

RESOLUTION APPROVING ZONING PETITION DOA94-88(B)
DEVELOPMENT ORDER AMENDMENT
PETITION OF AMERICAN TOWERS SYSTEMS
BY ROBERT BASEHART, AGENT
(WIRK TOWERS)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning, and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code, have been satisfied, and

WHEREAS Zoning Petition DOA94-88(B) was presented to the Board of County Commissioners at a public hearing conducted on August 28, 1997, and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies, and

WHEREAS, this approval is subject to Article 5, Section 5 8 (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner, and

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

- 1 This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan
- 2 This Development Order Amendment complies with the relevant and appropriate portions of Article 6, Supplementary Use Standards, of the Palm Beach County Unified Land Development Code
- 3 This Development Order Amendment is consistent with the requirements of the Palm Beach County Unified Land Development Code
- 4 This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development
- 5 This Development Order Amendment, with conditions as adopted, complies with the standards imposed on it by applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics
- 6 This Development Order Amendment meets applicable local land development regulations
- 7 This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands

- 8 This Development Order Amendment has a concurrency determination and complies with Article 11 (Adequate Public Facility Standards) of the Palm Beach County Unified Land Development Code
- 9 This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment
- 10 This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition DOA94-88(B), the petition of American Towers Systems, by Robert Basehart, agent, for a Development Order Amendment (DOA) to Modify previous approval from monopole towers to guy towers on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on August 28, 1997, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof

Commissioner Roberts moved for the approval of the Resolution

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

Burt Aaronson, Chair	-	Aye
Maude Ford Lee, Vice Chair	-	Aye
Ken Foster	-	Aye
Karen T. Marcus	-	Absent
Mary McCarty	-	Aye
Warren Newell	-	Aye
Carol A. Roberts	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 28, 1997

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY


COUNTY ATTORNEY

BY


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION-PARCEL A

A PARCEL OF LAND LYING IN THE NORTHWEST ONE-QUARTER (NW 1/4) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHEAST ONE-QUARTER (NE 1/4) OF SAID SECTION 1, THENCE SOUTH 88°56'07" EAST, ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) A DISTANCE OF 510 63 FEET TO THE POINT OF BEGINNING; THENCE, CONTINUE ALONG SAID NORTH LINE, SOUTH 88°56'07" EAST, A DISTANCE OF 300 00 FEET, THENCE, DEPARTING SAID NORTH LINE, SOUTH 01°03'53" WEST, A DISTANCE OF 211 68 FEET, THENCE SOUTH 62°03'16" EAST, A DISTANCE OF 227 76 FEET TO A POINT IN A LINE 300 00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SAID NORTHEAST (NE 1/4) QUARTER OF SECTION 1, THENCE SOUTH 01°52'59" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 793 69 FEET, THENCE, DEPARTING SAID PARALLEL LINE, NORTH 88°56'07" WEST, A DISTANCE OF 938 51 FEET, THENCE NORTH 01°52'59" EAST, A DISTANCE OF 626 45 FEET, THENCE NORTH 46°27'05" EAST, A DISTANCE OF 614 94 FEET, THENCE NORTH 01°03'53" EAST, A DISTANCE OF 50 00 FEET TO SAID NORTH LINE OF SAID NORTHEAST QUARTER (NE 1/4) AND THE POINT OF BEGINNING

CONTAINING IN ALL 871,200 SQ FT OR 20 000 ACRES, MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD

NOTES BEARINGS SHOWN HEREON ARE RELATIVE TO AN ASSUMED BEARING OF SOUTH 88°56'07" EAST ALONG THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 41 EAST.

R97 1082

ITEM 2.D.16., WHICH APPEARED ON THE AUGUST 28, 1997, AGENDA IS VOID AS IT WAS NOT PROPERLY ADVERTISED AND THEREFORE HAS NO EFFECT.

AS RESOLUTION R-97-1083 WAS EXECUTED AND DISTRIBUTED FOR THIS ITEM BEFORE THE ADVERTISING ERROR WAS DISCOVERED, A RESOLUTION WILL BE PRESENTED FOR ADOPTION ON OCTOBER 23, 1997, TO VOID THE DOCUMENT NUMBER.

007 1007N'