

RESOLUTION NO. R-77- 1245

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, 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. 77-148 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 October 1977.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 8th day of November, 1977, that petition No. 77-148 the petition of LEON JACOBS, JAMES H. BERNARD AND HARRY JACOBS for the REZONING, FROM CN-NEIGHBORHOOD COMMERCIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT of the following described Parcel less the West 250.0 feet thereof: Lots 110 thru 120 inclusive, less the West 3.0 feet of Lots 119 and 120, SKY RANCH in Section 1, Township 44 South, Range 42 East, as recorded in Plat Book' 21, Page 64 together with the following described property: Beginning at the intersection of the Easterly right-of-way line of Military Trail (S.R. 809) as same as shown on plat recorded in Road Plat Book 3, Page 75, with the North Line of the South 1/2 of the Southeast 1/4 of Section 1, Township 44 South, Range 42 East; thence Southerly along said Easterly line of Military Trail 300 feet to the North Line of property described in Official Record Book 1454, Page 577; thence Easterly parallel with the said North Line of the South 1/2 of the Southeast 1/4 of Section 1, a distance of 852.48 feet to the Northeast corner of property described in O.R. Book 1454, Page 577 thence Northerly along the Northerly extension

of the Easterly line of property described in O.R. Book 1454, Page 577 and making an angle with the preceding course, measured from West to North, of $89^{\circ}55'00''$ a distance of 300 feet to the North Line of the South $1/2$ of the Southeast $1/4$ of Section 1; thence Westerly along said line 850.39 feet to the Point of Beginning, AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER, INCLUDING A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS on Lots 110 thru 120 inclusive, less the West 3.0 feet of Lots 119' and 120, SKY RANCH, recorded in Plat Book 21, page 64, together with the following described property: Beginning at the intersection of the Easterly right-of-way line of Military Trail (S.R. 809) as same as shown on plat recorded in Road Plat Book 3, Page 75, with the North line of the South $1/2$ of the Southeast $1/4$ of Section 1, Township 44 South, Range 42 East; thence Southerly along said Easterly line of Military Trail 300 feet to the North line of property described in Official Record Book 1454, page 577; thence Easterly parallel with the said North line of the South $1/2$ of the Southeast $1/4$ of Section 1, a distance of 852.48 feet to the Northeast corner of property described in O.R. Book 1454, Page 577; thence Northerly along the Northerly extension of the Easterly line of property described in O.R. Book 1454, Page 577 and making an angle with the preceding course, measured from West to North, of $89^{\circ}-55'-000''$ a distance of 300 feet to the North line of the South $1/2$ of the Southeast $1/4$ of Section 1; thence Westerly along said line 850.39 feet to the Point of Beginning. Said property located at the southeast corner of the intersection of Saturn Avenue and Military Trail (S.R. 809), was approved as advertised subject to the following special conditions:

1. Within ninety (90) days of the Special Exception approval the Developer shall convey to Palm Beach County the additional right-of-way required to provide sixty (60) feet from the centerline for the ultimate right-of-way for Military Trail.
2. Developer shall provide vehicular connection with the Polo Grounds Mall, when warranted, as determined by the County Engineer.
3. Within ninety (90) days of the Special Exception approval the Developer shall convey to Palm Beach County, the additional right-of-way required to provide thirty (30) feet from the centerline for the ultimate right-of-way for Saturn Avenue.

4. Developer shall construct three (3) lanes on Saturn Avenue from the west entrance of the shopping center to Military Trail, when warranted, as determined by the County Engineer.

5. Entrance on Military Trail shall be designed as a right turn in and right turn out, when warranted, as determined by the County Engineer.

6. Left turn lane on Military Trail for Saturn Avenue shall be extended to one hundred fifty (150) feet, by the Developer, when warranted, as determined by the County Engineer.

Commissioner Evatt moved for approval of the petition.

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

Lake Lytal, Chairman	- Aye
Peggy Evatt, V. Chairman	- Aye
William Medlen	- Aye
Dennis Koehler	- Absent
Bill Bailey	- Aye

The foregoing resolution was declared duly passed and adopted this 8th day of November, 1977, confirming action of 27 October 1977.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

W. D. Dill
County Attorney

