

RESOLUTION NO. R-79-348

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. 79-42 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22 February 1979.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 22d day of February, 1979, that petition No. 79-42 the petition of B.H. VAUGHN by Kieran J. Kilday, Agent, for the REZONING, FROM RM-RESIDENTIAL MULTIPLE FAMILY DISTRICT (MEDIUM DENSITY) TO CG-GENERAL COMMERCIAL DISTRICT AND THE FURTHER SPECIAL EXCEPTION TO ALLOW AN OFFICE/WAREHOUSE COMBINATION, INCLUDING A USED AUTOMOBILE SALES AND AUTOMOBILE SERVICE CENTER on a parcel of land more particularly described as follows: being the Westerly 400 feet of the following described parcel, said Westerly 400 feet being measured from a line 53 feet East of and parallel with the centerline of Military Trail: a portion of the Southwest 1/4 of the Southeast 1/4 of Section 13, Township 44 South, Range 42 East described as follows: Commencing at a point in the East line of Military Trail, being the Northwest corner of Lot 1, Block 3, of Delaware Manor, as recorded in Plat Book 21, page 59, from the POINT OF BEGINNING run Easterly along the North line of Block 3, of Delaware Manor a distance of 663.04 feet to a point in the North line of Lot 11, Block 3, Delaware Manor, said point being 20 feet East of the Northwest corner of said Lot 11; thence run Northerly at right angles

to the North line of Delaware Manor a distance of 136.01 feet, more or less, to the North line of the Southwest 1/4 of the Southeast 1/4 of Section 13; thence Westerly along the North line of the Southwest 1/4 of the Southeast 1/4 of Section 13, a distance of 663.04 feet, more or less, to the East right-of-way line of Military Trail; thence Southerly along the East line of Military Trail a distance of 135.75 feet more or less to the POINT OF BEGINNING, less the East 13 feet of the West 53 feet of the South 110.75 feet of the North 135.75 feet of the North 1/2 of the Southwest 1/4 of the Southeast 1/4 of said Section 13. Said property located on the southeast corner of Park Lane and Military Trail (S.R. 809), 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 Military Trail for its ultimate right-of-way.
2. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County thirty (30) feet from the north line of the Southwest 1/4 of the Southeast 1/4 of Section 13, Township 44 South, Range 42 East, for the ultimate right-of-way for Park Lane.
3. Petitioner shall construct Park Lane from Military Trail to the project's easterly property limits.
4. Petitioner shall not be allowed access on Military Trail.
5. Petitioner shall reconstruct a curb and gutter at the existing driveway on Military Trail.
6. Petitioner shall relocate the easterly curb cut on Park Lane to align with the easterlymost curb cut for the commercial property on the north side of Park Lane.
7. No outdoor storage of any kind shall be allowed on the subject site.
8. Petitioner shall be limited to no more than six (6) display vehicles on the subject site at any time.
9. Petitioner shall provide ninety percent (90%) opaque landscape screening and wall along the southerly and easterly property lines to protect adjacent residential areas.
10. The entire site under the petitioner's ownership, being the subject site and that property east of and adjacent to the subject site, shall be cleared and cleaned prior to the issuance of any building permits.

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:

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

The foregoing resolution was declared duly passed and adopted this 13th day of March, 1979, confirming action of 22 February 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney

