

RESOLUTION NO. R-75-33

RESOLUTION APPROVING ZONING PETITION

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and Chapter 70-863, Laws of Florida, Special Acts of 1970, 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. 74-196 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 19 December 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 19 day of December, 1974, that petition No. 74-196, the petition of JEFFERSON REALTY OF WEST PALM BEACH, INC. by Charles P. Vitunac, Attorney for a SPECIAL EXCEPTION TO ALLOW AN AUTOMOTIVE SERVICE AND REPAIR FACILITY IN CONJUNCTION WITH AN AUTOMOTIVE PARTS RETAIL STORE on a certain parcel of land in the Northwest 1/4 of the Northeast 1/4 of Section 25, Township 43 South, Range 42 East, said parcel of land lying on the South side of Okeechobee Boulevard and being approximately 420 feet Easterly of Military Trail, said parcel of land being more particularly described as follows: commencing at the point of intersection of the Southerly right-of-way line of Okeechobee Boulevard, as same is shown in Road Plat Book 2, at pages 130 through 133 and at pages 138 through 141, with the Easterly right-of-way line of Military Trail (State Road No. 809), as same is shown

in Road Plat Book 2, page 33, (for the purposes of this description, the North line of said Section 25 is assumed to bear East-West and all other bearings mentioned herein are relative thereto) and from said point of intersection run East along the said Southerly right-of-way line of Okeechobee Boulevard a distance of 285.91 feet to the beginning of a curve, concave Northerly, having a radius of 5,789.65 feet and a central angle of $01^{\circ} 16' 39''$; thence Easterly, continuing along the said Southerly right-of-way line of Okeechobee Boulevard and along the arc of the just described 5,789.65 foot radius curve, a distance of 129.09 feet to the Point of Beginning of the herein described parcel of land, and from said Point of Beginning, run, by the following numbered courses: 1) Easterly, continuing along the said Southerly right-of-way line of Okeechobee Boulevard and along the arc of the Easterly extension of the last described 5,789.65 foot radius curve, subtending a central angle of $01^{\circ} 19' 34''$ a distance of 134 feet to the end of said curve; thence.. . 2) North $87^{\circ} 23' 47''$ East, continuing along the said Southerly right-of-way line of Okeechobee Boulevard, a distance of 400 feet to the beginning a a curve, concave Southerly, having a radius of 5,669.65 feet and a central angle of $00^{\circ} 42' 28''$; thence.. . 3) Easterly, along the **arc** of the just described 5,669.65 foot radius curve and continuing along the said Southerly right-of-way line of Okeechobee Boulevard, a distance of 70.05 feet; thence.. . 4) South $03^{\circ} 06' 02''$ East a distance of 43.83 feet to the beginning of a 25 foot radius curve, concave Easterly, having a central angle of $74^{\circ} 26' 05''$; thence.. . 5) South easterly, along the arc of the just described 25 foot radius curve, a distance of 32.48 feet to the end of said curve and the beginning of an 80 foot radius curve, concave Southwesterly, having a central angle of $33^{\circ} 45' 51''$; thence.. . 6) Southeasterly, along the arc of the just described 80 foot radius curve, a distance of 47.14 feet to the end of said curve; thence... 7) South $43^{\circ} 57' 55''$ East, along a line which is not tangent to the last described curve, a distance of 284.22 feet; thence.., 8) South

01° 03' 39" West a distance of 239.69 feet; thence... 9) South 45° 43' 10" West a distance of 391.32 feet, more or less, to a point in the Southeasterly extension of the Southwest wall of the main structure of the Jefferson Department Store building, so called; thence... 10) North 44° 08' 42" West, running along the Southeasterly extension of the just described wall and along said wall, 451.63 feet; thence... 11) South 45° 54' 07" West, 564.83 feet; thence., , 12) North 44° 05' 53" West, 235 feet; thence... 13) North 45° 54' 07° East, 564.64 feet, more or less, to a point in the Northwesterly extension of Course No. 10, above described; thence... 14) North 44° 08' 42" West, 174.73 feet; thence.. . 15) North 45° 51' 37" East, 33.95 feet; thence.. , 16) North 01° 16' 39" West, 139.88 feet, more or less, to the Point of Beginning. Said property located on the south side of Okeechobee Boulevard (S.R. 704), approximately 400 feet east of Military Trail (S.R. 809) in a CG-General Commercial District, was approved as advertised, subject to the following special condition:

1. Fire protection shall be provided on a mutually agreeable method between the fire department and the developer.

The foregoing resolution was offered by Commissioner Lytal , who moved its adoption. The motion was seconded by Commissioner Johnson , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	- Yes
Lake Lytal	- Yes
E. W. Weaver	- Yes
Robert C. Johnson	- Yes
William Medlen	- Yes

The Chairman thereupon declared the resolution duly passed and adopted this 21st day of January , 1975, confirming action of 19 December 1974.

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

R. William Rutter
COUNTY ATTORNEY.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *[Signature]*
Deputy Clerk