

RESOLUTION NO. R-85-32

RESOLUTION APPROVING ZONING PETITION 84-103, 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. 84-103 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 2⁴th of August 1984; 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. Available records indicate that this parcel has been subdivided in three contiguous parcels constituting a subdivision. This subdivision issue needs to be resolved prior to the issuance of any building permits on this site.
2. The proposal is consistent with the requirements of the Comprehensive Plan.
3. The proposal can be brought into consistency with the requirements of the Zoning Code with minor revisions to the site plan.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 2⁴th of August 1984, that Petition No. 84-103 the petition of FLORIDA POWER AND LIGHT COMPANY By A.C. Lazzaro, Agent, for a SPECIAL EXCEPTION TO ALLOW A PUBLIC AND PRIVATE UTILITY SERVICE BUILDING INCLUDING A RADIO COMMUNICATION TOWER on the East 245 feet of the North 255 feet of the West 500 feet of Tract 18, Block 8, Section 31, Township 43 South, Range 42 East, Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 to 54. Said

property located approximately 600 feet north of S.R. #80 (Southern Boulevard) and approximately .5 mile east of S.R. #7 (U.S. 441) in an IL-Light Industrial District

was approved as advertised subject to the following conditions:

1. Prior to certification by the Site Plan Review Committee, the site plan shall be modified to reflect:
 - a) Placement of all tower supports and anchors at least 5' from boundary lines of the site.
2. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year one hour storm per requirements of the Permit Section, Land Development Division.
5. The property owner shall convey for the ultimate right of way of:
 - a) Sunshine Road, 30 feet from centerline approximately an additional 15 feet.

All within 90 days of approval and conveyances must be accepted by Palm Beach County prior to issuance of first building permit.

Commissioner Wilkens, 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:

Ken Spillias, Chairman	--	AYE
Dorothy Wilkens, vice Chairman	--	AYE
Peggy Evatt, Member	--	AYE
Dennis P. Koehler, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of **January 8, 1985** confirming action of the 2⁴th of August 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Darlene Harris*
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Dandy Sprague
County Attorney