

RESOLUTION NO. R-2004-0397

RESOLUTION REVOKING RESOLUTIONS
R-1979-0925, R1990-1431, R-1999-1145 and R-2001-1356
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING PETITIONS SE1979-134, DOA1979-134A,
AND STATUS REPORTS SR1979-134A.5 and CR1979-134A

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider petitions related to zoning; and

WHEREAS, Zoning Petitions SE1979-134, DOA1979-134A, and Status Reports SR1979-134A.5 and CR1979-134A were presented to the Board of County Commissioners at a public hearings on June 23, 1979, May 2, 1990, June 29, 1999 and August 23, 2001; and

WHEREAS, Resolutions R-1979-0925, R1990-1431, R-1999-1145 and R-2001-1356 approving these petitions and status reports were adopted by the Board of County Commissioners on July 24, 1979, August 28, 1990, June 29, 1999, and August 23, 2001; and

WHEREAS, the Zoning Director has determined the request to administratively abandon the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively abandoned the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067); and

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on February 26, 2004; and

WHEREAS, Article 2.A.1.k.3.b. (Action by Board of County Commissioners) of the Palm Beach County Unified Land Development Code requires that 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 Resolution R-1979-0925 approving Zoning Petition SE1979-134 the petition of Praeceptor Properties Inc., by Joanne Platte and Hannelore Corbo-Cralle, agent, for a Special Exception to allow a daycare; and Resolution R1990-1431, approving Zoning Petition DOA1979-134A the petition of Florida Childcare Properties I, L.C., by Lee Starkey, agent, for a Development Order Amendment to amend the site plan for a daycare center and to increase capacity to 134 children; and Resolution R-1999-1145 approving Status Report SR1979-134A.5, which approved a Development Order Amendment to Revoke the part of the Special Exception which increased the capacity of a daycare center to a maximum of 134 children and amended conditions of approval of R-1990-1431; and Resolution R-2001-1356, approving Status Report CR1979-134A, which amended Conditions of approval of R-1999-1145 are hereby revoked.

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 Chair	- Aye
Jeff Koons	- Aye
Warren H. Newell	- Aye
Mary McCarty	- Aye
Burt Aaronson	- Aye
Addie L. Greene	- Aye

The Chair thereupon declared that 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

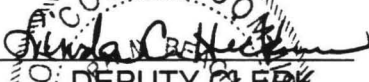

BY: 


EXHIBIT A

LEGAL DESCRIPTION

On a parcel of land being a portion of Tract 57, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, No. 2, recorded in Plat Book 1, Page 102. Commencing at the Southeast corner of Section 25, Township 47 South, Range 41 East; thence Northerly along the East line of said Section 25, a distance of 330.00 feet; thence Westerly along a line which forms an angle of 89 degrees 32'26" to the left, with a prolongation of last described course, a distance of 1652.32 feet to a point on the North line of said Tract 57 and the POINT OF BEGINNING; thence Southerly along a line which forms an angle of 90 degrees 34'00" to the left with a prolongation of last described course, a distance of 3 15.17 feet to a point on the South line of said Tract 57; thence Westerly along the South line of said Tract 57 which forms an included angle of 89 degrees **26'30"** with last described course a distance of 188.21 feet; thence Northerly along a line which forms an included angle of 90 degrees 33'30" with last described course, a distance of **3 15.19** feet to a point on the North line of said Tract 57; thence Easterly along the North line of said Tract 57, a distance of **138.2 1** feet to the POINT OF BEGINNING, being located on the south side of Sandalfoot Boulevard, 1/4 mile west of SR7/US 441,