

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1997-017
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-97-770
WHICH APPROVED THE CLASS A CONDITIONAL USE OF
MECCA FARMS, INC.
PETITION NO. 1997-17

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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report ~~SR~~ 1997-017 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 19, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1997-017 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

1. Condition number G. 1. of Resolution No. R-97-770 did not contain a due date for annual reports.
2. The amendment of condition number G.2. of Resolution No. R-97-770 will provide the same due date for reports required by conditions G. 1. and G.2.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners 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 1997-017, to amend Conditions of Approval of Resolution No. R-97-770, the Class A Conditional Use of Mecca Farms, Inc., Petition No. 1997-17, which approved a Type III Excavation on property legally described in Exhibit A, being located on the east side of Seminole Pratt Whitney Road, approximately 0.7 mile north of Northlake Boulevard in the Special Agriculture (SA) Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)

2. Condition number G.1. of Resolution No. R-97-770 which states:

Petitioner shall provide to the Palm Beach County Zoning Department an annual Excavation Activity Monitoring Report which shall contain a current aerial photograph of the site clearly outlining the areas of current and completed excavation. The acreage of each area shall be provided. Additional information may be required by the Development Review Committee (DRC). (ONGOING - Zoning)

Is hereby amended to state:

On or before May 15 of each year, the property owner shall provide to the Palm Beach County Zoning Department an annual Excavation Activity Monitoring Report which shall contain a current aerial photograph of the site clearly outlining the areas of current and completed excavation. The acreage of each area shall be provided. Additional information may be required by the Development Review Committee (DRC). (DATE: MONITORING-Zoning)

3. Condition number G.2. of Resolution No. R-97-770 which states:

The Maintenance and Monitoring Report of Reclaimed Areas required by Section 7.6.H.5.b. of the ULDC shall be submitted bi-annually on June 1 and December 1 every calendar year. (DATE: MONITORING - Zoning)

Is hereby amended to state:

The Maintenance and Monitoring Report of Reclaimed Areas required by Section 7.6.H.5.b. of the ULDC shall be submitted bi-annually on May 15 and November 15 every calendar year. (DATE: MONITORING-Zoning)

Commissioner **Aaronson** moved for approval of the Resolution.

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

WARREN H. NEWELL, CHAIRMAN	—	Absent
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Absent
MARY MCCARTY	—	Aye

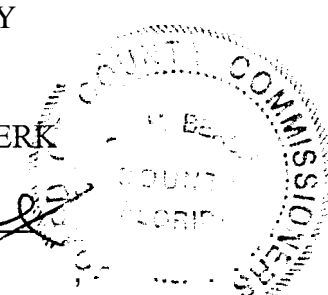
The Chair thereupon declared the resolution was duly passed and adopted this 19 day of June, 2002.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: [Signature]
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 27 day of June, 2002.

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

FROM ATTORNEYS TITLE INSURANCE FUND, INC. TITLE CERTIFICATE NO. **06-91-9643**.

THE WEST ONE-HALF OF SECTION 5 AND ALL OF SECTIONS 6 AND 7, **AND** THE WEST ONE-HALF OF SECTION **8**, IN TOWNSHIP **42** SOUTH, RANGE **41** EAST, PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT-OF-WAY OF CANAL C-18 (A WORKS **OF** THE CENTRAL AND SOUTHERN FLORIDA FLOOD CONTROL DISTRICT, NOW KNOWN AS THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT.)

LESS PARCEL 'A' DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST ONE-HALF OF SECTION 5, AND A PORTION **OF** SECTION **6**, TOWNSHIP **42** SOUTH, RANGE **41** EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTH ONE-QUARTER CORNER OF SAID SECTION; THENCE SOUTH 03'10.07" WEST, ALONG THE EAST LINE OF THE WEST ONE-HALF OF SAID SECTION **5**, A DISTANCE OF 200.37 FEET, TO A POINT **ON** THE SOUTH LINE OF THE C-18 CANAL ACCORDING TO DEED BOOK 1097, PAGE 261 OF THE PUBLIC RECORDS **OF** PALM BEACH COUNTY, FLORIDA AND THE POINT **OF** BEGINNING **OF** THE FOLLOWING DESCRIBED PARCEL 'A':

THENCE SOUTH 89°42'33" WEST, ALONG **SAID** SOUTH LINE OF THE C-18 CANAL, A DISTANCE OF 2634.59 FEET; THENCE SOUTH 89°57'02" WEST, CONTINUING ALONG SAID SOUTH LINE OF THE C-18 CANAL, A DISTANCE **OF 759.74** FEET; THENCE NORTH 00°10'35" WEST, A DISTANCE OF 3871.82 FEET; THENCE NORTH 89°45'39" **EAST**, A DISTANCE OF 3128.05 FEET, TO A POINT ON THE EAST LINE OF **THE** WEST ONE-HALF OF **SAID** SECTION 5; THENCE NORTH 03°10'07" EAST, ALONG **SAID** EAST LINE **OF** THE WEST ONE-HALF OF **SAID** SECTION 5, A DISTANCE OF 3878.67 FEET, TO THE POINT OF BEGINNING.

CONTAINING 71,053,317 **SQ.** FT, OR 1,631.1597 ACRES MORE OR LESS.