

ORIGINAL

RESOLUTION NO. R-92- 227

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. CR 91-10/E2  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-1077  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
BRUCE A. BEDNER  
PETITION NO. 91-10

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.

WHEREAS, the notice and hearing requirements as provided for in Section 402.6 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.6, Status Report CR 91-10/E2 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on January 3, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report CR 91-10/E2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.6 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. Condition number E2 of Resolution number R-91-1077 is not needed.

WHEREAS, Section 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. CR 91-10/E2, amending Conditions of Approval of Resolution No. R-91-1077, the Special Exception of Bruce A. Bedner, Petition No. 91-10, which allows a communication tower and accessory equipment building on a parcel of land lying in Tract 47, Block 18, the Palm Beach Farms Co. Plat No. 1, recorded in Plat Book 2, Pages 26 through 28, as in Section 18, Township 46 South, Range 42 East, (Bell South-Mobility Site) a portion of Tract 47, Block 18, the Palm Beach Farms Co. Plat No. 1, recorded in Plat Book 2, Pages 26 through 28, being more particularly described as follows: COMMENCING at the northeast corner of said Tract 47, thence run South 89°30'55" West, 22.00 feet along the north line of said Tract 47 to a point; thence run South 00°54'04" East, 90.00 feet to a point, thence run South 25°30'32" West, 235.24 feet to the POINT OF BEGINNING; thence run North 48°02'58" West, 35.00 feet to a point; thence run South 41°57'01" West, 70.00 feet to a point, thence run South 48°02'58" East, 70.00 feet to a point; thence run North 41°57'02" East, 70.00

feet to a point, thence run North 48°02'58" West, 35.00 feet to the POINT OF BEGINNING, being located on the south side of 142 Place South (Happy Hollow Road), approximately 0.1 of a mile east of U.S. Highway 441 in an AR-Agricultural Residential Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number E2 of Resolution number R-91-1077 which states:

Prior to December 1, 1991 or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to the public by Road right-of-way warranty deed for Happy Hollow Road, 30 feet from centerline free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer.

is hereby deleted.

Commissioner Elmquist moved for approval of the Resolution.

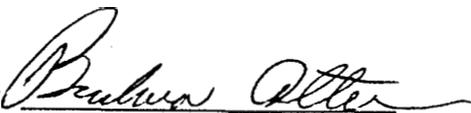
The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS, CHAIR	--	aye
CAROL J. ELMQUIST	--	aye
CAROL ROBERTS	--	aye
CAROLE PHILLIPS	--	aye
MARY MCCARTY	--	aye
KEN FOSTER	--	aye
MAUDE FORD LEE	--	aye

The Chair thereupon declared the resolution was duly passed and adopted this 11th day of February, ~~1991~~ 1992.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

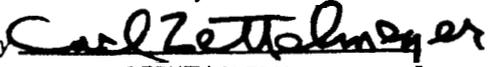
PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY: 

JOHN B. DUNKLE, CLERK

BY: \_\_\_\_\_

MILTON T. BAUER, CLERK  
Board of County Commissioners

By   
DEPUTY CLERK