

RESOLUTION NO. R- 87-1107

RESOLUTION APPROVING ZONING PETITION 81-19(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. 81-19(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 27, 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, assembled in regular session that Petition No. 81-19(A), the petition of the CITY OF BOCA RATON, By Millard Wafle, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A PUBLIC GOLF COURSE AND RECREATION FACILITIES PREVIOUSLY APPROVED UNDER ZONING PETITION 81-19 TO INCLUDE A COMMERCIAL RADIO, TELEVISION, MICROWAVE, TRANSMISSION AND RELAY STATION AND TOWERS on a parcel of land in Section 17, Township 47 South, Range 42 East including portions of Tracts 1,2,3,29,30,31,32,33,34,35 and all of Tracts 12,13,14,15,16,17, in Block 76 of Palm Beach Farms Company Plat No. 3 as recorded in Plat

- Book 2, Pages 45 to 54. Beginning at a point known as the Southwest corner of said Tract 17 of the aforementioned subdivision run North, based on the Plat bearing, along the West lines of Tracts 17, 12 and 3 a distance of 1980.00 feet: thence East along a line 55 feet South of and parallel to the North line of said Block 76 a distance of 1240.15 feet to the Easterly line of said Block 76: thence N 00 degrees-16'-00" W along said Easterly line a distance of 55.00 feet: thence N 44 degrees-40'-43" E a distance of 179.59 feet; thence N 89 degrees-39'-25" E along a line 52 feet South of and parallel to the North line of said Section 17 a distance of 2218.55 feet to the West line of the Lake Worth Drainage District E-2-W Right-Of-Way line: thence along said West line S 00 degrees-42'52" E a distance of 495.77 feet: thence S 21 degrees-47'-08" W a distance of 463.58 feet; thence S 44 degrees-17'-08" W a distance of 367.79 feet; thence S 30 degrees-15'08" W a distance of 239.99 feet; thence S 00 degrees-42'-52" E a distance of 255.40 feet: thence S 31 degrees-40'-52" E a distance of 243.71 feet: thence S 45 degrees-42'-52" E a distance of 220.36 feet to the East line of said Tract 35: thence South along said East line a distance of 800.25 feet; thence West along a line 25 feet North of and parallel to the South line of Tracts 35,34,33,32,31,30 and 29 a distance of 2040.00 feet: thence North along a line 300 feet East of and parallel to the West line of said Tract 29 a distance of 635.00 feet to a point on the South line of said Tract 15: thence West along the South line of said Tracts 15,16, and 17 a distance of 1290.00 feet to the Point of Beginning: also subject to a 20 foot wide strip for road frontage, being the North 20 feet of the South 45 feet of the aforesaid Tract 30. Said property is located on the west side of Florida's Turnpike and is bounded on the south by Lake Worth Drainage District Canal No. 45 and is bounded on the north by Lake Worth Drainage District Canal No. 44 in an AR-Agricultural Residential Zoning District was approved as advertised subject to the following conditions:

1. The developer shall comply with all conditions of previous approvals unless expressly modified herein.

2. Prior to site plan certification, the site plan shall be amended to reflect a setback from property lines equal to one hundred ten (110) percent of the tower's height, or certified calculations from an engineer registered in the State of Florida substantiating the one hundred ten (110) percent break point will be submitted.
3. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
4. No use of the facility for television or for commercial FM radio broadcast shall be permitted on site.
5. Prior to site plan certification, petitioner shall amend the site plan to relocate the tower a minimum of eight hundred feet to the north of the south property line.

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

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

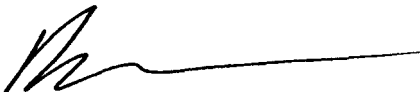
The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 27, 1987.

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

  
Co nty Attorney