

RESOLUTION NO. R-87-213

RESOLUTION APPROVING ZONING PETITION 86-88, 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. 86-88 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 28, 1986 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 recommended site plan modifications, this petition will be consistent with the minimum 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 10th day of February, 1987, that: Petition No. 86-88, the petition of BELLSOUTH MOBILITY, INC., By Lee Starkey, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS on a portion of the Southwest 1/4 of the Southeast 1/4 of Section 11, Township 45 South, Range 38 East, more particularly described as

follows: Commence at the intersection of the South line of said Section 11 with the Southwesterly Right-of-Way line of Central and Southern Florida Flood Control District Hillsboro Canal (L-15), thence run North 35 degrees 01' 40" West along said (L-15) Southwesterly Right-of-Way line for 768.45 feet to the Point of Beginning of the herein described piece of land, thence continue North 35 degrees 01' 40" West along said (L-15) Southwesterly Right-of-Way line for 595.70 feet to an intersection with a line 113.65 feet East from and parallel to the West line of the Southeast 1/4 of said Section 11, thence run South 0 degree 13' 30" East, along a line 113.65 feet East from and parallel to the West line of the Southeast 1/4 of said Section 11 for 688.04 feet thence run North 89 degrees 57' 40" East along a line 229.56 feet North from and parallel to the South line of said Section 11 for 340.00 feet, thence run North 0 degree 13' 30" West for 400.00 feet to the Point of Beginning. Said property located on the southwest side of State Road 827, approximately 6.9 miles southeast of U.S. Highway 441 in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following, or obtain variance relief:
  - a) required number of trees
  - b) required landscaping between off-street parking, vehicular use areas, and abutting properties
  - c) required landscaping between off-street parking, vehicular use areas, and abutting rights-of-way.
2. The developer shall meet the 110 percent fall area or receive written verification from the County Engineer that the tower will fall within the project area.

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

Karen T. Marcus	--	ABSENT
Jerry L. Owens	--	AYE
Ken Spillias	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	ADAMS

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987 confirming action of August 28, 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Polyz  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

*RM*  
County Attorney