

RESOLUTION NO. R- 85-1096

RESOLUTION APPROVING ZONING PETITION 85-57, 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. 85-57 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd May 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. This proposal is 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 23rd of May 1985, that Petition No. 85-57 the petition of AMERICAN TELEPHONE AND TELEGRAPH COMPANY By Beril Kruger, Agent for a SPECIAL EXCEPTION TO ALLOW A TELEPHONE EXCHANGE AND SUBSTATION FACILITY on a parcel of land in Tract 64, Block 24, Palm Beach Farms Company Plat No. 3, Section 29, Township 44 South, Range 42 East, as recorded in Plat Book 2, Pages 45 to 54, inclusive, more particularly described as follows:

Beginning at the Southwest corner of said Tract 64 for the point of beginning; thence run Northerly along the West line of said Tract a distance of 660 feet, more or less, to the Northwest corner thereof; thence run Easterly along the North line of said Tract 329.28 feet to a point; thence run Southerly a distance of 660 feet, more or less, to a point in the South line of said Tract; thence run Westerly

329.62 feet along the South line of said tract to the point of beginning; less State Road 802 right-of-way and less the following described portion thereof, to-wit: Commencing at the intersection of the West line of said Tract 64, Block 24, and the North right-of-way line of State Road No. 802 (Lake Worth West Road) as now laid out and in use; thence Northerly along the West line of said Tract 64, Block 24, a distance of 188.00 feet to the Point of Beginning; thence continue Northerly, along the West line of said Tract 64, Block 24, a distance of 55.26 feet to a point; thence Easterly, making an angle with the preceding course of 80 degrees 27'25" measured from South to East, a distance of 25.02 feet to a point; thence Southerly, at right angles to the preceding course, a distance of 54.50 feet to a point; thence Westerly, at right angles to the preceding course, a distance of 15.86 feet to the Point of Beginning. Said property located on the northwest corner of the intersection of Lake Worth Road (S.R. 802) and the Sunshine State Parkway (Florida Turnpike) in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Installation of any tower-like or antenna structure shall require an amended petition.
2. 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.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. 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.
5. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority Meeting.

Commissioner **Wilken**, 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:

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

The foregoing resolution was declared duly passed and adopted

this 23rd day of July confirming action of the 23rd May 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Cheryl Beupie
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Randy Sprague
County Attorney