

RESOLUTION NO. R- 79-84

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. 78-269 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 December 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 23th day of January, 1978, that petition No. 78-269 the petition of UNION OIL COMPANY OF CALIFORNIA, by Giles Solomon, Agent, for a SPECIAL EXCEPTION TO ALLOW A SELF-SERVICE GASOLINE STATION on a parcel of land lying in Tract 39, Township 44 1/2 South, Range 43 East, said land being described as a portion of Lots 46, 47 and 48, of Lake Osborne Subdivision, as recorded in Plat Book 9, page 42, being more particularly described as follows: Commencing at the intersection of the East right-of-way line of Congress Avenue (State Road No. 807), extended, and the South right-of-way line of Lantana Road (State Road No. 812) extended, as shown on the Florida State Road Department right-of-way map of Lantana Road; thence with a bearing of South 88°01'48" East along the aforementioned South right-of-way line of Lantana Road extended (being 53.00 feet South of and parallel to the centerline of Lantana Road), a distance of 12.27 feet to the Point of Beginning; thence continuing along the aforementioned course a distance of 187.43 feet to a point; thence with a bearing of South 1°58'12" West a distance of 200.00 feet to a point; thence with a bearing

of North 88°01'30" West a distance of 188.35 feet to a point lying on the East right-of-way line of Congress Avenue; thence with a curve to the right along said East right-of-way line of Congress Avenue, having a tangent bearing of North 3°21'53" West, a radius of 2753.29 feet, an arc length of 188.05 feet to a Point of Compound Curvature; thence with a curve to the right having a radius of 12,00 feet, an arc length of 19.15 feet more or less to the Point of Beginning. Said property located on the southeast corner of the intersection of Congress Avenue (S.R. 807) and Lantana Road (S.R. 312) in an CG-General Commercial District, was approved as advertised subject to the following conditions:

1. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County sixty (60) feet from the baseline of survey per Drawing No. 3-76-360-5 Right-of-way map from the records of the County Engineer, for the ultimate right-of-way for Congress Avenue.
2. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County property for the construction of a "safe corner" according to Drawer No. 3-76-360-5 Right-of-Way map from the records of the County Engineer.
3. Within ninety (90) days of Special Exception approval, petitioner shall convey to Palm Beach County fourteen (14) feet from the south line of Section 31, Township 44 1/2 South, Range 43 East per Drawing No. 3-76-360-5 Right-of-Way map from the records of the County Engineer,

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

Peggy Evatt, Chairman	-	Yes
Bill Bailey, Vice Chairman	-	Absent
Frank Foster	-	Yes
Norman Gregory	-	Yes
Dennis Koehler	-	Yes

The foregoing resolution was declared duly passed and adopted this 25th day of January, 1979, confirming action of the Board of County Commissioners on December 28, 1978,

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN E. DUNKLE, Clerk

By: *Quirk Van Ottersen*
 Deputy Clerk

APPROVED AS TO FORM
 LEGAL SUFFICIENCY

 County Attorney