

RESOLUTION NO. R-93-177

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 80-211B
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-92-599
WHICH AMENDED 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 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report CR 80-211B was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 4, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 80-211B 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The Palm Beach County Engineering and Public Works Department recommended the amendment to condition number 2 of Resolution R-92-599; and

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. CR 80-211B, amending Conditions of Approval of Resolution No. R-92-599, originally the Special Exception of Military Trail Bakery Center, Petition No. 80-211(B), confirmed by the adoption of Resolution R-90-51, which permitted a wholesale bakery on property 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 **2** of Resolution **R-92-599** which currently states:

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.

Is hereby amended to state:

Prior to Development Review Committee approval for this site, the property owner shall reimburse Palm Beach County for the Cost of the construction of

the left turn lane north approach on Military Trail at the projects entrance road.

Commissioner Newell moved for approval of the Resolution.

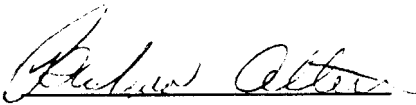
The motion was seconded by Commissioner Lee and, upon being put to a vote, the vote was as follows:

KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Aye
CAROL ROBERTS	--	Absent
BURT AARONSON	--	Absent
MARY MCCARTY	--	Aye
KEN FOSTER	--	Absent
MAUDE FORD LEE	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 29th day of January, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:



PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:

