

RESOLUTION NO. R-78- 984

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. 78-154 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.78-154 the petition of THOMAS D. and BONNIE P. McCLOSKEY, JOHN C. and VIRGINIA K. BILLS, by Henry Skokowski, Agent, for the REZONING, FROM RE-RESIDENTIAL ESTATE DISTRICT TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED COMMERCIAL DEVELOPMENT TO INCLUDE A RECREATIONAL FACILITY AND DRIVE-IN TELLER WINDOWS FOR FINANCIAL INSTITUTION on a parcel of land lying in the Northeast 1/4 of the Northwest 1/4 of Section 24, Township 42 South, Range' 42 East, being more particularly described as follows: Commencing at the Northeast corner of the Northwest 1/4 of Section 24 aforesaid; thence South $01^{\circ}34'06''$ West along the North-South 1/4 section line of said Section 24 (the North-South 1/2 section line of said Section 24 is assumed to bear South $01^{\circ}34'06''$ West and all other bearings are relative thereto) a distance of 285.0 feet to a point; thence North $88^{\circ}08'54''$ West a distance of 50.0 feet to the Point of Beginning of the herein described parcel, said point being in the Westerly Right-of-way line of Military Trail

as now laid out and in use; thence continue North $88^{\circ}08'54''$ West a distance of 146.89 feet to a point; thence North $01^{\circ}34'06''$ East a distance of 10.0 feet to a point; thence North $46^{\circ}09'21''$ West a distance of 58.26 feet to a point; thence North $01^{\circ}34'06''$ East, a distance of 136.19 feet to a point in the Southerly right-of-way line of Northlake Boulevard as now laid out and in use; thence North $88^{\circ}08'54''$ West along said Southerly Right-of-way line of Northlake Boulevard a distance of 350.0 feet to the Point of Intersection with the Easterly Right-of-way line of North Virginia Avenue as now laid out and in use; thence South $01^{\circ}34'06''$ West, along said Easterly Right-of-way line of North Virginia Avenue a distance of 562.90 feet to a point; thence South $88^{\circ}25'54''$ East a distance of 540.0 feet to a point in the said Westerly Right-of-way line of Military Trail; thence North $01^{\circ}34'06''$ East along said Westerly Right-of-way line of Military Trail a distance of 375.23 feet to the Point of Beginning. Together with Lot 18, according to the plat of Square Lake as recorded in Plat Book 23, at page 141, less, however, additional right-of-way for Military Trail (S.R. 809). Subject to rights-of-way and easements of record. Said property located on the south side of Northlake Boulevard, approximately 400 feet west of Military Trail (S.R. 809), was approved as amended per the petitioner's request for the REZONING, FROM RE-RESIDENTIAL ESTATE DISTRICT, IN PART, AND CG-GENERAL COMMERCIAL DISTRICT, IN PART, TO CS-SPECIALIZED COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW A PLANNED OFFICE-BUSINESS PARK INCLUDING A RECREATIONAL FACILITY, A FINANCIAL INSTITUTION WITH DRIVE-UP TELLER WINDOWS, AND A RESTAURANT AND LOUNGE on a parcel of land lying in the Northeast $1/4$ of the Northwest $1/4$ of Section 24, Township 42 South, Range 42 East, being more particularly described as follows: Commencing at the Northeast corner of the Northwest $1/4$ of Section 24 aforesaid; thence South $01^{\circ}34'06''$ West along the North-South $1/4$ section line of said Section 24 (the North-South $1/2$ section line of said Section 24 is assumed to bear South $01^{\circ}34'06''$ West and all other bearings are relative thereto) a distance of 285.0 feet to a point; thence North $88^{\circ}08'54''$ West a distance of 50.0 feet to the Point of Beginning of the herein described parcel, said point being

in the Westerly Right-of-way line of Military Trail as now laid out and in use; thence continue North $88^{\circ}08'54''$ West a distance of 146.09 feet to a point; thence North $01^{\circ}34'06''$ East a distance of 10.0 feet to a point; thence North $46^{\circ}09'21''$ West a distance of 58.26 feet to a point; thence North $01^{\circ}34'06''$ East, a distance of 136.19 feet to a point in the Southerly right-of-way line of Northlake Boulevard as now laid out and in use; thence North $88^{\circ}08'54''$ West along said Southerly Right-of-way line of Northlake Boulevard a distance of 350.0 feet to the Point of Intersection with the Easterly Right-of-Way line of North Virginia Avenue as now laid out and in use; thence South $01^{\circ}34'06''$ West, along said Easterly Right-of-way line of North Virginia Avenue a distance of 562.90 feet to a point; thence South $88^{\circ}25'54''$ East a distance of 540.0 feet to a point in the said Westerly Right-of-way line of Military Trail; thence North $01^{\circ}34'06''$ East along said Westerly Right-of-Way line of Military Trail a distance of 375.23 feet to the Point of Beginning. Together with Lot 18, according to the plat of Square Lake as recorded in Plat Book 23, at page 141, less, however, additional right-of-way for Military Trail (S.R. 809). Subject to rights-of-way and easements of record. Said property located on the south side of Northlake Boulevard, approximately 400 feet west of Military Trail (S.R. 809), subject to the following conditions:

1. Petitioner shall construct a left turn lane, east approach, on Northlake Boulevard at Virginia Avenue,
2. Petitioner shall construct a left turn lane, south approach, on Military Trail at the property's east entrance.
3. Petitioner shall pave Virginia Avenue from Northlake Boulevard to the project's turnout.
4. Petitioner shall construct a right turn lane, north approach, on Military Trail at the property's east entrance.
5. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County a total of one hundred (100) feet from the centerline for Northlake Boulevard.
6. 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 Military Trail.
7. There shall be a right turn access only at the easterly turnout on Northlake Boulevard.

8. Petitioner shall contribute a **fair** share toward reducing the traffic impact **for** this project **as shall** be determined by the County Engineer provided, however, that if the County adopts a "Fair Share Contribution" Ordinance the provisions of the Ordinance shall supersede this condition.
9. Prior to the issuance of any building permits, petitioner shall provide and have completed an effective opaque landscape screening on the west and south property lines **as** the first step in preparing the property for development.

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	-	Yes
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: *Keith Van Orman*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Law Dell
County Attorney

