

RESOLUTION NO. R-85-958

RESOLUTION APPROVING ZONING PETITION 85-40, 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. 85-40 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th April 1985; 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. With amendments to the site plan this proposal will be consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 25th of April 1985, that Petition No. 85-40 the petition of BURT REYNOLDS for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO AND MICROWAVE TRANSMISSION AND RELAY STATION AND TOWER INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on the South.1/2 of the Southeast 1/4 of Section 12, Township 41 South, Range 41 East. Said property located on the west side of Jupiter Farms Road (S.R. 7, 100th Avenue North) approximately .1 mile north of 159th Court North in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
2. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or

nearby surface waters.

3. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.

4. Prior to site plan certification the plan shall be amended to reflect a chain-link fence or wall not less than eight (8) feet in height from finished grade provided around the tower. Access to the tower(s) shall be through a locked gate.

5. If high voltage is necessary for the operation of the facility and is present in a ground grid or in the tower, signs located every twenty (20) feet and attached to the fence or wall shall display in large bold letters the following: "HIGH VOLTAGE-DANGER".

6. No equipment, mobile or immobile, not used in direct support of the transmission or relay facility shall be stored or parked on the site unless repairs to the facility are being made.

7. No tower shall be permitted to encroach into or through any established public or private airport approach plan as established by the Federal Aviation Administration.

8. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority Meeting.

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	ABSENT

The foregoing resolution was declared duly passed and adopted this day of **JUN 25 1985** confirming action of the 25th April 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beauspie
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Andy Sprague
County Attorney