

RESOLUTION NO. R- 83-990

RESOLUTION APPROVING ZONING PETITION 83-63, 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. 83-63 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th May 1983; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the **recommendatons** 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 proposed utility installation is permitted by the Comprehensive Plan. Provided that the site plan is amended to reflect the ultimate **right-of-way** of University Parkway, the proposal would be consistent with the Plan's traffic provisions and mandatory performance standards.
2. The property can be developed for the intended use while meeting all zoning Code requirements and in a manner compatible with the character of the surrounding area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this **27th** day May 1983, that Petition No. 83-63 the petition of SOUTHERN BELL TELEPHONE AND TELEGRAPH COMPANY By Peter L. Schneider, Agent, for a SPECIAL EXCEPTION TO ALLOW A PUBLIC AND PRIVATE UTILITY SERVICES, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on the south 248 feet of the North 3800 feet of the East 280 feet of the West 1700 feet of Section 24, Township 43 South, Range 40 East, less County Road' Right-of-Way (Seminole-Pratt Whitney Road), and subject to an easement for road and drainage purposes to Indian Trail Water Control District over the North 30 feet. Said property located on the

southwest corner of the intersection of Seminole Pratt **Whitney** Road and **West** Stallion Drive in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. The site plan shall be revised to reflect proper base building lines and the following minimum building set backs measured from the base building lines,  
  
FRONT: 65.4 ft.; REAR: 43.6 ft.; SIDE CORNER: 12 ft.,; and SIDE INTERIOR: 9 ft. Required landscaping and preservation of existing significant vegetation shall also be provided for and reflected upon the site plan.
2. The property owner shall convey to Palm Beach County within ninety (90) days of approval 192 feet from centerline for the ultimate right-of-way for Seminole Pratt Whitney Road, approximately an additional 142 feet of right-of-way.
3. The development shall retain **onsite** 85% of the storm water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
- 4,. The developer shall not use oleander for hedge material, shall install wood trim o&the structure, shall *remove* the existing chain link fence.

Commissioner **Bailey** , moved for **approval** ,  
of the petition... The motion was seconded by Commissioner **Wilken** ,  
and upon being put to a vote, the vote was  
as follows:

Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, Vice Chairman	-- <b>AYE</b>
Dennis P. Koehler, Member	-- <b>ABSENT</b>
Dorothy <b>Wilken</b> , Member	-- APE
Bill Bailey, Member	-- <b>AYE</b>

The foregoing resolution was declared duly passed and adopted this **30th day** of **August** , 1983, confirming action of  
27th **May** 1983.

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

JOHN B. DUNKLE, CLERK

BY:   
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

  
County Attorney