

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO SR 91-3A 3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO R-91-1712
WHICH APPROVED THE SPECIAL EXCEPTION OF
MARY WOOTEN AND FRANCIS W AND SUZANNE MASSIE
PETITION NO 91-3(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 91-3A 3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 22 1996 and

WHEREAS the Board of County Commissioners has reviewed Status Report SR 91-3A 3 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
- 2 Condition number E 5 of Resolution R-91-1712 requires a Unity of Title prior to the certification of a site plan
- 3 The three parcels which are the subject of Resolution R-91-1712 are currently under separate ownership
- 4 A pending sale of the three parcels will not occur until a site plan has been certified
- 5 By the amendment of condition number E 5 the requirement to provide a Unity of title will be enforced prior to the issuance of a building permit

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, FWRXDA, that the recommendation of Status Report No SR 91-3A 3 to amend Conditions of Approval of Resolution No R-91-1712, the Special Exception of Mary Wooten and Francis W and Suzanne Massie Petition No 91-3(A), which allows an auto service station (no repairs) and convenience store with an accessory car wash on a parcel of land lying in part of Tract 12 "MODEL M D CO SUBDIVISION" of the

North 1/2 of Section 24, Township 44 South Range 42 East Plat Book 5 Page 76 The South 110 00 feet of the East 165 00 feet of Tract 12 LESS the South 40 00 feet thereof and LESS the East 28 00 feet thereof the North 110 00 feet of the East 175 00 feet of the South 1/2 of Tract 12 LESS the East 28 00 feet thereof and the East 165 00 feet of the South 1/2 of Tract 12, LESS the North 110 00 feet thereof LESS the South 110 00 feet thereof and LESS the East 28 00 feet thereof being located on the northwest corner of the intersection of 10th Avenue North and Military Trail in the CG-General Commercial Zoning District, is approved subject to the following conditions

- 1 All previously approved conditions continue to apply unless expressly modified herein
- 2 Condition number E 5 of Resolution R-91-1712 which currently states

Prior to site plan approval by the Site Plan Review Committee the property owner shall

- a Record a Unity of Title on the subject property subject to approval by the County Attorney
- b Revise the proposed site plan to reflect one entrance onto Military Trail and one entrance onto 10th Avenue North subject to approval by the County Engineer

Is hereby amended to state

- a Prior to site plan approval by the Site Plan Review Committee the property owner shall revise the proposed site plan to reflect one entrance onto Military Trail and one entrance onto 10th Avenue North subject to approval by the County Engineer (DRC ENG)
- b Prior to the issuance of the first building permit the property owner shall record a Unity of Title on the subject property subject to approval by the County Attorney (BLDG PERMIT MONITORING - Co Att)

Commissioner Roberts moved for approval of the Resolution

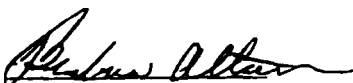
The motion was seconded by Commissioner Aaronson and upon kin9 put to a vote, the vote was as follows

KEN POSTER, CHAIR	—	Aye
BURT MRONSON	—	Aye
MAUDE FORD LEE	—	Aye
KAREN T MARCUS	—	Absent
MARY MCCARTY	—	Aye
WARREN H NEWELL	—	Aye
CAROL ROBERTS	—	Aye

The chair thereupon declared the resolution was duly passed and adopted this 22 day of February, 1996

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY 

DOROTHY H WILKEN, CLERK BY 