

RESOLUTION NO. R-77- 333

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. 77-25 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 March 1977

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1977, that petition No. 77-25 the petition of BURGER KING CORPORATION, by Tim Purpura, Agent, for a SPECIAL EXCEPTION TO ALLOW A DRIVE-IN RESTAURANT on a parcel of land lying in the Southeast 1/4 of Section 12, Township 44 South, Range 42 East, being more particularly described as follows: Commence at the Northeast corner of Tract 5 in Block 4 of Palm Beach Plantations, Model Land Company, Subdivision of Section 12, Township 44 South, Range 42 East, as recorded in Plat Book 10 at Page 20; thence run Westerly along the North line of said Tract 5 for a distance of 800 feet to a point; thence run Southerly parallel with the East line of said Tract 5 for a distance of 333.64 feet to a point on the South line of the North 1/2 of said Tract 5; thence run Westerly along the South line of the North 1/2 of said Tract 5 for a distance of 257.14 feet more or less to the Point of Beginning; thence continue Westerly along the South line of the North 1/2 of said Tract 5 for a distance of 225 feet to a point on the East line of the West 53 feet of said Tract 5; thence run Northerly along the East line of

the West 53 feet of said Tract 5 for a distance of 130.45 feet, more or less, to a point in the South line of the North 203.06 feet of said Tract 5; thence run Easterly, parallel with the North line of said Tract 5 for a distance of 125.00 feet to a point; thence run Northerly, parallel with the West line of said Tract 5 for a distance of 150.00 ,feet more or less to a point on the South line of the North 53 feet of said Tract 5; thence run Easterly along the South line of the North 53 feet of said Tract 5 for a distance of 100 feet to a point; thence run Southerly, parallel with the West line of said Tract 5 for a distance of 280.48 feet, more or less, to the Point of Beginning. Said property located on the east side of Military Trail (S. R. 809) and on the south side of Forest Hill Boulevard in a CG-General Commercial District, was approved as advertised subject to the following special conditions:

1. Within ninety (90) days of the Special Exception approval the owner shall convey to Palm Beach County sixty (60) feet from the centerline of Military Trail for the ultimate right-of-way.
2. Within ninety (90) days of the Special Exception approval the owner shall convey to Palm Beach County sixty (60) feet from the centerline of Forest Hill Boulevard for the ultimate right-of-way.
3. The owner shall execute a Unity of Title on the property located at the southeast corner of Forest Hill Boulevard and Military Trail.

Said property being the existing service station site and the property contained in this petition.

Commissioner Koehler , moved for approval of the petition.

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

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

The foregoing resolution was declared duly passed and adopted  
this 5th day of April, 1977, confirming action  
of 24 March 1977.

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

*Wm. D. Dell*  
County Attorney

