

RESOLUTION APPROVING ZONING PETITION 82-90, SPECIAL EXCEPTION

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. 82-90 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 1 July 1982 ; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal would be in harmony and compatible with the present and future development of the area concerned .

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY , FLORIDA , assembled in regular session this 1st , day of July, 1982 , that Petition No. 82-90 the petition of MITCHELL, HOMES by Alan J. Ciklin, Attorney, for a SPECIAL EXCEPTION TO ALLOW THE MODIFICATION OF A LARGE SCALE COMMUNITY SHOPPING CENTER AND PLANNED COMMERCIAL DEVELOPMENT PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-58 TO INCLUDE AN AUTO SERVICE STATION on a part of the East 3/4 of the Northeast 1/4 of the Southeast 1/4 and the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4 of Section 14, Township 46 South, Range 42 East, lying West of the Westerly apparent ultimate right of way line of State Road 809 (Military Trail), said ultimate right-of-way line being 60 feet West of the centerline as shown in Road Plat Book 2 at page 26, being more particularly described as follows: For a point of reference commence at the intersection of the Easterly prolongation of the Westerly apparent ultimate right-of-way line of State Road 809 (West Atlantic Avenue), said apparent ultimate right-of-way line being 60 feet north of the centerline as

shown in Road Plat Book 3 at page 26, with -the Southerly prolongation of the said Westerly ultimate right-of-way line of State Road 809; thence North $0^{\circ}56'08''$ West, along said Westerly ultimate right of way line, 25.27 feet to the Point of Beginning; thence continue North $0^{\circ}56'08''$ West, along said ultimate right-of-way line, 1282.31 feet to the North line of the said East $3/4$ of the Northeast $1/4$ of the Southeast $1/4$; thence South $88^{\circ}32'49''$ West, along said North line, 908.70 feet to the West line of the said East $3/4$ of the Northeast $1/4$ of the Southeast $1/4$; thence South $0^{\circ}05'05''$ West, along said West line, 692.44 feet to the North line of the said West $1/2$ of the Southwest $1/4$ of the Northeast $1/4$ of the Southeast $1/4$; thence South $88^{\circ}49'19''$ West, along said North line, 334.32 feet to the West line of the said West $1/2$ of the Southwest $1/4$ of the Northeast $1/4$ of the Southeast $1/4$; thence South $0^{\circ}05'54''$ West, along said West line, 591.86 feet . to the said Northerly apparent ultimate right-of-way of State Road 806; thence North $89^{\circ}41'43''$ East, along said ultimate right-of-way line, 1240.78 feet; thence North $44^{\circ}22'43''$ East, 35.55 feet to the said Point o'f Beginning. Said property located on the northwest corner of the intersection of West Atlantic Avenue (S.R. 806) and Military Trail (S.R. 809) in a CG-General Commercial District, was approved as advertised subject to the following special conditions:

1. Developer shall not be permitted an additional access onto Delray West Road from subject project.
2. Developer shall comply with all previous conditions placed on Petition No. 81-58.
3. Developer shall contribute Nine Thousand Three Hundred and Fifty Dollars (\$9,350.00) towards the cost of meeting this projects direct and identifiable project, to be paid on a pro-rata basis at the time of issuance of building permit(s).

Commissioner Bailey , moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted this 4th day of January, 1983 , confirming action of 1 July 1982.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Kathleen Siskler
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Corbett
County Attorney