

RESOLUTION NO. R-74- 275

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. 74-18 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 March 1974.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of March, 1974, that petition No. 74-18, the petition of R. "DEAN" TAYLOR, PART OWNER AND SMOOT AND ASSOCIATES INC., AGENT FOR MYRTLE W. WARNKE, PART OWNER, for the REZONING, FROM AG-AGRICULTURAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A COMMUNITY SHOPPING CENTER INCLUDING A FINANCIAL INSTITUTION AND A WATER/SEWER TREATMENT PLANT on all of Tract No. 15 of the 1/4 of Section 12 and the North 1/2 of Tract No. 6 of the Southeast 1/4 of Section 12, Township 45 South, Range 42 East as shown on amended plat of Section 12 for Mary A. Lyman, et. al., as recorded in Plat Book 9, page 74; less the right-of-way of Military Trail and L.W.D.D. Lateral No. 19, also, less the East 100 feet of the North 1/2 of the aforementioned Tract No. 6. Said property located on the east side of Military Trail (S.R. 809) on the north and south sides of the L.W. D.D. Lateral Canal No. 19 approximately 1/2 mile south of proposed Hypoluxo Road, was approved as

advertised, subject to the following special conditions:

- 1) Prior to the issuance of any building permits the developer shall dedicate to Palm Beach County the additional right-of-way required to provide for a one hundred twenty (120) foot **right-of-way** for Military Trail (S.R. 809); this right-of-way to be dedicated by a boundary plat;
- 2) Developer shall construct at his expense, a left turn lane on the north approach of Military Trail (S.R. 809);
- 3) Developer shall construct at his expense, a right turn lane on the south approach of Military Trail (S.R. 809);
- 4) When required by traffic volume, the developer shall install at his expense, signalization of the entrance point (or points).

The foregoing resolution was offered by Commissioner **Lytal** , who moved its adoption. The motion was seconded by Commissioner Weaver , and upon being put to a vote, the vote was as follows:

Robert F. Culpepper	aye
Lake Lytal	aye
E. W. Weaver	aye
Robert C. Johnson	nay
George V. Warren	aye

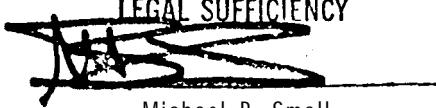
The Chairman thereupon declared the resolution duly passed and adopted this 16th day of April , 1974; confirming action of 28 March 1974.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By *Susan B. Dille*
Deputy Clerk

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY



Michael B. Small
County Attorney

