

RESOLUTION NO. R-2015- 0116

RESOLUTION REVOKING THE CONDITIONAL OVERLAY ZONE (COZ)
GRANTED UNDER RESOLUTION R-2008-0687
(CONTROL NUMBER 1991-00027)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION EAC/ABN-2014-01888

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;

WHEREAS, Zoning Application ZV/Z-2007-1380 was presented to the Board of County Commissioners at a public hearing on April 24, 2008;

WHEREAS, Resolution R-2008-0687 approving this application was adopted by the Board of County Commissioners on April 24, 2008

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Conditional Overlay Zone (COZ), 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;

WHEREAS, the Zoning Director presented the abandonment of the Conditional Overlay Zone (COZ) to the Board of County Commissioners for ratification on January 29, 2015;

WHEREAS, the Board of County Commissioner has legislatively abandoned the Conditional Overlay Zone (COZ), 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, 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 the Conditional Overlay Zone (COZ) granted under Resolution R-2008-0687, approving Zoning Application ZV/Z-2007-1380, the petition of Atlantis Reserve, by Land Design South, Inc., agent, for an Official Zoning Map Amendment with a Conditional Overlay Zone is hereby revoked.

Commissioner Berger moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on January 29, 2015.

Filed with the Clerk of the Board of County Commissioners on 30th day of January, 2015.

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
COUNTY
FLORIDA



EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

From the Southeast corner of the Southwest quarter of Section 36, Township 44 South, Range 42 East, run North along the East line of said quarter section a distance of 1573.33 feet; thence run Westerly at an angle of 89 Degrees 50'17" from the last preceding course, measured from North to West, a distance of 50.00 feet to a **POINT OF BEGINNING**.

From the **POINT OF BEGINNING** run Westerly on a prolongation of the last preceding course a distance of 212.50 feet; thence Northerly on a line parallel to the East line of said quarter section a distance of 190.470 feet; thence Easterly on a line which forms an angle of 90 Degrees 13'18" with the East line of said quarter section measured from West to South, a distance of 212.50 feet; thence Southerly on a line parallel to the East line of said quarter section a distance of 190.250 feet to the **POINT OF BEGINNING**. **LESS** the East 3.00 feet of said Tract and **LESS AND EXCEPT** the following described land known as Parcel 221 contained in instruments recorded in Official Record Book 6048, Page 1155 and Official Record Book 6981, Page 1785.

A portion of the Southwest one-quarter (SW $\frac{1}{4}$) of Section 36, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

COMMENCE at the South one-quarter (S $\frac{1}{4}$) of said Section 36; thence North 1 Degrees 47'03" East, along the North-South one-quarter (N-S $\frac{1}{4}$) Section line of said 36, a distance of 1573.66 feet; thence North 88 Degrees 12'57" West as measured at right angles to said North-South one-quarter (N-S $\frac{1}{4}$) line of Section 36, a distance of 53.00 feet to a point on the existing Westerly right-of-way line of Military Trail, as recorded in Official Record Book 3735, Page 701, said point also being the **POINT OF BEGINNING**; thence North 88 Degrees 02'55" West, a distance of 14.00 feet; thence North 1 Degrees 47'03" East, parallel with and 14.00 feet West of said existing Westerly right-of-way line of Military Trail, a distance of 190.34 feet; thence South 87 Degrees 59'23" East, a distance of 14.00 feet, to a point on said existing Westerly right-of-way of Military Trail; thence South 1 Degrees 47'03" West, along said existing Westerly right-of-way line of Military Trail, a distance of 190.32 feet to the **POINT OF BEGINNING**.

PARCEL 2:

Lot 3, **PINE RIDGE ESTATES**, an unrecorded subdivision, more particularly described as follows:

The East 106.0 feet of the following described parcel:

From the Southeast corner of the Southwest quarter of Section 36, Township 44 South, Range 42 East, run North along the East line of said quarter section a distance of 1573.22 feet; thence run Westerly at an angle of 90 Degrees 09'43" measured from South to a West a distance of 50.00 feet to a point; thence running Westerly on a prolongation of the last preceding course, a distance of 530.50 feet to a **POINT OF BEGINNING** of the lands herein described thence Northerly on a line parallel to the East line of said quarter section, a distance of 190.80 feet; thence Easterly on a line which forms an angle of 89 Degrees 46'42" measured from South to East, a distance of 318 feet; thence Southerly on a line parallel to the East line of said quarter section, a distance of 190.47 feet; thence West on a line parallel to the next to the last course, a distance of 318 feet to the **POINT OF BEGINNING**, **LESS** the West 106 feet thereof.

TOGETHER WITH right of ingress and egress over a 30 foot strip of land running West from Military Trail, more particularly described as follows:

BEGINNING at the Southeast corner of the Southwest quarter of Section 36, Township 44 South, Range 42 East; thence North along the quarter of section line a distance of 1793.426 feet to a point in the center of Military Trail; thence West on a angle of 90 Degrees 13'18" from South to West a distance of 50 feet to the **POINT OF BEGINNING**; thence continue West on the last course a distance of 1292.71 feet to a point; thence South on an angle of 89 Degrees 37'15" from East to South a distance of 30 feet to a point; thence East on an angle of 90 Degrees 02'45" from North to East a distance of 1292.79 feet to a point; thence North on an angle 89 Degrees 46'42" from West to North a distance of 30 feet to the **POINT OF BEGINNING**.