

ORIGINAL

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 80-211(B)
TO AMEND CONDITIONS OF APPROVAL OF
RESOLUTION NO. R-90-51
WHICH APPROVED THE SPECIAL EXCEPTION OF
MILITARY TRAIL BAKERY CENTER
PETITION NO. 80-211(B)

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 402.9 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, pursuant to Section 402.9, Status Report SR 80-211(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at a public hearing conducted on February 27, 1992; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, has reviewed Status Report SR 80-211(B) and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 402.9 of the Palm Beach County Zoning Code authorizes the Board of County Commissioners, sitting as the Zoning Authority, to add or modify conditions of approval; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

WHEREAS, Section 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. SR 80-211(B), amending Conditions of Approval of Resolution No. R-90-51, the Special Exception of Military Trail Bakery Center, Petition No. 80-211(B), which permits a wholesale bakery, on a parcel of land beginning at an iron pipe in the center of Military Trail, S.R. #809, 1344.03 feet North of the South 1/4 of Section Corner of Section 25, Township 44 South, Range 42 East, Run Easterly along the center line of Melaleuca Lane for a distance of 40.00 feet to a point on the Easterly Right-of-way line of Military Trail, S.R. #809, Thence run Southerly along the Easterly Right-of-way line of Military Trail for a distance of 652.58 feet to a point marking the Northwest Corner and the Point of Beginning of the parcel described herein, thence continue Southerly along the said Easterly Right-of-Way line of Military Trail for a distance of 192.00 feet to a point marking the Southwest corner of this parcel; thence run Easterly

along a line parallel to the center line of Melaleuca Lane for a distance of 292.923 feet to a point in the East Boundary line of the West 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 25 which point marks the Southeast corner of this parcel; thence run Northerly along the said East boundary line of the West 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 25 for a distance of 192.00 feet to a point marking the Northeast corner of the parcel; thence run Westerly along a line parallel to the center line of Melaleuca Lane for a distance of 292.93 feet to the point of Beginning at the Northwest corner of this parcel. Less and except the following parcel: Beginning at an iron pipe in the center of Military Trail, S.R. #809, 1344.03 feet North of the South 1/4 of Section Corner of said Section 25, run Easterly along the center line of Melaleuca Lane for a distance of 40.00 feet to a point on the Easterly Right-of-way Line of Military Trail, S.R. #809; thence run Southerly along the Easterly Right-of-way line of Military Trail for a distance of 652.58 feet to a point marking the Northwest Corner and the Point of Beginning of the parcel described herein, thence continue Southerly along the Easterly Right-of-way line of Military Trail for a distance of 192.00 feet to a point marking the Southwest corner of this parcel; thence run Easterly along a line parallel to the center line of Melaleuca Lane for a distance of 13.00 feet to a point; thence run Northerly parallel with said Easterly Right-of-way line, a distance of 192.00 feet to a point marking the Northeast corner of the parcel; thence run Westerly along a line parallel to the center line of Melaleuca Lane for a distance of 13.00 feet to the Point of Beginning at the Northwest corner of this parcel., being located on the east side of Military Trail (S.R. #809) approximately 0.2 of a mile south of Melaleuca Lane, in a CG-General Commercial Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number 9 of Resolution R-90-51 which currently states:

Prior to site plan certification or prior to September 1, 1989, the property owner shall fund the construction of a left turn lane north approach on Military Trail at the project's entrance road. This petitioner shall be responsible for any change orders associated with this construction by Palm Beach County. Prior to certification, the site plan shall be revised accordingly.

is hereby amended to state:

Prior to site plan certification or prior to September 1, 1992, whichever shall first occur, the property owner shall fund the construction of a left turn lane north approach on Military Trail at the project's entrance road. This petitioner shall be responsible for any change orders associated with this construction by Palm Beach County. Prior to certification, the site plan shall be revised accordingly.

Commissioner Roberts moved for approval of the Resolution.

The motion was seconded by Commissioner Foster and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS, CHAIR	--	Aye
CAROL J. ELMQUIST	--	Aye
CAROL ROBERTS	--	Aye
CAROLE PHILLIPS	--	Aye
MARY MCCARTY	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 28th day of April, 1992.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY:

Andrew Altier

MILTON T. BAUER, CLERK

BY:

Judith L. Crosbie

