

RESOLUTION NO. R- 82-470

RESOLUTION APPROVING ZONING PETITION 82-28, 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 far in Chapter. 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 82-28 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 February 1982; 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. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of March, 1982, that Petition No. 82-28 the petition of EXXON CORPORATION by Richard E. Lineberger, Agent, for a SPECIAL EXCEPTION TO ALLOW AUTOMOBILE SERVICE STATION on the North 220.28 feet of the East 1/4 of the Northeast 1/4 of the

Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East. LESS, however the North 40 feet and the East 40 feet thereof which are for road right-of-way. ALSO KNOWN AS: a parcel of land being a portion of the North 220.28 feet of the East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, said parcel being specifically described as follows: Begin at a concrete monument set at the intersection Of the South right-of-way line of Melaleuca Lane (an 80 foot right-of-way) with the West right-of-way line of Military Trail (State Road No. 809) (an 80 foot right-of-way); thence South  $01^{\circ}51'14''$  West, along the said West right-of-way line of Military Trail (State Road No. 809) being 40.00 feet West of, as measured at right angles to and parallel with the said East 1/2 of the Northeast 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 25, a distance of 180.28 feet to a set concrete monument; thence North  $86^{\circ}35'41''$  West, making an angle with the said West right-of-way line, as measured from North to West, of  $88^{\circ}26'55''$  and along a line 220.28 feet South of, as measured at right angles to, and parallel with the North line of the said East 1/2 of the Northeast 1/4, a distance of 293.06 feet to a set concrete monument; thence North  $01^{\circ}50'18''$  East, making an angle with the preceding line, as measured from East to North of  $91^{\circ}34'01''$  and along the West line of the said East 1/2 of the Northeast 1/4 a distance of 180.28 feet to a concrete monument set on the aforesaid South right-of-way line of Melaleuca Lane; thence South  $86^{\circ}35'41''$  East, making an angle with the preceding line, as measured from South to East, of  $88^{\circ}25'59''$  and along the said South right-of-way line, being 40.00 feet South of, as measured at right angles to, and parallel with the North line of the said East 1/2 of the Northeast 1/4, a distance of 293.11 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of Military Trail (S.R. 809) and Melaleuca Lane in a CN-Neighborhood Commercial District, was approved as advertised subject to the following conditions:

1. Petitioner shall convey to Palm Beach County within ninety (90) days of Special Exception approval:
  - a. 54 feet from centerline for the ultimate right-of-way for Melaleuca Lane.
  - b. 67 feet from centerline for the ultimate right-of-way of Military Trail
2. Petitioner shall reserve the following additional right-of-way required in the Thoroughfare Right-of-Way Protection Map:
  - a. 20 ft. from Military Trail in addition to the 67 ft. to be conveyed pursuant to paragraph 1.b above
  - b. 22 ft. for Melaleuca Lane in addition to the 54 ft. from centerline to be conveyed under paragraph 1.a above.
3. Petitioner shall only be permitted one turnout onto Military Trail a minimum distance of 180 ft. from the centerline of Melaleuca Lane.
4. Petitioner shall only be permitted one turnout onto Melaleuca Lane a minimum distance of 160 ft. from the centerline of Military Trail.
5. Petitioner shall contribute Nine Thousand Three Hundred and Fifty Dollars (\$9,350.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid on a prorata basis at the time of issuance of the building permit(s).
6. Petitioner shall provide a 6 ft. wall along the south and west property line.
- 7. Petitioner shall incorporate existing vegetation into a landscape buffer, where practicable.

Commissioner Koehler, moved for approval of the petition.

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

Norman Gregory, Chairman	AYE
Peggy Evatt, Vice Chairman	AYE
Bill Bailey, Member	ABSENT
Dennis Koehler, Member	AYE
Frank Foster, Member	NAY

The foregoing resolution was declared duly passed and adopted  
this 4th day of May, 1982, confirming action of  
25 February 1982.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth Ann Otterson*  
Deputy Clerk

APPROVE AS TO FORM  
, AND LEGAL SUFFICIENCY

*John Cortez*  
County Attorney

