page 388. Said property located on the

northeast corner of the intersection of Dyer Boulevard and 49th Terrace, approximately 850 feet east of Haverhill Road in an IL-Light Industrial 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 developer shall submit engineering calculation substantiating the position of the 110% fall area prior to Site Plan approval.

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

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

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: *Darlene Harris*
Deputy Clerk

APPROVED AS TO FORM
FIND LEGAL SUFFICIENCY

John B. Dunkle
County Attorney