

RESOLUTION NO. R-2003- 1989

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1997-017.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-1997-770
WHICH APPROVED THE CLASS A CONDITIONAL USE OF
MECCA FARMS, INC.
PETITION NO. 1997-017

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 1997-017.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 4, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1997-017.2 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. To be consistent with the Unified Land Development Code, the project must meet Countywide Traffic Performance Standards.
2. The project can only meet Traffic Performance Standards with the amendment of conditions of approval.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Palm Beach County 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 1997-017.2, to amend Conditions of Approval of Resolution No. R-1997-770, the Class A Conditional Use of Mecca Farms, Inc., Petition No. 1997-017, which approved a Type III Excavation, property being legally described as 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 719.74 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., 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 H.1. of Resolution No. R-97-770 which currently states:

A maximum of 3 subphases (maximum 67.5 acres) shall be in active excavation at any time. (ONGOING: CODE ENF - Zoning)

Is hereby amended to state:

Excavation and hauling of fill off-site shall be limited to only one phase of 22.5 gross acres at any one time. Two other phases of 22.5 gross acres each may be under reclamation simultaneously with the phase under excavation, for a total of 67.5 gross acres in active work. (ONGOING: CODE ENF)

3. No excavation with off-site hauling shall occur after December 31, 2009. (DATE: MONITORING-Code Enf)
4. Prior to January 15, 2004, the property owner shall receive approval of an amendment to the

master phasing plan to extend the buildout (excavation) date until no later than December 31, 2009. (DATE: MONITORING - DRC)

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

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 4 day of December, 2003.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: [Signature]
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS
COMMISSIONER

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



Filed with the Clerk of the Board of County Commissioners on the 6 day of January, 2004

RESOLUTION NO. R-2003-1988

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 1986-13.8
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-86-573-27
WHICH APPROVED THE SPECIAL EXCEPTION OF
FORREST C. MOBLEY, TR
PETITION NO. 1986-013

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 1986-13.8 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 4, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1986-13.8 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.

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 1986-13.8, to amend Conditions of Approval of Resolution No. R-86-573-27, the Special Exception of Forrest C. Mobley, TR, Petition No. 1986-013, which approved a Special Exception to allow a Planned Office Business Park, property being legally described as the North ½ of Lot 3, Block 2 of "Palm Beach Plantations" a subdivision of Section 1, Township 44 South, Range 42 East, as recorded in Plat Book 10, Page 20. Less the North 30 feet for Gun Club Road Right-of-Way. Less, also, the East 303.00 feet., being located on the south side of Gun Club Road, approximately 200 feet west of Military Trail in the CS-Specialized Commercial 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. a. Building permits for no more than 21,500 sf of General Office shall be issued by December 31, 2004. However, if construction has commenced on a right turn lane on the west approach of the Gun Club Road/Military Trail intersection, building permits may be issued for all 101,640 sf of General Office by December 31, 2004.

(DATE/BLDG PERMIT: MONITORING - Bldg)

- b. Performance security based upon an engineer's certified cost estimate for this right turn lane construction shall be approved by the County Engineer and shall be posted with the County Engineer's Office prior to release of building permits for more than 21,500 sf of General Office. (BLDG PERMIT: MONITORING-Eng)
- c. No further building permits shall be issued after December 31, 2004 unless a time extension has been approved by the County Engineer's Office based upon an approved traffic study which complies with the mandatory Traffic Performance Standards in place at the time of the request. (DATE: MONITORING-Eng)

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

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


KAREN T. MARCUS, CHAIR	—	Nay
TONY MASILOTTI, VICE CHAIRMAN	—	Absent
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Aye
MARY MCCARTY	—	Aye
BURT AARONSON	—	Aye
ADDIE L. GREENE	—	Aye


The Chair thereupon declared the resolution was duly passed and adopted this 4 day of December, 2003.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

ROBERT H. WILKEN, CLERK
COUNTY CLERK
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 6 day of January, 2004.