

RESOLUTION NO. R-78- 982

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. 78-150 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27 July 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 27th day of July, 1978, that petition No. 78-150 the petition of KOCH MARKETING COMPANY, by Richard Wensing, Agent, for a SPECIAL EXCEPTION TO ALLOW A SELF-SERVICE GASOLINE STATION on a parcel of land in the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 25, Township 43 South, Range 42 East, more particularly described as follows: Commencing at the intersection of the centerline of S.R. 809, as shown in Road Plat Book 2, pages 229 through 233 with the centerline of Cherry Road as now laid out and in use. Said point of intersection being 503.10 feet more or less North of the Southwest corner of the Northwest 1/4 of the Southeast 1/4 of said Section 25, as measured along the centerline of S.R. 809; thence South 01°46'24" West along the centerline of S.R. 809 and North-South 1/4 section line of said Section 25, a distance of 205.00 feet; thence South 88°13'36" East, a distance of 53.00 feet to the Point of Beginning and the Southwest corner of the herein described parcel; thence continue

South 88°13'36" East, a distance of 150 feet; thence North 1°46'24" East, a distance of 176.76 feet to a point in the Southerly right-of-way line of said Cherry Road; thence Westerly along said Southerly right-of-way line, and along the arc of a curve concave to the North, and having a radius of 830 feet; through an angle of 3°43'49", a distance of 54.04 feet to the end of said curve; thence North 88°13'36" West along a line tangent to said curve, a distance of 71 feet to the beginning of a curve concave to the Southeast, having a radius of 25 feet and a central angle of 90°00'00"; thence Southwesterly along the arc of said curve, a distance of 39.27 feet to the end of said curve; thence South 01°46'24" West, a distance of 150 feet to the Point of Beginning. Said property located on the southeast corner of the intersection of Military Trail (S.R. 809) and Cherry Road, approximately .7 mile south of Okeechobee Boulevard in a CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County a total of sixty (60) feet from the centerline for the ultimate right-of-way for Military Trail.
2. Petitioner shall reduce the width of all driveway openings to a maximum of thirty-five (35) feet.
3. Petitioner shall reconstruct the curb line on Military Trail to conform to the thirty-five (35) foot driveway opening.

Commissioner Lytal, 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:

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

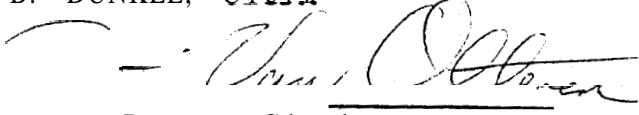
The foregoing resolution was declared duly passed and adopted

this 8th day of August, 1978, confirming action
of 27 July 1978.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By:


Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

