

RESOLUTION NO. R-99- 1146

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 89-96.7
TO REVOKE THE SPECIAL EXCEPTION
FOR PROPERTY PREVIOUSLY GRANTED A SPECIAL EXCEPTION BY
RESOLUTION NO. R-90-350
APPROVING THE PETITION OF K.E.I. PALM BEACH CENTRE, LTD.
PETITION NO. 89-96

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 89-96.7 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on June 29, 1999; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 89-96.7 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 revocation of the Special Exception is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.
2. The project does not meet the Countywide Traffic Performance Standards.
3. Status reports beginning in 1992 stated that the project did not meet the Countywide Traffic Performance Standards.
4. The development order for the special exception was approved more than nine years ago.
5. Development of the Special Exception has not commenced.

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 89-96.7, to revoke the Special Exception previously granted by the approval of the petition of K.E.I. Palm Beach Centre, Ltd., Petition No. 89-96, confirmed by the adoption of Resolution R-90-350, which permitted government services and accessory buildings and structures (Palm Beach County School Board warehouse and distribution center), on a parcel lying in Section 5, Township 44 South, Range 43 East, described as follows: Beginning at the Southwest corner of Lot 28A of "Morrison Homes" in Plat Book 23, Page 189, 190; thence North 03 Degrees 26' 12" East

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along the West line of said Lot 28A, a distance of 100.01 feet; thence South 87 Degrees 33' 00" East, long the North line of said Lot 28A, a distance of 153.75 feet; thence North 03 Degrees 26' 12" East along the West line of Government Lot 3 of said Section 5, a distance of 598.21 feet to a point on the Southwest corner of a parcel described in Official Record Book 1872 at page 618; thence South 87 Degrees 33' 00" East along the South boundary line of said parcel for 138.00 feet; thence South 03 Degrees 26' 12" West along the westerly boundary line of a parcel of land described in Official Records Book 1891 at Page 12 for 10.00 feet; thence South 87 Degrees 33' 00" East along the Southerly boundary line of said parcel for 200.31 feet; thence North 03 Degrees 31' 45" East along the Easterly boundary line of said parcel for 139.18 feet to a point on the southerly right-of-way line of the West Palm Beach Canal (said point being on the arc of a curve with a radial line thru said point bearing North 24 Degrees 08' 51" East); thence Southeasterly along the arc of said curve to the right having a radius of 2764.91 feet and a central angle of 07 Degrees 42' 52" for an arc distance of 372.27 feet to a point on the West line of the East 1/2 of said Government Lot 3 (said line also known as the West boundary line of "Oak Ridge", an unrecorded subdivision; thence South 03 Degrees 37' 18" West along said line for 846.98 feet to a point on the northerly line of the right-of-way described in Deed Book 931 at Pages 19 and 21; thence North 87 Degrees 33' 00" West along said North line, a distance of 337.35 feet to a point of intersection with the Northerly projection of the East line of Lot 14, "Morrison Suburban Development", Plat Book 20 Page 40 thence South 03 Degrees 26' 12" West along said projection line and the East line thereof, a distance of 223.88 feet; thence North 87 Degrees 33' 00" West along the South line of the North 1/2 of said Lot 14 and the Westerly projection thereof, a distance of 336.81 feet to a point of intersection with the East line of Lot 79 of "Morrison Homes"; thence South 03 Degrees 26' 12" West along said East line, a distance of 21.46 feet to the Southeast corner thereof; thence North 87 Degrees 33' 00" West along the South line of said Lot 79, a distance of 100.00 feet; thence North 02 Degrees 27' 00" East, a distance of 179.30 feet to the Northwest corner of said Lot 79; thence North 87 Degrees 33' 00" West along the North line of Lot 80 of said "Morrison Homes", a distance of 50.66 feet to a point of intersection with the Southerly projection of the West line of Lots 77 and 78 of said "Morrison Homes"; thence North 03 Degrees 26' 12" East along said projection line and the West line thereof, a distance of 246.03 feet to the Point of Beginning., being located on the southeast and northeast sides of intersection of Gun Club Road and Farmdale Road and bounded on the north by the Palm Beach Canal, in the IL-Light Industrial Zoning District, is approved.

Commissioner Masilotti moved for approval of the Resolution.

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

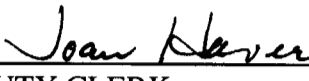
MAUDE FORD LEE, CHAIR	—	Aye
WARREN H. NEWELL, VICE CHAIR	—	Absent
BURT AARONSON	—	Aye
KAREN T. MARCUS	—	Absent
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye
CAROL ROBERTS	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 29 day of June, 1999.

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: 
DEPUTY CLERK

