

RESOLUTION NO. R-82-416

RESOLUTION APPROVING ZONING PETITION 82-9,

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. 82-9 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 January 1982; 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

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of January, 1982, that Petition No. 82-9 the petition of ARTHUR J. POISSON by Kieran Kilday, agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW A COMMERCIAL TELEVISION TOWER AND TOWER AND EQUIPMENT BUILDINGS on a parcel of land lying in Section 25, Township 42 South, Range 42 East, being more particularly

described as follows: Commencing at the Southeast corner of said Section 25; thence, bear North 01°34'06" East, along the East line of said Section 25, a distance of 1325.75 feet to the centerline of Blue Heron Boulevard, (as now laid out and in use); thence North 88°11'58" West, along said centerline, a distance of 656.28 feet; thence South 01°48'41" West, a distance of 93.72 feet to the Southerly right-of-way line of said Blue Heron Boulevard and the Point of Beginning; thence North 88°11'19" West, along said line, a distance of 200.00 feet; thence South 01°48'41" West, a distance of 200.00 feet; thence South 88°11'19" East, a distance of 500.15 feet to the Westerly right-of-way line of Blue Heron Boulevard and I-95 Interchange; thence North 12°18'26" West, along said line, a distance of 103.11 feet; thence North 58°26'37" West, continuing along said line, a distance of 201.56 feet to the Southerly right-of-way line of said Blue Heron Boulevard; thence North 88°11'19" West, along said line, a distance of 100.00 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of I-95 and Blue Heron Boulevard, was approved as advertised subject to the following conditions:

1. Petitioner shall:
 - a. Relocate the proposed turnout onto Blue Heron Boulevard, west of the existing limited access right-of-way line, per the County Engineer's approval.
 - b. Contribute Two Thousand Six Hundred Twenty-five Dollars (\$2,625.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a pro-rata basis at the time of filing of the building permit(s).
 - c. Provide an 8 ft. chainlink fence around the tower.
 - d. Provide a 6 ft. wall along the southern and western property line.

- e. Provide for 110% fall distance for the tower.
 - f. Provide for preservation of on-site significant vegetation.
2. Parking shall be no less than 4 spaces per 1,000 square feet of total floor area.
 3. There shall be no development allowed on the western portion of the property, unless the special exception is amended for a specific use.

Commissioner Evatt, moved for approval of the petition.

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

Norman Gregory, Chairman	Yes
Peggy Evatt, Vice Chairman	Yes
Bill Bailey, Member	Yes
Dennis Koehler, Member	Yes
Frank Foster, Member	Absent

The foregoing resolution was declared duly passed and adopted this 13th day of April, 1982, confirming action of 28 January 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Reeth Ann Ottaviano*
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Bartlett
 /County Attorney

