

RESOLUTION NO. R-85-1968

RESOLUTION APPROVING ZONING PETITION 85-123, 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. 85-123 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 9th October 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. With variance relief, this proposal will be 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 9th of October 1985, that Petition No. 85-123 the petition of AT&T, JOHN E. CORBALLY, JAMES FUHMAN AND DAVID MURDOCK, By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW PUBLIC UTILITY SERVICES on a parcel of land lying in Section 22, Township 42 South, Range 42 East, more particularly described as follows:

Commencing at the Southeast corner of Section 22, Township 42 South, Range 42 East, proceed along the South line of said Section 22 North 85 degrees 49'14" West, a distance of 323.11 feet to a point of intersection with the West right-of-way line of Florida Sunshine State Parkway, as depicted on Sunshine State Parkway R/W Map dated June 22, 1955, thence along said West Right-of-way line North 01 degree 57'26" East, a distance of 637.60 feet to a point of

intersection with the North right-of-way line of State Road 710 (Beeline Highway) as depicted on Florida Road Department R/W Map Section 9331-101, 1956, and being recorded in Road Book No. 2, Page 149, said point being the Point of Beginning; thence North 53 degrees 19'14" West, a distance of 1400.00 feet along said North Right-of-way line of State Road 710 to a point, thence North 01 degree 57'26" East, a distance of 200.00 feet to a point, thence South 53 degrees 19'14" East along a line 200 feet Northerly of and parallel to the North Right-of-way line of S.R. 710 a distance of 1400.00 feet to a point of the West, Right-of-way line of Florida Sunshine State Parkway, thence South 01 degree 57'26" West along said West Right-of-way line a distance of 200.00 feet to the Point of Beginning. Said property located on the north side of the Beeline Highway (S.R. 710), being bounded also on the east side by Florida's Sunshine State Parkway Turnpike in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan certification the site plan will be revised to reflect the following;
  - a) Correct front and side setbacks, or variance relief shall be obtained from the Board of Adjustment.
2. The petitioner shall obtain variance relief from the minimum lot depth requirement.
3. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. 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.
6. 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.
7. The property owner shall obtain a Turnout Permit from the Florida Department of Transportation for access onto Bee Line Highway.
8. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
9. Other than land clearing necessary for site improvements, the petitioner shall leave the site in its natural vegetative state, and shall comply with all requirements of the revised landscape code should said code be adopted prior to the issuance of a certificate of

occupancy.

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

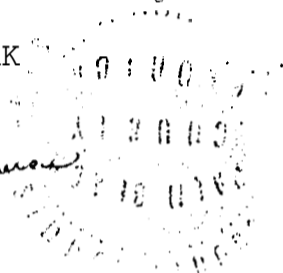
Ken Adams, Chairman	--	ABSENT
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	ABSENT
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this **3rd** day of **December** 1985 confirming action of the 9th October 1985.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Linda C. Heckman  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Audrey Griffin  
County Attorney

FILED THIS ..... DAY OF  
DEC 03 1985 19 .....  
AND RECORDED IN .....  
MINUTE BOOK NO. .... AT  
PAGE ..... RECORD VERIFIED  
JOHN B. DUNKLE, CLERK  
BY LH ..... D.C.