

## RESOLUTION NO. R- 79-103

## 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, 78-267 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 December 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 28th day of December, 1978, that petition No. 78-267 the petition of FIDELITY FEDERAL SAVINGS AND LOAN ASSOCIATION OF WEST PALM BEACH by Joseph B. Shearouse, Jr., President, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT of that portion of Tract 78, Block 22, Palm Beach Farms Company, Plat No. 3 lying North of the right-of-way line as shown on the Palm Beach County Right-of-way Map of S.R. 802 (Lake Worth Road) as shown on Road Plat Book 5, page 129 and being more particularly described as follows: Commencing at the South quarter corner of Section 22, Township 44 South, Range 42 East, thence North  $88^{\circ}02'51''$  West (bearings relative to said Palm Beach County Right-of-Way Map of S.R. 802), 40.00 feet; thence North  $02^{\circ}31'51''$  East along the West right-of-way line of Jog Road, said line being 40.00 feet West of and parallel to the East line of the Southwest  $1/4$  of said Section 22, 3.65 feet to the Point of Cusp and the true Point of Beginning; thence Southwesterly along an arc of a curve concave to the Northwest, having a radius of 171.00 feet, a central angle of  $16^{\circ}01'53''$ , 47.84 feet to a Point of Compound Curvature; thence Southwesterly along an arc of a curve concave to the Northwest, having a radius of 81.00 feet, a central angle of  $36^{\circ}05'19''$ , 51.02 feet

to a Point of Compound Curvature; thence Southwesterly along an arc of a curve concave to the Northwest, having a radius of 171.00 feet, a central angle of  $15^{\circ}47'39''$ , 47.15 feet to a Point of Tangency and also being on the North right-of-way line of Lake Worth Road (S.R. 802) as shown on Road Plat Book 5, page 129; thence run along said North right-of-way line the following courses; South  $67^{\circ}28'56''$  West, a distance of 77.93 feet to a point on the arc of a curve concave Southeast, a radius of 2924.93 and a central angle of  $02^{\circ}53'14''$ ; thence run along the arc of said curve, a distance of 147.40 feet; thence South  $66^{\circ}02'19''$  West, a distance of 226.99 feet to the Point of Curvature of a curve concave Northwesterly, having a radius of 2804.93 feet and a central of  $1^{\circ}50'59''$ ; thence run along the arc of said curve in a Southwesterly direction, a distance of 90.56 feet to an intersection with the East right-of-way line of a 30 foot platted road as recorded in Block 22, Palm Beach Farms Company, Plat No. 3, Plat Book 2, page 47, (said road is also known as Wry Road); thence run North  $00^{\circ}32'51''$  West along the East right-of-way line of said 30 foot platted road, a distance of 394.58 feet; thence run North  $89^{\circ}33'06''$  East, a distance of 586.41 feet to the West right-of-way line of said Jog Road; thence run South  $2^{\circ}31'51''$  West along said West right-of-way line a distance of 76.48 feet to the Point of Beginning, AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS on that portion of Tract 78, Block 22, Palm Beach Farms Company, Plat No. 3 lying North of the right-of-way line as shown on the Palm Beach County Right-of-Way Map of S.R. 802 (Lake Worth Road) as shown on Road Plat Book 5, page 129 and being more particularly described as follows: Commencing at the South quarter corner of Section 22, Township 44 South, Range 42 East, thence North  $88^{\circ}02'51''$  West (bearings relative to said Palm Beach County Right-of-way Map of S.R. 802), 40.00 feet; thence North  $02^{\circ}31'51''$  East along the West right-of-way line of Jog Road, said line being 40.00 feet West of and parallel to the East line of the Southwest 1/4 of said Section 22, 3.65 feet to the Point of Cusp and the true Point of Beginning; thence Southwesterly along an arc of a curve concave to the Northwest, having a radius of 171.00 feet, a central angle of  $16^{\circ}01'53''$ , 47.84 feet to a Point of Compound Curvature; thence

Southwesterly along an arc of a curve concave to the Northwest, having a radius of 81.00 feet, a central angle of 36°05'19", 51.02 feet to a Point of Compound Curvature; thence Southwesterly along an arc of a curve concave to the Northwest, having a radius of 171.00 feet, a central angle of 15°47'59", 47.15 feet to a Point of Nontangency and also being on the North right-of-way line of Lake Worth Road (S.R. 802) as shown on Road Plat Book 5, page 129; thence run along said North right-of-way line the following courses; South 67°28'56" West, a distance of 77.93 feet to a point on the arc of a curve concave Southeast, a radius of 2924.93 and a central angle of 02°34'06"; thence run along the arc of said curve, a distance of 131.11 feet; thence departing said North right-of-way of Lake Worth Road run North 02°31'51" East a distance of 263.14 feet; thence North 89°33'06" East a distance of 265.36 feet to the West right-of-way line of said Jog Road; thence run South 02°31'51" West along said West right-of-way line a distance of 76.48 feet to the Point of Beginning. Said property located on the northwest corner of the intersection of Jog Road and Lake Worth Road (S.R. 802), was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, developer shall convey to Palm Beach County thirty (30) feet from the centerline of Wry Road for the ultimate right-of-way.
2. Developer shall pave Wry Road from Lake Worth Road to the north property line.
3. Developer shall construct a one-way in only entrance, one lane wide, at the Jog Road entrance.

Commissioner Foster, moved for approval of the petition.

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

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Absent
Frank Foster	-	Yes
Norman Gregory	-	Yes
Dennis Koehler	-	Yes

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The foregoing resolution **was** declared duly passed **and** adopted  
this 28 day of January 1979, confirming action  
of 28 December 1978.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, **Clerk**

By: *Ruth Van Otter*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*W. D. Hill*

County Attorney

