

RESOLUTION NO. R-2003- 0096

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 1999-033  
TO REVOKE THE CONDITIONAL USE "A"  
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY  
RESOLUTION NO. R-1999-2076  
APPROVING THE PETITION OF POUPORE LTD FAMILY PARTNERSHIP  
PETITION NO. 1999-033

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 1999-033 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 9, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 1999-033 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 Special Exceptions; and

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

1. The property owner has requested the revocation of the conditional use.
2. The revocation of a conditional use is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code (ULDC).

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 1999-033, to revoke the Conditional Use "A" previously granted by the approval of the petition of Poupore LTD Family Partnership, Petition No. 1999-033, confirmed by the adoption of Resolution R-1999-2076, on A PARCEL OF LAND LYING IN TRACT 40 OF SUBDIVISION OF THE HIATUS BETWEEN TOWNSHIP 44 SOUTH AND TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (E.½) OF LOT 2 OF SAID TRACT 40; THENCE S.88°08'56" E., ALONG THE NORTH LINE OF SAID TRACT 40, BEING ALSO THE CENTERLINE OF STATE ROAD S-812, A DISTANCE OF 1145.00 FEET; THENCE SOUTH 23°18'35"E., A DISTANCE OF 44.19 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT OF WAY LINE OF SAID STATE ROAD S-812 AND THE POINT OF BEGINNING; THENCE CONTINUE S.23°18'35"E., A DISTANCE OF 376.43 FEET; THENCE S.89°43'11"W., PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF

283.86 FEET; THENCE N.22°52'52"W., A DISTANCE OF 386.73 FEET TO AN INTERSECTION WITH THE SAID SOUTH RIGHT OF WAY LINE OF STATE ROAD S-812; THENCE S.88°08'56"E., ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 285.36 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR ROAD AND UTILITIES PURPOSES OVER THE WEST 25 FEET THEREOF. AS MEASURED AT RIGHT ANGLES.

TOGETHER WITH:

A PARCEL OF LAND LYING IN TRACT 40 OF SUBDIVISION OF THE HIATUS BETWEEN TOWNSHIP 44 SOUTH AND TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE EAST HALF (E.½) OF LOT 2 OF SAID TRACT 40; THENCE S.88°08'56"E., ALONG THE NORTH LINE OF SAID TRACT 40, BEING ALSO THE CENTERLINE OF STATE ROAD S-812, A DISTANCE OF 1135.0 FEET; THENCE S.23°18'35"E., A DISTANCE OF 420.62 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.23°18'35"E., A DISTANCE OF 384.66 FEET; THENCE S.89°43'11"W., PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 286.95 FEET; THENCE N.22°52'52"W., A DISTANCE OF 383.46 FEET; THENCE N.89°43'11"E., PARALLEL WITH THE SAID SOUTH LINE OF TRACT 40, A DISTANCE OF 283.86 FEET TO THE POINT OF BEGINNING.

SUBJECT TO AN EASEMENT FOR ROAD AND UTILITIES PURPOSES OVER THE WEST 25 FEET THEREOF, AS MEASURED AT RIGHT ANGLES.

LESS AND NOT INCLUDING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT OF WAY PURPOSES FOR HAGEN RANCH ROAD (OFFICIAL RECORDS BOOK 5298, PAGE 738) IN THE HIATUS IN TOWNSHIP 44 ½ SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY PLAT NO. 13, AMENDED TO SHEET NO. 4 OF PLAT 3, PALM BEACH COUNTY, AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 33, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE N.88°32'15"W. (BEARINGS USED FOR DATA, NORTH-SOUTH MID-SECTION LINE, SECTION 3-45-42, BEARING N.0°47'13"W.) ALONG THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 852.45 FEET; THENCE S.1°27'45"W., A DISTANCE OF 67.00 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD AND THE POINT OF BEGINNING; THENCE S.23°41'35"E., A DISTANCE OF 731.37 FEET TO A POINT WHICH IS 380.31 FEET NORTHERLY OF THE SOUTH LINE OF SAID TRACT 40; THENCE S.89°19'28"W., ALONG A LINE WHICH IS PARALLEL WITH THE SOUTH LINE OF SAID TRACT 40, A DISTANCE OF 1.17 FEET; THENCE N.23°51'21"W., A DISTANCE OF 732.39 FEET TO A POINT ON THE SOUTH LINE OF LANTANA ROAD; THENCE S.88°32'15"E., ALONG SAID LINE, A DISTANCE OF 3.48 FEET TO THE POINT OF BEGINNING.

AND LESS AND NOT INCLUDING:

BEING A PORTION OF LAND FOR ADDITIONAL RIGHT OF WAY PURPOSES FOR LANTANA ROAD (C.R. 812) IN THE HIATUS PARCEL IN TOWNSHIP 44 ½ SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; SAID PORTION BEING PART OF LOT 1, TRACT 40 OF THE PALM BEACH FARMS COMPANY PLAT NO. 13, AMENDED TO SHEET NO. 4 OF PLAT 3, PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 6, PAGES 98 AND 99, INCLUSIVE, AND BEING MORE PARTICULARLY DESCRIBED AS

FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 44 SOUTH, RANGE 42 EAST; THENCE N.88°32'15"W. (BEARINGS USED FOR THIS PROJECT AND HEREIN ARE BASED ON PALM BEACH COUNTY SECTIONAL DATA, NORTH-SOUTH MID-SECTIONLINE, SECTION 3-45-42, BEARING N.0°47'13"W.) ALONG THE SOUTHLINE OF SAID SECTION. A DISTANCE OF 865.12 FEET; THENCE S.23°41'35"E., A DISTANCE OF 29.83 FEET; THENCE N.88°32'15"W., A DISTANCE OF 173.49 FEET; THENCE N.84°43'24"W., A DISTANCE OF 115.92 FEET; THENCE N.23°15'49"W., A DISTANCE OF 21.24 FEET TO THE SOUTHLINE OF LANTANA ROAD; THENCE S.88°32'15"E., ALONG SAIDLINE 285.36 FEET TO THE POINT OF BEGINNING, being located on the southwest corner of Lantana Road and Hagen Ranch Road, in the RTS-Residential Transitional Suburban Zoning District, is approved.

Commissioner Masiolotti 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	—	Aye
JEFF KOONS	—	Aye
WARREN H. NEWELL	—	Absent
MARY MCCARTY	—	Aye
BURT AARONSON	—	Absent
ADDIE L. GREENE	—	Aye

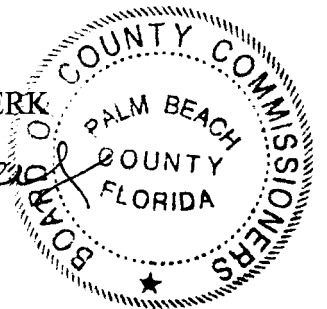
The Chair thereupon declared the resolution was duly passed and adopted this 9 day of January, 2003.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: \_\_\_\_\_  
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK  
BY: Jean Hawley  
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 30 day of January, 2003.