

RESOLUTION NO. R-2000- 1090

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 96-119  
TO REVOKE THE CLASS A CONDITIONAL USE  
FOR PROPERTY PREVIOUSLY GRANTED A CLASS A CONDITIONAL USE BY  
RESOLUTION NO. R-97-371  
APPROVING THE PETITION OF WILLIAM SCHEURICH AND  
ANNA R. CURRENT, TR AND MARY OAK VESTREM  
PETITION NO. 96- 119

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; and

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 96-1 19 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on July 27, 2000; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 96- 119 and considered testimony, 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 revoke Class A Conditional Uses, and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The revocation is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.
2. Three parcels were included in the development order which approved the Class A Conditional Use.
3. Two of these parcels have been annexed by the Town of Jupiter.
4. The property owner of the third parcel does not wish to retain the conditional use.
5. The legal description attached as Exhibit A is the legal description of the parcel which has not been annexed.

WHEREAS, Section 5.3 of the 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 96-1 19, to revoke the Class A Conditional Use previously granted by the approval of the petition of William Scheurich and Anna R. Current, TR and Mary Oak Vestrem, Petition No. 96- 119, confirmed by the adoption of Resolution R-97-3 7 1, which granted a Class A Conditional Use (CA) for a Nursing/convalescent facility (22 beds), on property legally described in Exhibit A., being located on the west side of State Road Al A, approximately 0.25 mile south of US 1, in the CN-

Neighborhood Commercial Zoning District, is approved.

Commissioner / <sup>McCarty</sup> 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:

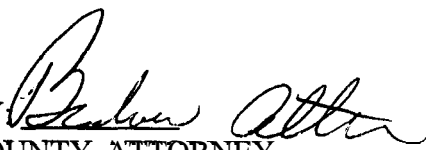
|                              |   |        |
|------------------------------|---|--------|
| MAUDE FORD LEE, CHAIR        | — | Aye    |
| WARREN H. NEWELL, VICE CHAIR | — | Aye    |
| BURT AARONSON                | — | Aye    |
| KAREN T. MARCUS              | — | Aye    |
| TONY MASILOTTI               | — | Absent |
| MARY MCCARTY                 | — | Aye    |
| CAROL ROBERTS                | — | Aye    |

The Chair thereupon declared the resolution was duly passed and adopted this 27 day of July, 2000.

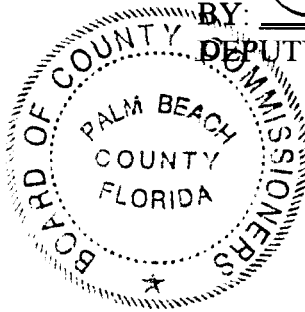
APPROVED AS TO FORM AND LEGAL SUFFICIENCY

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: Parcel of land in Government Lot 7, Section 31, Township 40 South, Range 43 East, described as follows: Beginning on the Southerly right of way of U.S. federal Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3' iron pipe extending 6 inches above the ground as shown on an amended Plat of Jupiter Inlet Estates, Inc. filed in Plat Book 16, Page 25 in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida; thence Southeasterly along said right of way line 88 feet, more or less, to its intersection with the Westerly right of way line of Old Jupiter and Lake Worth Railroad; thence Southeasterly along said right of way line, 310 feet to the POINT OF BEGINNING; thence Westerly, making an angle with the preceding course, measured for NW to W or 68 degrees 08' a distance of 98 feet, more or less, to the waters of the Jupiter River of Florida East Coast Canal; thence Northerly along the waters of said Jupiter River 76 feet, more or less to a point in a line parallel to and 70 feet Northerly (measured at right angles) from the line of parcel herein described; thence Easterly along said parallel line 100 feet, more or less, to a point in said Westerly right of way line of the Old Jupiter & Lake Worth Railroad; thence continue Easterly along same course to a point in the Easterly right of way line of the 40 foot right of way of Jupiter & Lake Worth Railroad; thence South-Easterly along said Easterly right of way line 76.43 feet to a point in the Easterly extension of the South line of the parcel herein described; thence Westerly along said Easterly extension of the POINT OF BEGINNING.

PARCEL II: The South 70 feet of a tract of land in Government Lots 6 & 7, Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, described as follows:

BEGINNING on the Southerly right-of-way line of U.S. Highway No. 1 at Station P.C. 1180 X 23.1 which is a 3 inch iron pipe extending 6 inches above the ground as shown on an amended plat of Jupiter Inlet Estates, Inc., filed in Plat Book 16, Page 25, in the Office of the Clerk of the Circuit Court in and for Palm Beach County, Florida; thence Southwesterly at right angles with said right-of-way line of U.S. Highway No. 1 about 125 feet to the shore of Lake Worth Canal for Point "A" at the shore; thence back at point of beginning to start anew; thence South-Easterly along said Southerly right-of-way line of U.S. Highway No. 1.66 feet to a 3 inch iron pipe at its intersection with the Westerly right-of-way line of Old Jupiter and Lake Worth Railway; thence Southeasterly along said right-of-way line 310 feet to an iron pipe (an iron fence was built along this line of which posts are still there); then @ West about 80 feet to the shore of Lake Worth Canal; thence meandering said shore Northwesterly and Westerly to the before-mentioned point "A".

PARCEL III: A parcel of land in Section 31, Township 40 South, Range 43 East, Palm Beach County, Florida, more particularly described as follows:

BEGIN at the intersection of the Westerly right of way line of State Road h-1-A with the South line of said Section 31, which for purposes of this description is assumed to bear due East; thence N 31° 22' 20" W, along said Westerly right of way line, a distance of 19.31 feet; thence S 79° 50' 00" W a distance of 145.37 feet; thence N 21° 52' 40" W a distance of 136.28 feet to the POINT OF BEGINNING; thence continue N 21° 52' 40" W a distance of 6.29 feet to the North line of the South 125.0 feet of said Section 31; thence due West, along said North line, a distance of 130.00 feet, more or less, to the waters of Jupiter River; thence Southeasterly, along said waters, to a line which bears S 67° 58' 33" W from the POINT OF BEGINNING; thence N 87° 58' 33" E a distance of 132.00 feet, more or less, to the POINT OF BEGINNING.

SUBJECT to all reservations, restrictions and rights-of-way of record.