

RESOLUTION NO. R- 83-614

RESOLUTION APPROVING ZONING PETITION 83-19,
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. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-19 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24th February 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 Planning Commission; and

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

1. The proposed is consistent with the Comprehensive Plan.
2. The proposal will result in an improvement over existing conditions of this property in terms of appearance and safety.

NOW, THEREFORE, BE IT RESOLVEE BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23th day of February, 1983, that Petition No. 83-19 the petition of SHELL OIL COMPANY AND MARY F. ERSKINE By Lee Starkey, Agent for th? FURTHER SPECIAL EXCEPTION TO ALLOW AN AUTOMOBILE SERVICE STATION, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES on a portion of Tract 104, Model Land Company, subdivision of Section 20, Township 44 South, Range 13 East, as recorded in Plat Hook 5, on Page 79: being more particularly described as follows: The West 165.00 feet of said Tract 104, less the North 440.00 feet and less the following parcels for road right-of-way purposes: The South 25.00 feet of said Tract 104; That 25.00 foot wide parcel as described in Deed Book 1051, Page 165 an additional 25 foot wide parcel, East of, and adjacent to that

foot wide parcel as described in Deed Book 1051, Page 165 and additional 25 foot wide parcel, East of, and adjacent to that 25 foot wide parcel as described in Deed Book 1051 and as shown in Road Plat Book 2 on Page 89. Said parcel of land also being described as follows:

Commencing at the Southwest corner of Section 20, Township 44 South, Range 43 East; thence run South $87^{\circ}40'06''$ East along the South line of said Section 20, a distance of 65.15 feet to a point on the Southerly extension of the Easterly right-of-way line of State Road No. 807 (South Congress Avenue) as shown in Road Plat Book 2, Page 89; thence North $02^{\circ}02'06''$ West along the Southerly extension of the Easterly right-of-way of said State Road No. 807, a distance of 40.12 feet to a point on the Northerly right-of-way line of State Road No. 802 (Lake North Road); and the Point of Beginning, thence continue North $02^{\circ}02'06''$ West along the said Easterly right-of-way line of State Road No. 807, a distance of 109.70 feet to a point of curvature of a circular curve concave to the East; thence Northerly along the arc of said circular curve having a radius of 1860.05 feet and a central angle of $02^{\circ}20'25''$ for a distance of 75.97 feet; thence departing said circular curve, run South $87^{\circ}43'48''$ East along a line non-radial to the last described curve and 440 feet south of, and parallel with, the North line of Tract 104, Model Land Company, as recorded in Plat Book 5, Page 79, for a distance of 129.19 feet to the East line of the West 165.00 feet of said tract 104; thence South $01^{\circ}59'54''$ West along the East line of the West 165.00 feet of said Tract 104, a distance of 185.37 feet to the Northerly right-of-way line of said State Road No. 802; thence North $87^{\circ}40'06''$ West along a line 40.00 feet North of, at measured at right angles to, the South line of said Section 20 and along the Northerly right-of-way of State Road No. 802, a distance of 127.68 feet to the Point of Beginning. Said property located on the northeast corner of the intersection of Congress Avenue (S.R. 807) and Lake Worth Road (S.K. 802), was approved as advertised.

Commissioner Wilken , 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	- Absent
Dorothy Wilken, Member	- Aye
Bill Bailey, Member	- Absent

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: *Ruth Ann Ottewill*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Corbett
County Attorney

