

RESOLUTION NO. R-2009-0488

RESOLUTION REVOKING RESOLUTION R- 1995-00522
(CONTROL NO. 1995-00003)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/Z/CA-2008-00447

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 applications related to zoning; and

WHEREAS, Zoning Application ABN/Z/CA-2008-00447 was presented to the Board of County Commissioners at a public hearing conducted on March 30, 2009; and

WHEREAS, Resolution R-1995-00522 was adopted by the Board of County Commissioners on April 27, 2005; and

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

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on March 30, 2009; and

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Zoning application ABN/Z/CA 2008-447, the petition of West Jupiter Community Group Inc, by Jan Polson, agent for an Legislative Abandonment to abandon a Class A Condition Use previously approved in Resolution R-1995-0522, an application of CA1995-003, in the Residential Transitional Urban (RTU) Zoning District, on a parcel of land legally described in Exhibit A, attached hereto and made part hereof, and generally located as shown on a vicinity sketch as indicated in Exhibit B, attached hereto and made a part hereof, was approved on March 30, 2009.

Commissioner Marcus moved for the approval of the Resolution.

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

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 30, 2009.

Filed with the Clerk of the Board of County Commissioners on April 2, 2009.

This resolution is effective when filed with the Clerk of the Board of County


Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R. BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION (ORB 8363, PAGE 1704 & ORB 3866, PAGE 1495)

(NOTE: This description in ORB 8363, Page 1704 is the most current recorded in the public records, however, it uses the description in ORB 3866, Page 1495, which was found to be in error and was corrected by ORB 6727, Page 1423. The current deed should be corrected to that description shown in ORB 6727, Page 1423.)

The South 1/4 of the Southeast 1/4 of the Southeast 1/4, less the East 902.37 feet and the West 205 feet thereof in Section 33, Township 40 South, Range 42 East, lying and being in Palm Beach County, Florida.

LEGAL DESCRIPTION (ORB 6727, PAGE 1423)

(NOTE: This is a corrective description to that recorded in ORB 3866, Page 1495 and was used as a basis for this survey. This description is in agreement with neighbor's deed to east and west of property.)

Parcel "E" The West 212.71' of the East 1115.08' of the South 10 Acres, more or less, of the SE ¹/₄ of the SE ¹/₄ of Section 33, Township 40 S., Range 42 E., Palm Beach County, Florida Subject to an easement for ingress and egress over the South 30' Together with an easement for ingress and egress over the South 30' of the East 902.37' of said Section 33.