

RESOLUTION APPROVING ZONING PETITION CA96-118
CLASS A CONDITIONAL USE
PETITION OF SCRIPPS-HOWARD BROADCASTING CO
BY JOHN A. PETREIKIS, AGENT
(WPTV WEATHER RADAR SYSTEM)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Board of County Commissioners pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses, and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code have been satisfied, and

WHEREAS, Zoning Petition CA96-118 was presented to the Board of County Commissioners at a public hearing conducted on January 30, 1997, and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission, and

WHEREAS, this approval is subject to Article 5, Section 5 8 (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner, and

WHEREAS, the Board of County Commissioners made the following findings of fact

- 1 This Class A Conditional Use is consistent with the Palm Beach County Comprehensive Plan
- 2 This Class A Conditional Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code
- 3 This Class A Conditional Use is consistent with the requirements of the Palm Beach County Unified Land Development Code
- 4 This Class A Conditional Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development
- 5 This Class A Conditional Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics
- 6 This Class A Conditional Use meets applicable local land development regulations

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- 7 This Class A Conditional Use with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands
- 8 This Class A Conditional Use has a concurrency determination and complies with Article 11, Adequate Public Facility Standards of the ULDC
- 9 This Class A Conditional Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment
- 10 This Class A Conditional Use, with conditions as adopted will result in logical, timely and orderly development patterns

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition CA96-118, the petition of Scripps-Howard Broadcasting Co., by John A. Petreikis, agent, for a Class A Conditional Use (CA) to allow a Communication tower (149 feet) in the Agricultural Residential (AR) Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on January 30, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof

Commissioner McCarty moved for the approval of the Resolution

The motion was seconded by Commissioner Newell and, upon being put to a vote, the vote was as follows

Burt Aaronson, Chair	—	Aye
Maude Ford Lee, Vice Chair	—	Aye
Ken Foster	—	Absent
Karen T. Marcus	—	Aye
Mary McCarty	—	Aye
Warren Newell	—	Aye
Carol A. Roberts	—	Absent

The Chair thereupon declared that the resolution was duly passed and adopted on January 30, 1997

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY *Richard Carter*
COUNTY ATTORNEY

BY *Joan Havelly*
DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

Legal Description
WPTV Weather Radar System Site

The real estate on which the weather radar system is to be installed is located in Palm Beach County Florida and is described in title insurance policy as

Lot 7, less the East 23 43 feet thereof, of Tract 37, Township 44 ½ South, Range 41 East, Palm Beach County, Florida; said Township 44 ½ South being a Hiatus between Townships 44 and 45 South.

The easement rights hereby insured are those granted by Easement Deed from N R. Field and Janet Knox Field, his wife, to Insured, dated March 23, 1962 and recorded April 5, 1962, in Official Record Book 760, at page 268, Palm Beach County records, and encompassing the North 100 feet of Lots 5, 6, 7 and 8 (less that part of Lot 8 lying within the right-of-way of State Road 199, now known as State Road 7) of Tract 37, Township 44 ½ South, Range 41 East.

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