RESOLUTION NO, R-78-1128

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. 78-179 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 August 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMIS-SIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the day of **August**, 1978 , that petition 78-179 the petition of DWIGHT SMITH for a SPECIAL EXCEPTION TO No. ALLOW COMMERCIAL, NEW AND USED, AUTOMOBILE AND TRUCK SALES LOT on a parcel of land in the Southwest 1/4 of Section 25, Township South, Range 42 East, being more particularly described as follows: Commencing at the centerline intersection of Military Trail and Blue Heron Blvd., both as now laid out and in use; thence North 88°10'12" West along said centerline of Blue Heron Blvd., a distance of 56 feet to a point; thence South 2°09'26" West a distance of 53.0 feet to the Point of Beginning of the herein described parcel, said point being in the Southerly Right-of-way line of Blue Heron Blvd; thence North 88°10'12" West along said Southerly Right-of-way line a distance of 257.87 feet; thence South 2°09'26" West a distance of 160 feet; thence North 88°10'12" East a distance of 272.96 feet; thence North 2°09'26" East a distance of 144.60 feet to a point and thence North 43°00'24" West a distance of 21.27 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of Blue Heron Boulevard and Military Trail (S.R. 809) 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 sixty (60) feet from the centerline of Blue Heron Boulevard for the ultimate right-of-way.
- 2. Within ninety (90) days of the Special Exception approval, petitioner shall convey to **Palm** Beach County sixty (60) feet from the centerline of Military Trail **for** the ultimate right-of-way.
- 3. Petitioner shall remove the asphalt apron on Blue Heron Boulevard and shall replace same with grass.
- 4. No Occupational License shall be granted until the required landscaping has been completed.

Commissioner Medlen 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:

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

Yes
Yes
Yes
Yes
Absent

The foregoing resolution was declared duly passed and adopted this 12th day of September , 1978, confirming action of 24 August 1978.

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

APPROVE AS TO FORM AND LEGAL SUFFICIENCY

County Attorney