

RESOLUTION NO. R-2000- 0583

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 96-112
TO REVOKE THE CLASS A CONDXTIONAL USE
PREVIOUSLY GRANTED BY
RESOLUTION NO. R-97-265
APPROVING THE PETITION OF SPRINT SPECTRUM L.P
PETITION NO. 96-112

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan; and

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section **5.8**, Status Report SR 96-1 **12** was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 27, 2000; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 96-112 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to revoke Special Exceptions; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The revocation of the conditional use is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The property owner has had three years to commence development since the conditional use was approved in 1997.
3. Development has not commenced
4. The use regulations in the Unified Land Development Code for commercial towers were amended in 1999.
5. The current requirements for setbacks from property lines cannot be met by the existing conditional use.
6. The current requirements for setbacks from residences cannot be met by the existing conditional use.
7. The conditional use is not consistent with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE XT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status

Status Report **SR 96-112**

Report No. SR 96-1 12, to revoke the Class A Conditional Use previously granted by the approval of the petition of Sprint Spectrum L.P., Petition No. 96-1 12, confirmed by the adoption of Resolution R-97-265, which approved a Class A Conditional Use to allow a commercial communication tower (150 foot monopole), on property legally described in Exhibit A, being located on the north side of Palomino Drive approximately 100 feet east of SR 7/US 441, in the Residential Transitional (RT) Zoning District, **is** approved.

Roberts

Commissioner / moved for approval of the Resolution.

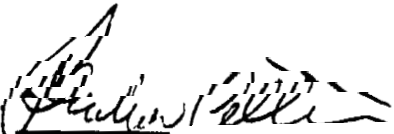
The motion was seconded by Commissioner **Aaronson** and, upon being put to a vote, the vote was **as** follows:

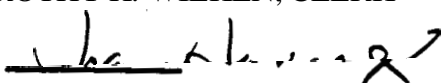
MAUDE FORD LEE, CHAIR	—	Aye
WARREN H. NEWELL, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27 day of April, 2000.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY 
DEPUTY CLERK

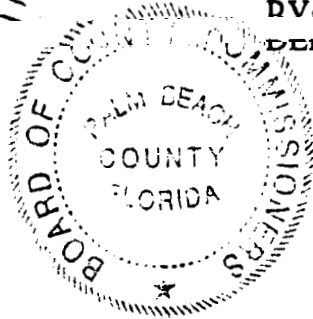


EXHIBIT A

LEGAL DESCRIPTION

BOUNDARY SURVEY OF LEASE PARCEL

A PORTION OF LAND BEING A PART OF TRACT **a**, BLOCK **25** OF PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID TRACT **8**;
THENCE **S 89°00'52" W** ALONG THE SOUTH LINE OF SAID TRACT **8**, A DISTANCE OF **118.00 FEET**;
THENCE **N 00°59'08" W** A DISTANCE OF **52.28 FEET** TO THE POINT OF BEGINNING;
THENCE **N 89°00'52" E** A DISTANCE OF **25.00 FEET**;
THENCE **N 00°59'08" W** A DISTANCE OF **50.00 FEET**;
THENCE **S 89°00'52" W** A DISTANCE OF **50.00 FEET**;
THENCE **S 00°59'08" E** A DISTANCE OF **50.00 FEET**;
THENCE **N 89°00'52" E** A DISTANCE OF **25.00 FEET** TO THE POINT OF BEGINNING;

SAID LAND SITUATE IN PALM BEACH COUNTY, FLORIDA, CONTAINING **2500** SQUARE FEET, MORE OR LESS.