

RESOLUTION NO. R- 83-610

RESOLUTION APPROVING ZONING PETITION 82-183, Special. Exception

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. 75 - 2 have been satisfied; and

WHEREAS, Petition No. 82-183 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on February 24, 1983; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This zoning proposal will have no "Significant Effect" on the major thoroughfares in the project area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 24th day of February, 1983, that Petition No. 82-183

The petition of MOBIL OIL CORPORATION, By Jan A. Wolfe, Agent, for a SPECIAL EXCEPTION TO ALLOW A GASOLINE SERVICE STATION on a portion of Lots 1 through 6, inclusive and of Lots 11 and 16, "Lake Avenue Gardens", according to the amended plat thereof recorded in Plat Book 14, Page 64, further described as follows:

From the Northeast corner of Section 30, Township 44 South, Range 43 East, run Southerly along the East line of said Section a distance of 60 feet to a point; thence run Westerly parallel to the North line of said Section a distance of 35 feet to a Point of Beginning in the East line of Lot 1 of said subdivision, said point being the Northeast corner of the parcel herein described:

From said Point of Beginning run thence Southerly along the East line of Lots 1 and 16, said line being also the Westerly Right-of-Way line of Congress Avenue (State Road No. 807) (100 foot Right-of-Way) South 01°48'54" West, 120 feet to an iron pipe set in line of lands now or formerly of Thor Soderholm; thence along said line of lands now or formerly of Thor Soderholm North 87°40'44" West, 1.40 feet to a concrete monument' in line of other lands now or formerly of Thor Soderholm; thence along said line of other lands now or formerly of Thor Soderholm North 01°48' 54" East 120 feet to an iron rod in the Southerly Right-of-Way line of Lake Worth Road (State Road No. 802) (100 foot Right-of-Way); and thence along said line of Lake Worth Road South 87°40'44" East 140 feet to the Point of Beginning. Said property located on the southwest corner of the intersection of Lucerne Avenue (S.R. 802) and-congress Avenue in a CN-Commercial District; was approved as advertised subject to the following conditions;

1. Petitioner shall redesign development plan to eliminate or minimize variances from Zoning Code requirements; stacking lanes, landscaped areas, and screening wall.
2. The development shall be permitted only one entrance onto Lake Worth Road, a minimum distance of 160 feet west of the center line of Congress Avenue.
3. The development shall be permitted only one entrance onto Congress Avenue, a minimum distance of 150 feet south of the center line of Lake Worth Road.
4. Petitioner shall contribute the sum of Two Thousand Four Hundred Dollars (\$2,400.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the Building Permit.

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

Peggy E. Evatt, Chairman	- Aye
Ken Spillias, Vice Chairman	- Aye
Dennis P. Koehler, Member	- Aye
Dorothy Wilken, Member	- Nay
Bill Bailey, Member	- Aye

The foregoing resolution was declared duly passed and adopted this 24th day of MAY, 1983, confirming action of 24th February 1983.

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

