

RESOLUTION NO. R-75-774

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. 75-134 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 October 1975.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23th day of October, 1975, that petition No. 75-134, the petition of CHARLES A. DUBOIS, TRUSTEE, by Vincent Strianese, Construction Supervisor for V.S.H. Realty, Inc., Agent, for the REZONING, FROM CN-NEIGHBORHOOD DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT on a parcel of land lying in the Northeast 1/4 of Section 24, Township 43 South, Range 42 East, more particularly described as the East 15 feet of the following described parcel: commencing at the intersection of the Easterly right-of-way line of Military Trail and the North line of the South 1/2 of the Northeast 1/4 of said Section 24, thence South 0° 07' 17" West along said right-of-way, a distance of 204 feet to the Southerly right-of-way line of

Shadow Lakes Boulevard (27th Court North) and the Point of Beginning; thence South $89^{\circ} 58' 44''$ East (due East by Deed) parallel to said North line of South $1/2$, along said right-of-way, a distance of 50.10 feet to a point of curvature; thence continue Easterly along the arc of a curve concave to the Northwest, having a radius of 1960.08 feet and a central angle of $4^{\circ} 49' 35''$, for a distance of 165.11 feet to a point; thence South $0^{\circ} 07' 17''$ West, a distance of 206.94 feet; thence North $89^{\circ} 58' 44''$ West, a distance of 215 feet to a point in the Easterly right-of-way line of Military Trail, thence North $0^{\circ} 07' 17''$ East along said right-of-way line, a distance of 200 feet to the Point of Beginning; AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A GASOLINE PUMP ISLAND IN CONJUNCTION WITH A CONVENIENCE FOOD STORE, SAID FACILITY WILL NOT HAVE MECHANICAL REPAIR SERVICES on a parcel of land lying in the Northeast $1/4$ of Section 24, Township 43 South, Range 42 East, more particularly described as follows: commencing at the intersection of the Easterly right-of-way line of Military Trail and the North line of the South $1/2$ of the Northeast $1/4$ of said Section 24, thence South $0^{\circ} 07' 17''$ West along said right-of-way, a distance of 204 feet to the Southerly right-of-way line of Shadow Lakes Boulevard (27th Court North) and the Point of Beginning; thence South $89^{\circ} 58' 44''$ East (due East by Deed) parallel to said North line of South $1/2$, along said right-of-way, a distance of 50.10 feet to a point of curvature; thence continue Easterly along the arc of a curve concave to the Northwest, having a radius of 1960.08 feet and a central angle of $4^{\circ} 49' 35''$, for a distance of 165.11 feet to a point; thence South $0^{\circ} 07' 17''$ West, a distance of 206.94 feet; thence North $89^{\circ} 58' 44''$ West, a distance of 215 feet to a point in the Easterly right-of-way line of Military Trail, thence North $0^{\circ} 07' 17''$ East along said right-of-way line, a distance of 200 feet to the Point of Beginning. Said property located on the east side

of Military Trail (S.R. 809), approximately 3/4 mile north of Okeechobee Boulevard (S.R. 704), was approved as advertised, subject to the following special conditions:

1. The Developer shall construct or provide the following:
 - a) Access rights to Shadow Lakes Boulevard
 - b) Median break on Shadow Lakes Boulevard and the project's east entrance
 - c) A connection to the marginal access road at the south property line
 - d) Expand the left turn lane on the north approach of Military Trail and Shadow Lakes Boulevard, if needed.
2. Prior to the issuance of any building permits, the Developer shall convey to Palm Beach County the additional ten (10) feet of right-of-way for Military Trail.
3. A Unity of Title shall be executed.

Commissioner Lytal, moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 4th day of November, 1975, confirming action of 23 October 1975.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

Warren DeWitt
COUNTY ATTORNEY

By [Signature]
Deputy Clerk

FILED THIS 4 DAY OF