

RESOLUTION NO. R-93- 755

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 92-1/E3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-93-507
WHICH APPROVED THE SPECIAL EXCEPTION OF
OKEECHOBEE IMPORTS
PETITION NO. 92-1

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 92-1/E3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 24, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 92-1/E3 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. Since approval of Petition 92-1, the alignment for Jog Road has been determined.
2. The Palm Beach County Engineering Department has determined that due to this alignment, the safe sight corner required by condition number E3 is not needed.
3. **This** proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations.

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 92-1/E3, amending Conditions of Approval of Resolution No. R-93-507, the Special Exception of Okeechobee Imports, Petition No. 92-1, confirmed by the adoption of Resolution R-93-507, which granted a Special Exception to allow an office/warehouse on a parcel of land lying in Tract 25, PALM BEACH FARMS CO. Plat No. 9, Plat Book 5, Page 58, LESS Parcel A - the East 140.00 feet thereof, Parcel B - COMMENCING at the Northeast corner of said Tract 25, thence Westerly along the North line of said Tract 25, a distance of 140.00 feet to the POINT OF BEGINNING; thence Southerly along a line parallel with and 140.00 feet Westerly from the aforesaid East line of Tract 25, a distance of 616.40 feet; thence Westerly to a point in the West line of aforesaid Tract 25 and 631.40 feet Southerly from Northwest corner of said Tract 25; thence Northerly along the said West line of Tract 25 to Northwest corner thereof: thence easterly along the

north line of said Tract 25, a distance of 520.40 feet to the POINT OF BEGINNING: Parcel C- subject to an easement for ingress, egress over the dirt road now in use, running diagonally Southwest from Okeechobee Road, said easement to be personal to the grantees and to expire after 60 days' written notice from the grantors or in the event of the voluntary or involuntary disposition of the premises of the grantees, less the following portion thereof: A portion of said Tract 25. Commencing at the Northeast corner of said Tract 25; thence run Westerly 140.00 feet along the North line of said Tract 25 to a point, thence run Southerly 616.40 feet along a line 140.00 feet West of and parallel to the East line of said Tract 25 to the point of beginning; thence run Westerly 520.45 feet along a line 298.51 feet North of and parallel with the South line of said Tract 25 to a point; thence run Northerly 5.09 feet along the West line of said Tract 25 to a point 630.40 feet South of the Northwest corner of said Tract 25; thence run Easterly 520.48 feet to the Point of Beginning; subject to restrictions, reservations, covenants, and conditions recorded in Official Records Book 2685, Page 287. Easements reserved in Official Records Book 438, Page 331, and Official Records Book 463, Page 641; Said properties being located in Sections 27 & 28, Township 43 South, Range 42 East, being located on the north side of Dwight Road, approximately 0.16 of a mile east of Skees Road in a the IL-Light Industrial 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 **E3** which states:

Prior to **March 15, 1993** or prior to the issuance of the first Building Permit, whichever shall first occur, the property owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for a twenty five (25) foot safe sight corner at the intersection of Jog Road and Dwight Road. The right-of-way conveyance shall be free of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right-of-way Acquisition Section to ensure that the property is free of all encumbrances and encroachments.

Is hereby deleted.

Commissioner Roberts moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 24th day of June, 1993.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *[Signature]*

BY: *Jina M. Blair DC*

