

RESOLUTION NO. R- 87-1095

RESOLUTION APPROVING ZONING PETITION 82-24(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. 82-24(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on February 26, 1987 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 required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that: Petition No. 82-24(A) the petition of CHICAGO TITLE INSURANCE COMPANY, by Linda M. La Bat, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A COMMERCIAL RADIO COMMUNICATIONS RELAY TOWER PREVIOUSLY APPROVED UNDER ZONING PETITION 82-24, TO INCREASE THE HEIGHT OF THE

TOWER BY 37 FEET on the West 400 feet of the South 1/2 Tract 6 Less the North 35 feet thereof in the Southeast 1/4 of Section 12, Township 45 South, Range 42 East, "Amended Plat of Section 12, Township 45 South, Range 42 East, Mary A. Lyman et al", according to the plat thereof as recorded in Plat Book 9, Page 74. The property is located on the east side of Military Trail (SR 809) approximately .6 mile south of Hypoluxo Road in a CG-General Commercial Zoning District was approved as advertised subject to the following conditions:

1. Petitioner shall comply with all conditions of previous approval unless expressly modified herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
  - a. Required number of trees.
3. Prior to site plan certification, the petitioner shall submit calculations substantiating the position of the one hundred ten (110) percent break point.
4. The developer shall retain the stormwater runoff in accordance with all agency requirements in effect at the time of the permit application. However at a minimum, this development shall retain onsite three (3") inches of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
5. The property owner shall convey for the ultimate right-of-way of Military Trail, 60 feet from centerline within 90 days of the approval of the Resolution approving this project.

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

Carol Roberts -- Aye  
Karen T. Marcus -- Aye  
Dorothy Wilken -- Absent  
Kenneth M. Adams -- Aye

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of February 26, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller  
Deputy Clerk



APPROVED AS TO .FORM  
AND LEGAL SUFFICIENCY

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[Signature]  
County Attorney