

RESOLUTION NO. R- 82-645

RESOLUTION APPROVING ZONING PETITION 82-56, 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. 82-56 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. 82-56 the petition of BURBACH RADIO, INC. by Kieran J. Kilday, Agent, for a SPECIAL EXCEPTION TO ALLOW COMMERCIAL RADIO TOWERS, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a portion of Section 28, Township 47 South, Range 41 East, azimuths shown hereon are based

upon true North azimuth obtained from astronomical observation. Said portion being more particularly described as follows: Beginning at the Southwest corner of said Section 28; thence on an azimuth of  $358^{\circ}44'45''$  along **the West** line of said Section 28, a distance of 4309.08 feet to a point on the Southerly right-of-way line of the Hillsboro Canal; thence on an azimuth of  $108^{\circ}06'30''$  along said right-of-way line, a distance of 15.90 feet; thence on an azimuth of  $178^{\circ}44'45''$  and along a line parallel with and 15.00 feet East of as measured at right angles to the said West line of Section 28, a distance of 3534.08 feet; thence on an azimuth of  $89^{\circ}36'40''$ , along a line parallel with and 769.87 feet north of as measured at right angles to the South line of said Section 28, a distance of 1402.00 feet; thence on an azimuth of  $178^{\circ}44'45''$  along a line parallel with and 1416.84 feet East of as measured at right angles to the said West line of Section 28, a distance of 769.96 feet to a point on the South line of said Section 28; thence on an azimuth of  $269^{\circ}36'40''$  along the said South line of Section 28, a distance of 1417.00 feet to the Point of Beginning. Said property located on the south side of S.R. 827, approximately 4 miles west of S.R. 7 and being bounded on the south by the Broward County Line in an AR-Agricultural Residential District, was approved as advertised subject to the following conditions:

1. The developer shall provide for a minimum 20 ft. access easement from S.R. 827 to the project site.
2. The developer shall provide for an 8 ft. high chain link fence around the towers.
3. As the developer agreed at **the public** hearing, **no** governmental entity will be liable in any future condemnation for any increase in value attributable to this grant of special exception **and any** improvements made **on the** property as a result of this approval. Further, any improvements will be removed by the developer at the time of condemnation.

Commissioner **Bailey** , moved for approval of the petition.

The motion was seconded by Commissioner **Koehler** , and upon being put to a vote, the vote was as follows:  
5-0

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

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

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Otter*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*John Lubert*  
County Attorney

