

RESOLUTION NO. R-80-838

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. 80-85 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 May 1980; 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 consistent with the needs of the County for land areas for specific purposes to serve population and economic activities
2. The proposal would not be disruptive to the character of the neighborhoods or adverse to playgrounds, parks, schools and recreation areas
3. The proposal would not be adverse to the promotion of the public health, safety, comfort, convenience, order, appearance, prosperity or general welfare

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 29th day of May, that Petition No. 80-85 the petition of MALRITE BROADCASTING COMPANY, by Sally Benson, Attorney, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO, TELEVISION MICROWAVE TRANSMISSION AND RELAY STATION AND TOWER INCLUDING ACCESSORY EQUIPMENT BUILDING on a certain parcel in Section 3, Township 45 South, Range 41 East, being more particularly described as follows: Commencing at the Southwest corner of Section 2, Township 45 South, Range 41 East, as said corner is shown on the Plat of Homeland according to the plat thereof, recorded in Plat Book 33, pages 111 through 117 inclusive; run thence North 02°26'26" West along the West line of said Section 2, also being the West line of said Plat of Homeland, a distance of 100.00 feet; thence South 88°12'47" West along a line parallel with the Westerly extension of the South line of Section 2 as shown on said Plat of Homeland, a distance of 100.00 feet to the Southeast corner and Point of Beginning of the herein described parcel; thence continue South 88°12'47" West along said parallel line, a distance of 2200.00 feet; thence North 02°26'26" West and running parallel with the West line of Section 2, a distance of 2200.00 feet; thence North 88°12'47" East, a distance of 2200.00 feet to a line parallel with and 100 feet Westerly of said West line of Section 2; thence South 02°26'26" East along said parallel line, a distance of 2200.00 feet to the Point of Beginning. Said property located approximately 2 miles west of U.S. 441 (S.R. 7) and approximately 2 miles south of Lake Worth Road in an AG-Agricultural District, was approved as advertised subject to the following condition:

1. The County Engineer's Office has reviewed the Engineering data concerning the fall distance of the proposed tower and finds it acceptable.

Commissioner Foster , 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:

Dennis Koehler, Chairman	Aye
Frank Foster, Vice Chairman	Aye
Bill Bailey, Member	Absent
Norman R. Gregory, Member	NO
Peggy B. Evatt, Member	Aye

The foregoing resolution was declared duly passed and adopted this 24th day of june , confirming action of 29 May 1980.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Van Otter*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles F. Schoeck

County Attorney

