

RESOLUTION NO. R- 82-633

RESOLUTION APPROVING ZONING PETITION **82-25 SPECIAL** EXCEPTION

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. **82-25** was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 29 April 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 **29th** day of April, **1982**, that Petition No. 82-25 the petition of JUGGLER ENTERPRISES, INC. by Alan Ciklin, Attorney, for a **SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO COMMUNICATIONS RELAY TOWER** on a parcel of land being a portion of the

East 1/2 of the following described property: All of Tracts 26 and 29 in Block 79 of Palm Beach Farms Company Plat No. 3, in Section 20, Township 47 South, Range 42 East, as recorded in Plat Book 2, Pages 45 through 54, and all of Block 2 and all of Block 3 lying West of the Westerly right-of-wayline of the Florida-State Turnpike of Boca Raton Pines, as recorded in Plat Book 13, page 71, as the same lies in Tract 30, Block 79, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, page 45, and any streets, way, avenues of Thoroughfares lying West of the Westerly right-of-way line of the Florida State Turnpike as the same are located in the Plat of Boca Raton Pines, as recorded in Plat Book 13, page 71, said parcel being more particularly described as; Commencing at the Southeast corner of Tract 28 of the above mentioned Palm Beach Farms Company Plat NO. 3; thence with an assumed bearing of due East along the South line of Tract 29, a distance of 170.94 feet to a point; thence with a bearing of North 0°21'27" West a distance of 30.00 feet to a point; thence with a bearing of East along a line lying 30.00 feet North of and parallel to the South line of Tracts 29 and 30 of Palm Beach Farms Company Plat No. 3, a distance of 255.74 feet to the Point of Beginning; thence with a bearing of North 0°42'52" West a distance of 115.01 feet to a point; thence with a bearing of East, a distance of 180.01 feet to a point; thence with a bearing of South 0°42'52" East along a line 65.00 feet West of and parallel to the West right-of-way line of the Florida State Turnpike, a distance of 115.01 feet to a point; thence with a bearing of West, a distance of 180.01 feet, more or less, to the Point of Beginning, Also; that Portion of land as described in Official Record Book 2761, page 892, to wit: a strip of land lying in Lot 30 of Block 79, Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, pages 45-54, said strip being more fully described as follows: Commence at the Southeast corner of Lot 28 of said Block 79; thence due East along the South line of Lot 29, 170.94 feet to a point; thence North 0°21'27" West 30.00 feet to a point; thence due East along a line 30 feet North of and parallel

to the South line of Lot 29, 435.75 feet to the Point of Beginning; thence North 0°42'52" West 115.01 feet to a point; thence due East 5.00 feet to a point; thence South 0°42'52" East along a line being the West right-of-way line of Boca Rio Road, 115.01 feet to a point; thence due West 5.00 feet to the Point of Beginning, LESS: that portion of land as described in Official Record Book 2786, page 1723, to wit: a strip of land lying in Lot 30 of Block 79, Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, pages 45-54, said strip being more fully described as follows: Commence at the Southeast corner of Lot 28 of said Block 79; thence due East along the South line of Lot 29, 170.94 feet to a point; thence North 0°21'27" West, 30.00 feet to a Point; thence due East along a line 30 feet North of and parallel to the South line of Lot 29, 255.74 feet to the Point of Beginning; thence North 0°42'52" West, 115.01 feet to a point; thence due East 5.00 feet to a point; thence South 0°42'52" East, 115.01 feet to a point; thence due West 5.00 feet to the Point of Beginning. Said property located on the northwest corner of the intersection of Via Ancho Road and Boca Rio Road, approximately 50 feet west of Florida's Turnpike in an IL-Light Industrial District, was approved as advertised subject to the following conditions:

1. Petitioner shall submit calculations substantiating the extent of the one hundred and ten percent (110%) fall area requirement before site plan approval.
2. The developer shall provide for an 8 ft. high chain link fence around the tower.

Commissioner Bailey, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted
this 29th day of June , confirming action of
29 April 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
/County Attorney

