

RESOLUTION NO. R- 85-16

RESOLUTION APPROVING ZONING PETITION 78-240 (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. 78-240 (A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd of August 1984; 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.
2. With minor revisions to the site plan the proposal will be consistent with the requirements of the Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 23rd of August 1984, that Petition No. 78-240 (A) the petition of PALM BEACH CABLE TELEVISION COMPANY By James Brindell, Esquire, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A COMMERCIAL TELEVISION AND MICROWAVE TRANSMISSION AND RECEIVING TOWER PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 78-240, TO INCREASE THE TOWER HEIGHT AND INCLUDE ACCESSORY BUILDINGS on the Easterly 535 feet of the East 1/2 of the East 1/2 of Section 14, Township 42 South, Range 41 East, less that part lying North of the South right-of-way line of West Lake Park Road Extension as described in Right of Way Deed from H.K. Terry, Etal, to County of Palm Beach in the State of

Florida, dated June 4, 1965 and filed November 18, 1965 in Official Record Book 1290, Page 513, less, however, the East 40 feet and the North 10 feet thereof. Said property located on the south side of Lake Park West Road Extension, approximately one (1) mile west of S.R. #7 in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to certification by Site Plan Review Committee, the site plan shall be amended to reflect:
  - a) Provision of the two required parking spaces.
  - b) Removal of fencing from the easement road.
2. The developer shall retain 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
3. The property owner shall convey for the ultimate right-of-way of Lake Park West Road, 60 feet from centerline, approximately an additional 10 within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
4. The developer shall submit breakpoint calculations substantiating the position of the 110% fall area requirement prior to site plan approval.

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

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|--------------------------------|----|-----|
| Ken Spillias, Chairman         | -- | AYE |
| Dorothy Wilken , Vice Chairman | -- | AYE |
| Peggy Evatt, Member            | -- | AYE |
| Dennis P. Koehler, Member      | -- | AYE |
| Bill Bailey, Member            | -- | AYE |

The foregoing resolution was declared duly passed and adopted this day of **January** 8, 1985 confirming action of the 23rd of August 1984.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Suzanne Harris*  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*Sandy Sprague*  
County Attorney