

RESOLUTION NO. R- 84-521

RESOLUTION DENYING ZONING PETITION 83-154, 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. 83-154 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 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 proposed use should not be approved as a Special Exception since it involves service and office activities of a clearly commercial nature.
2. This non-conforming agricultural building being on a substandard size lot should not be intensified to a clearly commercial use to the detriment of surrounding properties.
3. The proposed use is clearly inconsistent with the developing character of the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 22nd day December 1983, that Petition No. 83-154 the petition of DENNTRONICS CABLE, INC. By Dennis Chambers, President, for a SPECIAL EXCEPTION TO ALLOW A PRIVATE UTILITY SERVICE, INCLUDING A COMMERCIAL TELEVISION, MICROWAVE TRANSMISSION AND RELAY TOWER INCLUDING ACCESSORY EQUIPMENT BUILDINGS on a parcel of land in Section.14,. Township 46 South, Range 42 East, Less right-of-way for Sims Road and right-of-way for E-3 Canal and being more particularly described as follows: The North 125.0 feet of the South 500.0 feet of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 of said Section

14, -Township 46 South , Range 42 East' Except the East 80 feet thereof for road right-of-way. Said property located on the west side of Sims Road (55th Avenue South), approximately .4 miles north of Atlantic Avenue (Delray West Road) in an AR-Agricultural Residential District was denied as advertised.

Commissioner Koehler , moved for denial of the petition.

The motion was seconded by Commissioner Wilken 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 Wilksn, Member	---	AYE
Bill Bailey, Member	--	NAY

The foregoing resolution was declared duly passed and adopted this 17th day of April , 1984 , confirming action of 22nd December 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:  Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

 County Attorney