

RESOLUTION NO. R-78- 286

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. 78-40 **was** presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23 February 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 23^d day of February, 1978, that petition No. 78-40 the petition of NICEIOLAS P. and JOAN E. WELLMAN for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY), IN PART, AND CN-NEIGHBORHOOD COMMERCIAL DISTRICT, IN PART, TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT, INCLUDING AN AUTO SERVICE STATION AND A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS on the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 25, Township 44 South, Range 42 East, less the Easterly 40 feet for Military Trail right-of-way and less the Southerly 40 feet **for** Melaleuca Lane right-of-way. Said property located on the northwest corner of the intersection of Melaleuca Lane and Military Trail (S.R. 809), was approved as advertised subject to the following special conditions:

1. Petitioner shall prevent vehicular access **from** the northeast parking area of the small retail store to the parking areas of the **large** retail store, bank and office buildings.

2. Petitioner shall construct the center entrance on Military Trail in conjunction with the construction of the large retail store.
3. Petitioner shall construct the north entrance on Military Trail in conjunction with the bank and office buildings.
4. Petitioner shall close the center entrance on Military Trail when the north entrance is completed. The center entrance can be reopened when a median on Military Trail is constructed.
5. Petitioner shall construct a left turn lane, south approach, on Military Trail when the north entrance is constructed.
6. Within ninety (90) days of the Special Exception approval, the Petitioner shall convey an additional twenty-seven (27) feet of right-of-way for the ultimate right-of-way for Military Trail.
7. Within ninety (90) days of the Special Exception approval, the Petitioner shall convey an additional fourteen (14) feet of right-of-way for the ultimate right-of-way for Melaleuca Lane (6th Avenue South).
8. All nonconforming residential buildings shall be removed within two (2) years of the Special Exception approval.

Commissioner Koehler , moved for approval of the petition, The motion was seconded by Commissioner Medlen , and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this 7th day of March , 1978, confirming action of 23 February 1978.

FALN BFACH COUNTY , FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *Ruth E. O'Brien*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

W. Dill
County Attorney

