

RESOLUTION NO. R- 1763

RESOLUTION APPROVING ZONING PETITION

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. 79-262 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 November 1979; 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. The proposal would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of November, 1979, that Petition 'No. 79-262 the petition of GEORGE T. and WILMA A. ELMORE by Henry Skokowski, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL AM/FM RADIO AND TELEVISION BROADCASTING TOWER on a parcel of land lying in Section 30, Township 46 South, Range 43 East, being more particularly

described as follows: Commencing at the intersection of the West right-of-way line of the Seaboard Airline Railroad and the East-West 1/4 section line of Section 30, thence with a bearing of South 0°27'17" East, along the aforementioned West right-of-way line, a distance of 476.28 feet to a point; thence with a bearing of South 89°13'16" West, along a line parallel to the East-West 1/4 section line, a distance of 506.01 feet to a point, said point being on the West right-of-way line of Congress Avenue said point also being the Point of Beginning; thence continuing along the aforementioned course a distance of 578.36 feet to a point; thence with a bearing of North 0°27'17" West, a distance of 570.10 feet to a point; thence with a bearing of North 50°24'56" East, a distance of 745.57 feet to a point on the West right-of-way line of Congress Avenue; thence with a bearing of South 0°27'17" East along the West right-of-way line of Congress Avenue a distance of 1037.34 feet, more or less, to the Point of Beginning. Subject to easements and rights-of-way of record. Said property located on the west side of Congress Avenue, approximately 1000 feet south of Germantown Road (Southeast 10th Street) in a CS-Specialized Commercial District, was approved as advertised subject to the following condition:

1. Petitioner shall submit engineering data, by a registered Engineer, for the breaking point fall distance of the tower prior to Site Plan approval, if a break point is used.

Commissioner Gregory, moved for approval of the petition.

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

|                               |   |        |
|-------------------------------|---|--------|
| Bill Bailey, Chairman         | - | Yes    |
| Dennis Koehler, Vice Chairman | - | Absent |
| Peggy B. Evatt, Member        | - | Yes    |
| Frank H. Foster, Member       | - | Absent |
| Norman R. Gregory, Member     | - | Yes    |

The foregoing resolution was declared duly passed and adopted  
this 18th day of December, 1979, confirming action of  
29 November 1979.

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

JOHN B. DUNKLE, Clerk

By: *Keith Van Otter*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*[Signature]*  
County Attorney

