

RESOLUTION R-2004-0395

RESOLUTION CORRECTING RESOLUTION R-2003-1768
RESOLUTION APPROVING ZONING PETITION OF EXIT 93, LLC
PETITION PDD2003-025
(TURNPIKE PCD)

WHEREAS, EXIT 93, LLC, petitioned the Palm Beach County Board of County Commissioners on October 23, 2003 for a for an Official Zoning Map Amendment to a Planned Development District rezoning from the General Commercial Zoning District to the Multiple Use Planned Development District to allow for a convenience store with gas sales, a hotel and a 4,000 square foot restaurant with no drive through lane; and

WHEREAS, Resolution R-2003-1768 adopted on October 23, 2003 confirming the action of the Board of County Commissioners contained an incorrect legal description and inadvertently contained errors in Conditions E.1.a and E.1.b and;

WHEREAS, the legal description of Resolution No. R-2003-1768 should have read as shown on Exhibit A.

WHEREAS, Conditions E.1.a and E.1.b of Resolution R-2003-1768 should have read as follows:

- a) Building Permits for more than the following uses shall not be issued until the contract has been let for a north approach ~~and south approach~~ right turn lane and east approach second left turn lane at the intersection of Lake Worth Road and Lyons Road.

- one gas station with a maximum of 0 vehicle fueling position,
- one car wash,
- 2,800 square foot convenience store
- 2,600 square foot general commercial

These uses have been determined to generate ~~1,449~~ daily 106 net external 2-way peak hour trips ~~per day~~. (BLDG PERMIT: MONITORING-Eng)

- b) Building Permits for more than the following uses shall not be issued until the contract has been let for a three left turn lanes north approach at the intersection of Lake Worth Road and the Florida Turnpike. Construction shall also include the widening of the ~~west~~ east bound through lanes on the departure side of the intersection to receive traffic from the three left turn lanes north approach in accordance with the approval of the Florida Department of Transportation.

- one gas station with a maximum 10 vehicle fueling positions.
- one car wash.
- 2,800 square foot convenience store.
- 2,600 square feet of general retail.
- hotel with a maximum of 114 rooms.

These uses have been determined to generate ~~2,328~~ 183 net external trips 2-way peak hour trips per day. The mix of all allowable uses listed in a) and b) above may be adjusted by the County Engineer, as permitted by the Zoning Division, based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. (BLDG PERMIT: MONITORING-Eng)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. The legal description of Resolution No. R-2003-1768 and Conditions E.1.a and E.1.b of Resolution R-2003-1768 are hereby corrected.

Commissioner Masilotti moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	- Aye
Tony Masilotti, Vice Chairman	- Aye
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 on February 26, 2004.

Filed with the Clerk of the Board of County Commissioners on 29 day of March, 2004.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

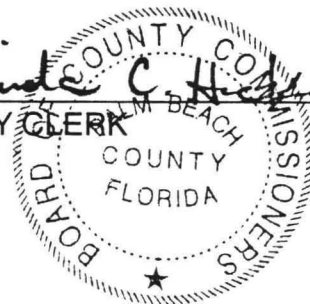


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION PARCEL I:

A PARCEL OF LAND IN TRACT 64, BLOCK 24, "PALM BEACH FARMS CO. PLAT NO. 3" ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THRU 54, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 64; THENCE NOO°37'24"W ALONG THE WEST LINE OF SAID TRACT 64, A DISTANCE OF 68.90 FEET TO A POINT ON THE NORTH RIGH-OF-WAY LINE OF STATE ROAD 802, AS DESCRIBED IN OFFICIAL RECORDS BOOK 6304, PAGE 1592, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUE NOO°37'24"W ALONG SAID WEST LINE, A DISTANCE OF 591.50 FEET TO THE NORTHWEST CORNER OF SAID TRACT 64; THENCE ALONG THE NORTHLINE OF SAID TRACT 64, N89°23'44"E, A DISTANCE OF 329.28 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF FLORIDA SUNSHINE STATE PARKWAY AND THE LAKE WORTH DRAINAGE DISTRICT E-2-W CANAL; THENCE SOO°39'11"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 364.04 FEET; THENCE S89°22'27"W, A DISTANCE OF 192.00 FEET; THENCE SOO°39'11"E, A DISTANCE OF 227.34 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 802; THENCE S89°22'27"W ALONG SAID NORTH RIGHT-OF-WAY LINE, DISTANCE OF 137.59 FEET TO THE POINT OF BEGINNING.

SAID PARCEL 1 CONTAINING 151,191 SQUARE FEET

LEGAL DESCRIPTION PARCEL II:

A PARCEL OF LAND IN TRACT 64, BLOCK 24, "PALM BEACH FARMS CO. PLAT NO.3" ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 THRU 54, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID TRACT 64; THENCE NOO°37'24"W ALONG THE WEST LINE OF SAID TRACT 64, A DISTANCE OF 68.90 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF STATE ROAD 802, AS DESCRIBED IN OFFICIAL RECORDS BOOK 6304, PAGE 1592; THENCE N89°22'27"E ALONG THE NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 137.59 FEET TO THE POINT OF BEGINNING; THENCE NOO°37'11" A DISTANCE OF 227.34 FEET; THANCE N89°22'27"E, A DISTANCE OF 192.00 FEET TO A POINT ON THE WEST RIGH-OF-WAY LINE OF FLORIDA SUNSHINE STATE PARKWAY AND THE LAKE WORTH DRAINAGE E-2-W CANAL; THENCE SOO°39'11"E ALONG SAID WEST RIIGHT-OF-WAY LINE, A DISTANCE OF 227.34 FEET TO A POINT ON THE NORTH RIGHT-OF WAY LINE OF STATE ROAD 802, AS DESCRIBED ON OFFICIAL RECORDS BOOK 6319, PAGE 1977; THENCE S89°22'27"W ALONG SAID RIGHT OF-OF-WAY LINE, A DISTANCE OF 192.00 FEET TO THE POINT OF BEGINNING; SAID PARCEL II CONTAINING 43,649 SQUARE FEET.