

RESOLUTION NO. R-86-494

RESOLUTION APPROVING ZONING PETITION 85-174, 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. 85-174 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; 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 or site plan modification, 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 3rd of January 1986, that Petition No. 85-174 the petition of VIOLET SELVA By Beril Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW A COMMERCIAL RADIO TOWER INCLUDING ACCESSORY BUILDINGS on Tract 52, Subdivision of Section 19, Township 45 South, Range 43 East, as recorded in Plat Book 7, Page 19. Said property located on the east side of Knuth Road, approximately 160 feet north of Boynton Beach Boulevard (S.R. 804) was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be revised to reflect certification by an engineer registered in the State of Florida that a 110% break point exists for the tower or the petitioner shall seek variance relief from the Board of Adjustment.
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. 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.

5. The property owner shall convey for the ultimate right-of-way of Knuth Road, 30 feet from centerline, 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.

6. The petitioner shall convey to the Lake Worth Drainage District the required Easement over the South 25.00 feet of the subject property for the required right-of-way for Lateral Canal No. 24, by an Easement Deed in the form provided by said District within ninety (90) days of adoption of the resolution by the Board of County Commissioners.

7. Compliance with the Subdivision and Platting Ordinance will be required if this parcel is subdivided into more than 2 lots.

8. 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 Owens , 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	--	ABSENT
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 8th day of April, 1986 confirming action of the 3rd January 1986.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

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County Attorney