

RESOLUTION NO. R-2013- 0652

RESOLUTION REVOKING RESOLUTION R-75-957
(CONTROL NUMBER 1975-00168)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION SV/ABN/Z/CA-2012-03116

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 Application SE-75-168 was presented to the Board of County Commissioners at a public hearing on December 18, 1975; and

WHEREAS, Resolution R-75-957 approving this application was adopted by the Board of County Commissioners on December 18, 1975 and

WHEREAS, the Zoning Director has determined the request to legislatively 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, as amended), meets the requirements contained therein; and

WHEREAS, the Zoning Director has legislatively 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, as amended) and

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on 1975-00168; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code (ULDC) 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-75-957, approving Zoning Application SE-75-168, the petition of J. L. Wagner, by Joseph L. Wagner, agent, for a Special Exception to allow an Interim Sewage Treat is hereby revoked.

Commissioner Taylor moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Mayor	-	Aye
Commissioner Priscilla A. Taylor, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye


The Chair thereupon declared that the resolution was duly passed and adopted on May 23, 2013.

Filed with the Clerk of the Board of County Commissioners on 30th day of May, 2013

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK




EXHIBIT A

LEGAL DESCRIPTION

ELS CENTER OF EXCELLENCE LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 34: THENCE N 00°01'05" E, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34 (BEARING BASIS), 1830.17 FEET TO THE INTERSECTION WITH A LINE 1830.00 FEET NORTH OF AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 34; THENCE S 89°15'49" E, 30.00 FEET ALONG SAID LINE TO THE INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF LIMESTONE CREEK ROAD AND THE POINT OF BEGINNING; THENCE N 00°01'05" E ALONG SAID EAST RIGHT-OF-WAY LINE, 315.02 FEET TO THE INTERSECTION WITH A LINE 2145.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE S 89°15'49" E ALONG SAID LINE, 200.02 FEET TO THE INTERSECTION WITH A LINE 230.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 34; THENCE N 00°01'05" E ALONG SAID LINE, 215.02 FEET TO THE INTERSECTION WITH A LINE 2360.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE S 89°15'49" E ALONG SAID LINE, 100.01 FEET TO THE INTERSECTION WITH A LINE 330.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE N 00°01'05" E ALONG SAID LINE, 283.07 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE SHORES PLAT 2, AS RECORDED IN PLAT BOOK 55, PAGES 162-166, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S 89°54'36" E ALONG SAID SOUTH LINE, 999.91 FEET TO THE WEST LINE OF THE PLAT OF THE SHORES PLAT 1, AS RECORDED IN PLAT BOOK 54, PAGES 162-167, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, THENCE S 00°10'26" E ALONG SAID WEST LINE, 1004.46 FEET TO THE INTERSECTION WITH A LINE 1650.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF SOUTHWEST QUARTER OF SECTION 34; THENCE N 89°15'49" W ALONG SAID LINE, 1053.36 FEET TO THE INTERSECTION WITH A LINE 280.00 FEET EAST OF AND PARALLEL TO SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE N 00°01'05" E ALONG SAID LINE, 180.01 FEET TO THE INTERSECTION WITH A LINE 1830.00 FEET NORTH OF AND PARALLEL TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE N 89°15'49" W ALONG SAID LINE, 250.02 FEET TO THE POINT OF BEGINNING.
BEING PART OF THE FOLLOWING DESCRIBED PARCELS:

PARCEL 1

THE NORTH 250 FEET OF THE SOUTH 2,610 FEET OF THE EAST 300 FEET OF THE WEST 630

FEET OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM

BEACH COUNTY, FLORIDA, ALSO DESCRIBED AS LOTS 15 THROUGH 20, INCLUSIVE, OF PALM

GARDENS, FIRST ADDITION, AN UNRECORDED PLAT.

PARCEL 2

THE WEST ONE-HALF (W 1/2) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 34,

TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS ALL PARCELS

PREVIOUSLY CONVEYED, KNOWN AS LOTS 15 THROUGH 31, LOT 125, AND LOTS 127 THROUGH 317, INCLUSIVE, PALM GARDENS, FIRST ADDITION, AN UNRECORDED PLAT IN PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF LAND IN THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH County Florida