

RESOLUTION NO. R-77- 593

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. 77-53 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 26 May 1977

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 26th day of May, 1977, that petition No. 77-53 the petition of WEST PALM BEACH, FLORIDA, COMMERCIAL PROPERTIES DEVELOPMENT CORPORATION, AND WILBUR AND SHIRLEY GREEN MARVIN by William R. Boose, III, Attorney, for the REZONING, FROM CN-NEIGHROKHOOD COMMERCIAL DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT of Parcel No. 2 being a parcel of land lying in the Southeast 1/4 of Section 1, Township 44 South, Range 42 East, more particularly described as follows: Beginning at the Point of Intersection of a line parallel with and 450.00 feet Southerly from (as measured at right angles to) the North line of the South 1/2 of the Southeast 1/4 of said Section 1 with a line parallel with and 250.00 feet Easterly from (as measured at right angles to) the Easterly right-of-way line of that certain 106 foot wide right-of-way of Military Trail (S.R. 809) as said right-of-way is recorded in Road Plat Book 3, page 75, (bearings cited herein are in the meridian of the location map of said Military Trail right-of-way as same is recorded in

Road Plat **Book** 3, page 41), and from said point of beginning run by the following courses: South $88^{\circ} 28' 36''$ East, along a line **parallel** with the said North Line **of** the South $1/2$ of the Southeast $1/4$ **of** Section 1, a distance of 50.00 feet; thence North $01^{\circ} 50' 24''$ East, running along a line parallel with the said Easterly right-of-way line of Military Trail a distance of 150.00 feet, more or less, to a point in a line parallel with and 300 feet Southerly from (as measured at right angles to) the said North line of the South $1/2$ of the Southeast $1/4$ of Section 1; thence South $88^{\circ} 28' 36''$ East, running along the just described **parallel** line, a distance of 552.48 feet; thence South $01^{\circ} 26' 24''$ West, a distance of 963.00 feet; more **or** less, to a point on a line parallel with and 70 feet Northerly from (as measured at right angles to) the South line of said Section 1, said parallel line being **also** the Northerly right-of-way line of Summit Boulevard; thence North $88^{\circ} 33' 36''$ West, running along the **just** described parallel line and along the said Northerly right-of-way line of Summit Boulevard a distance of 603.81 feet, more or less, to a point in a 21,182.94 feet radius concave Easterly being concentric with and 250 feet Easterly from (as measured radially to) the above described Easterly right-of-way line of Military Trail, said 21,182.94 feet radius curve having a central angle of $01^{\circ} 17' 37''$; thence Northerly along the **arc** of the just described 21,182.94 feet radius curve, an arc distance **of** 478.29 feet to the end of said curve; thence North $01^{\circ} 50' 24''$ East, running along the above described line being parallel with and 250 feet Easterly from the Easterly right-of-way line of Military Trail, a distance of 335.61 feet, more or less, to the point of beginning; **SUBJECT TO** right-of-way, easements and/or reservations of record, if any, **AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A LARGE SCALE COMMUNITY SHOPPING CENTER, INCLUDING A MINIATURE PUTTING GREEN** on Parcel No. 2 **aforedescribed** and **also** Parcel No. 1 being a parcel of land lying in the Southeast $1/4$ of Section 1, Township 44 South, Range 42 East, being more particularly described as follows:

BEGINNING at the point of intersection of a line parallel with and 450.00 feet Southerly from (as measured at right angles to) the North line of the South 1/2 of the Southeast 1/4 of said Section 1 with the Easterly right-of-way line of that certain 106.00 feet wide right-of-way of Military Trail (S.R. 809) as same is recorded in Road Plat Book 3, page 75, (bearings cited herein are in the meridian of the location map of said S.R. 809 as same is rdcorded in Road Plat Book 3, page 41), and from said point of beginning run by the following courses: South 88° 28' 36" East, running along the above described parallel line a distance of 250.00 feet, more or less, to a point in a line parallel with and 250.00 feet Easterly from (as measured at right angles to) the said Easterly right-of-way line of Military Trail; thence South 01° 50' 24" West, running along the just described parallel line a distance of 335.61 feet, more or less, to the beginning of a 21,182.94 feet radius curve concave Easterly having a central angle of 01° 17' 37", said curve being concentric with and 250.00 feet Easterly from (as measured radially to) the 21,432.94 feet radius curve in the Easterly right-of-way line of said Military Trail; thence Southerly, running along the arc of the just described curve an arc distance of 478.29 feet, more or less, to a point in a line parallel with and 70 feet Northerly from (as measured at right angles to) the South line of said Section 1, said parallel line being the Northerly right-of-way line of Summit Boulevard; thence North 88° 33' 36" West, running along the just described parallel line and the said Northerly right-of-way line of Summit Boulevard a distance of 100.01 feet; thence Northerly, along the arc of a 21,282.94 feet radius curve concave Easterly, said curve being concentric with the last described 21,182.94 feet radius curve, through a central angle of 00° 24' 14" an arc distance of 150.03 feet; thence North 88° 25' 28" West, a distance of 150.01 feet, more or less, to a point in the above described Easterly right-of-way line of Military Trail; thence Northerly, running along the arc of a 21,432.94 feet radius curve, concave Easterly, and along the said Easterly right-of-way line of Military Trail, through a central angle of 00° 52' 52.5",

an arc distance of 329.65 feet; thence North 01° 50' 24" East-, continue along the said Easterly right-of-way line of Military Trail, 334.23 feet, more or less, to the point of beginning; SUBJECT TO RIGHT-Of-WAY, easements, and/or reservations of record, if any. Said property located on the east side of Military Trail (S.R. 809) and on the north side of Summit Boulevard, was approved as advertised subject to the following special conditions:

1. Developer shall retain eighty-five (85) percent of the storm **water** runoff from a three (3) year storm of maximum intensity for the additional area only.
2. Developer shall provide a left turn lane from the west approach of Summit Boulevard into the shopping entrance.
3. Developer shall, at the intersection of Military Trail and Summit Boulevard:
 - a) construct left turn lane east approach
 - b) lengthen existing left turn lane north approach to a storage length of two hundred seventy (270) feet.
4. Within ninety (90) days of the special exception approval the Developer shall convey to Palm Beach County, sixty (60) feet from the centerline of Military Trail **for** the ultimate right-of-way.
5. Developer shall provide a three (3) lane entrance road onto Summit Boulevard.
6. Within ninety (90) days of the special exception approval the Developer shall convey to Palm Beach County, the additional ten (10) feet on Summit Boulevard **for** ultimate right-of-way.
7. Developer shall, at the intersection of Military Trail and the south entrance road:
 - a) construct **left** turn lane north approach,
 - b) provide a four (4) lane entrance road, forty-eight (48) feet in width (4, twelve foot lanes).

Commissioner Medlen , 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:

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

The foregoing resolution was declared duly passed and adopted
 this 14th day of June, 1977, confirming action
 of 26 May 1977.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: Marjorie B. Jennings
 Deputy Clerk

APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

William L. DeLo
 County Attorney

