

RESOLUTION NO. R-2013- 0653

RESOLUTION APPROVING ZONING APPLICATION SV/ABN/Z/CA-2012-03116
(CONTROL NO. 1975-00168)
an Official Zoning Map Amendment
APPLICATION OF Glenn Mestellar, Cheryl Justus
BY Cotleur & Hearing, Inc., AGENT
(Els Center of Excellence)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended), have been satisfied; and

WHEREAS, Zoning Application SV/ABN/Z/CA-2012-03116 was presented to the Board of County Commissioners at a public hearing conducted on May 23, 2013; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.1.B.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified 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 Zoning Application SV/ABN/Z/CA-2012-03116, the application of Glenn Mestellar, Cheryl Justus, by Cotleur & Hearing, Inc., agent, for an Official Zoning Map Amendment to allow a Rezoning from the Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on May 23, 2013.

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
Commissioner Mary Lou Berger
Commissioner Jess R. Santamaria

- Aye
- Aye
- Aye

The Chairperson 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 May 30th, 2013.

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

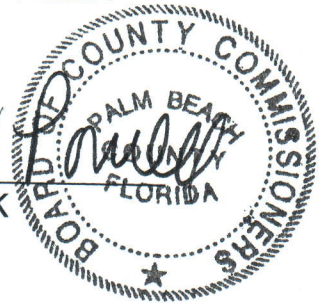


EXHIBIT A

LEGAL DESCRIPTION

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:

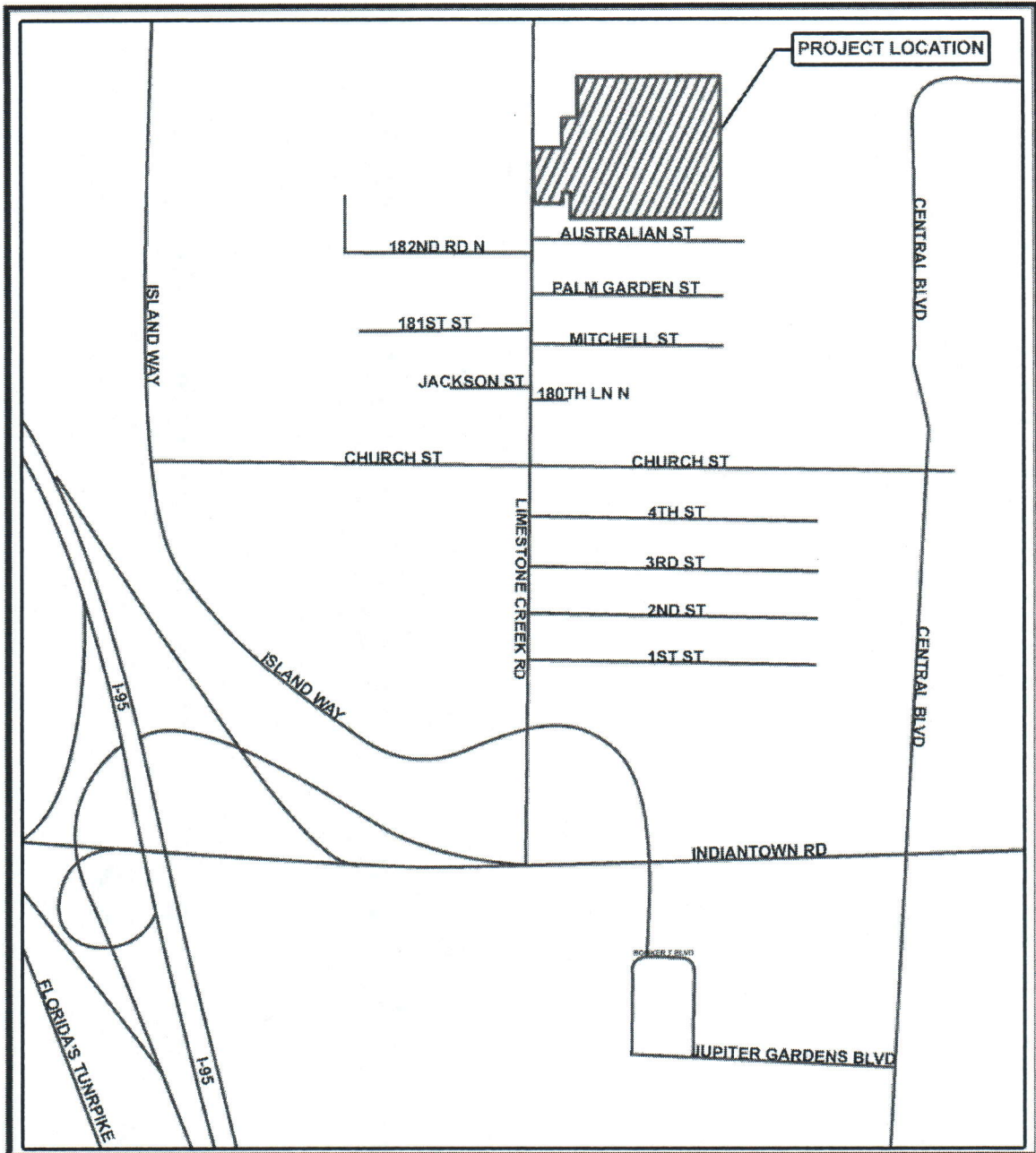
PARCEL 1

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

EXHIBIT B
VICINITY SKETCH



Location Map
Els Center of Excellence
Jupiter, FL



**Cotleur &
Hearing**
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