

RESOLUTION NO. R-78- 1417

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. 78-234 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 October 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 26th day of October, 1978, that petition No. 78-234 the petition of MARKHAM, THOMAS and IMMKE, A GENERAL PARTNERSHIP, by John H. Payne, Attorney, for a SPECIAL EXCEPTION TO ALLOW A DRIVE-IN RESTAURANT on the West 303 feet of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 25, Township 43 South, Range 42 East, lying North of the right-of-way of Cherry Road as now laid out and in use LESS the right-of-way of State Road 809 as shown on Plat recorded in Road Plat Book 2, pages 229-233. Said property located on the northeast corner of the intersection of Military Trail and Cherry Road in a CG-General Commercial District, was **approved** as advertised subject to the following condition:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from the centerline for Military Trail **right-of-way**.

Commissioner Lytal , moved for approval of the petition.
The motion was seconded by Commissioner Koehler , and upon being
put to a vote, the vote was as follows:

| | | |
|----------------------------|---|-----|
| Peggy Evatt, Chairman | - | Yes |
| Bill Bailey, Vice Chairman | - | Yes |
| Lake Lytal | - | Yes |
| William Medlen | - | Yes |
| Dennis Koehler | - | Yes |

The foregoing resolution was declared duly pass'ed and adopted
this 7th day of November , 1978, confirming action
of 26 October 1978,

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By:



Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY



County Attorney

