

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1989-052A  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-97-248  
WHICH APPROVED THE CONDITIONAL USE "A" OF  
GKK CORPORATION  
PETITION NO. 89-52(A)

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 1989-052A was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on April 4, 2002; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1989-052A 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. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The amendment of conditions of approval will improve the monitoring of deadlines to commence development.

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 1989-052A, to amend conditions of approval of Resolution No. R-97-248, the petition of GKK Corporation, Petition No. 89-52(A), which approved a Class A Conditional Use (CA) to allow a Type III B Excavation, on property legally described in Exhibit A, being located on the north side of Southern Boulevard, approximately 3 miles west of Seminole Pratt Whitney Road 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.
2. Condition number K. 1. of Resolution No. R-2002-0009 which currently states:

The Excavation Activity Monitoring Report required by Section 7.6.H.5.a. of the ULDC shall be submitted on or before January 30 annually. This excavation activity report shall include certification and documentation that all seismograph instruments have been re-calibrated within the calendar year. (DATE: MONITORING - Zoning) (Previously Condition J. 1 of Resolution R-2000-1235, Petition DOA89-052(B))

Is hereby amended to state:

The Excavation Activity Monitoring Report required by Section 7.6.H.5.a. of the ULDC shall be submitted on or before March 15 annually. This excavation activity report shall include certification and documentation that all seismograph instruments have been re-calibrated within the calendar year. (DATE: MONITORING - Zoning)

3. Condition number K.3. of Resolution No. R-2002-0009 which currently states:

The Maintenance and Monitoring Report of Reclaimed Areas required by Section 7.6.H.5.b. of the ULDC shall be submitted on or before January 30 annually. @ ATE: MONITORING - Zoning) (Previously Condition J.3 of Resolution R-2000-1235, Petition DOA89-052(B))

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 on or before March 15 annually. (DATE: MONITORING - Zoning)

Commissioner Aaronson moved for approval of the Resolution.

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

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

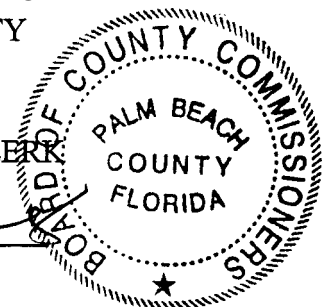
The Chair thereupon declared the resolution was duly passed and adopted this 4 day of April, 2002.

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 14 day of May, 2002.

**EXHIBIT A**  
**LEGAL DESCRIPTION**

**AND THE WEST 780 FEET OF SECTION 27;**

**LESS** a parcel of land lying in Section 27 and 22, Township 43 South, Range 40 East, being described as a portion of Section 34, bounded as follows:

Bounded on the South by the South line of Section 27; bounded on the East by a line being described as lying 780.00 feet East of and parallel to the West line of Section 27; bounded on the north by a line lying 290.00 feet South of and parallel to the South line of the Subdivision "Deer Run" as recorded in Plat Book 35, Pages: 34-39 of the Public Records of Palm Beach County, Florida; Bounded on the West by a line lying 2.0 feet ~~West~~ of and parallel with an existing hogwire fence;

Said line being more particularly described as follows: Beginning at a point on the South line of Section 27 lying 146.05 feet Easterly (as measured along the South line of Section 27); thence North 01°27'30" West, a distance of 1,748.16 feet; thence North 01°43'06" East, a distance of 3,443.12 feet; thence North 13°11'09" West, a distance of 165.89 feet to a point lying 290.00 feet South of the South line of said subdivision "Deer Run" and 621.65 feet Westerly of the Northeast corner of the above described parcel of land (said point being the termination of the West line of said Parcel).

**AND ALL OF SECTION 28;**

**AND THAT PART OF SECTION 29** lying East of the East right-of-way line of Levee L-8; ,

**AND THAT PART OF SECTION 32** North of State Road 80 right-of-way lying East of the East right-of-way line of Levee L-8;

**AND ALL OF SECTION 33** lying North of State Road 80 right-of-way;

**AND THE WEST 780 FEET OF SECTION 34** lying North of State Road 80 right-of-way;

**LESS** that part of Sections 33 and 34, Township 43 South, Range 40 East in Palm Beach County, Florida more particularly described as follows:

Commence at the Southwest corner of said Section 33; thence North 01°50'06" East along the West line of said Section 33 a distance of 1,812.38 feet to the POINT OF BEGINNING; thence continue 01°50'06" East a distance of 98 feet; thence South 88°28'42" East a distance of 2,870.68 feet; thence South 88°25'55" East a distance of 2,402.53 feet to a point on the East line of said Section 33; thence continue South 88°25'55" East a distance of 780.04 feet; thence South 00°58'57" West a distance of 98 feet; thence North 88°25'55" West a distance of 780.04 feet to a point on the West line of said Section 34; thence continue North 88°25'55" West a distance of 2,403.49 feet; thence North 88°28'42" West a distance of 2,871.18 feet to the POINT OF BEGINNING.

**LESS** a parcel of land lying in Section 34, Township 43 South, Range 40 East, being described as a portion of Section 34, bounded as follows:

Bounded on the South by the North right-of-way line of State Road 80; bounded on the East by a line being described as lying 780.00 feet East of and parallel to the West line of Section 34; bounded on the North by the North line of Section 34; bounded on the West by a line lying 2.0 feet ~~West~~ of and parallel with an existing hogwire fence: said Northwest corner being described as lying 146.05 feet East of the Northwest corner of Section 34, as measured along the North line of Section 34, the Southwest corner being described as lying 108.72 feet East of the intersection of the West line of Section 34, and the North right-of-way line of State Road 80, as measured along the North right-of-way line of State Road 80.

Subject to Easements and restrictions of record.