

RESOLUTION NO. R-90-593

RESOLUTION DENYING ZONING PETITION NO. 89-93  
SPECIAL EXCEPTION PETITION OF  
COMCAST REAL ESTATE HOLDINGS, INC.

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 have been satisfied; and

WHEREAS, Petition No. 89-93 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 26, 1989; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the criteria set forth in the Zoning Code of Palm Beach County, Florida, Sections 102, 202.2 and 402.5, 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, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is not consistent with the requirements of the Comprehensive Plan and local land development regulations.
2. This proposal is not consistent with the present and future development of the area and not an appropriate use in this location.
3. This use is incompatible with the surrounding land uses.
4. This proposal will adversely affect the public interest.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 89-93, the petition of COMCAST REAL ESTATE HOLDINGS, INC., BY MICHAEL W. CONNORS, AGENT, for a SPECIAL EXCEPTION TO PERMIT COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATIONS AND TOWERS AND ACCESSORY EQUIPMENT BUILDINGS (CABLE T.V. TOWER), on a parcel of land lying in Section 9, Township 41 South, Range 42 East described as follows:

This Range 42 East Section 9 Parcel of land in Palm Beach County, Florida described as North 240.00 feet of the South 2,380 feet of the East 250.00 feet of Northwest 1/4 of Section 9, being approximately 1.37 acres, subject to road easement for ingress and egress over the Northerly 30.00 feet and the Easterly 40.00 feet thereof.

The subject property being located on the Southwest corner of 75th Avenue North and 169th Street North in a AR-Agricultural Residential Zoning District, was denied on October 26, 1989 with prejudice.

Commissioner Phillips moved for approval of the Resolution.

The ~~motion~~ was seconded by Commissioner Roberts d , upon being ~~put~~ to a vote, the vote was as follows:

Carol J. Elmquist, Chair	--	AYE
Ron Howard	--	ABSENT
Karen T. Marcus	--	AYE
Carole Phillips	--	AYE
Carol Roberts	--	AYE

The Chair thereupon declared the resolution was duly passed and adopted this 3rd day of April, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS,

JOHN B. DUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK