

RESOLUTION NO. R- 87-1124

RESOLUTION DENYING ZONING PETITION 87-12: 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. 87-12 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 26, 1987 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 inconsistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session that Petition No. 87-12, the petition of ASTI BROADCASTING CORP. by D. H. Tharen, Agent, for a SPECIAL EXCEPTION TO ALLOW COMMERCIAL RADIO, TELEVISION, MICROWAVE TRANSMISSION AND RELAY STATION AND TOWERS, AND ACCESSORY EQUIPMENT BUILDINGS on the North 1/2 of the South 1/2 of the West 1/2 of the East 1/2 of the Southwest 1/4 of Section 8, Township 43 South, Range 41 East, Reserving unto the grantors, their heirs and assigns an easement for road, utility and drainage purposes over the West 20 feet of

subject premises. Together with an easement for road, drainage and utility purposes over the following described lands in Section 8, Township 43 South, Range 41 East. The West 20 feet of the East 1/2 of the Southwest 1/4 and the North 20 feet of the East 1/2 of the Southwest 1/4 and the East 20 feet of the East 1/2 of the Southwest 1/4 and the South 20 feet of the East 1/2 of the Southwest 1/4 and the West 20 feet of the East 1/4 of the Southwest 1/4. Less therefrom and not to include an easement over the South 1/4 of the West 1/2 of the East 1/2 of the Southwest 1/4 of said Section 8, Township 43 South, Range 41 East. The property is located approximately .1 mile north of 40th Street (North Road) and .1 mile west of "D" Road (145th Avenue North) in an AR-Agricultural Residential Zoning District and was denied with prejudice.

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

|                   |    |        |
|-------------------|----|--------|
| Carol A. Roberts  | -- | Absent |
| Karen T. Marcus   | -- | Aye    |
| Dorothy Wilken    | -- | Aye    |
| Kenneth M. Adams  | -- | Aye    |
| Carol J. Elmquist | -- | Aye    |

The foregoing resolution was declared duly passed and adopted this 28th day of July, 1987 confirming action of March 26, 1987.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Kathryn S. Miller  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

  
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County Attorney