

RESOLUTION NO. R- 85-1876K

RESOLUTION APPROVING ZONING PETITION 85-77, Special Exception

WHEREAS, the Board of County Commissioners, as the governing bo'dy, 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. 85-77 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 22nd August 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 22nd of August 1985, that Petition No. 85-77 the petition of SOUTHERN BELL TELEPHONE & TELEGRAPH COMPANY, By Peter Schneider, Agent for a SPECIAL EXCEPTION TO ALLOW PUBLIC AND PRIVATE UTILITY SERVICES INCLUDING ACCESSORY BUILDINGS AND STRUCTURES starting at the point of intersection of the North line of Section 4, Township 46 South, Range 43 East, and the East Right-of-way line of the Florida East Coast Railroad Right-of-way, go South along the East Right-of-way line of the Florida East Coast Railroad Right-of-way for a distance of 441.73 feet to the Point of Beginning. Starting at the Point of Beginning continue South along the East Right-of-way line of the Florida East Coast Railroad Right-of-way 131.94 feet to a point; thence Northeasterly and along the Northwest Right-of-way line of State Road No. 176, 77.0 feet to a point; thence North 75.0 feet to a

point; thence West 50.0 feet to the Point of Beginning, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 4, East of the Florida East Coast Railroad and West of the State Road No. 176, Township 46 South, Range 43 East. Said property located on the west side of Old Dixie Highway, approximately .9 mile north of Gulfstream Boulevard and being bounded on the West by the F.E.C. Railroad in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

- 1) Prior to site plan certification, the site plan shall be revised to reflect landscape screening of offstreet vehicular use areas pursuant to the Landscape code.
- 2) No storage or placement of any materials, refuse, equipment or accumulated debris shall be permitted outside of the building.
- 3) Security lighting shall be directed away from nearby residences.
- 4) 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.
- 5) Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
- 6) This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
- 7) The property owner shall convey for the ultimate right of way of Old Dixie Highway on an alignment approved by the County Engineer within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
- 8) The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit Section prior to the issuance of a Building Permit.
- 9) The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Old Dixie Highway.
- 10) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

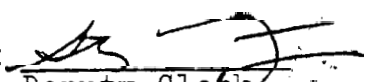
Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted

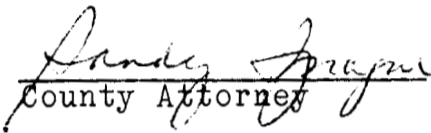
this 19TH day of NOVEMBER 1985 confirming action of the 22nd August 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney