

RESOLUTION NO. R-2016- 0544

RESOLUTION REVOKING RESOLUTIONS R-2005-817 AND R-2007-1242
(CONTROL NUMBER 2003-00061)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/Z/CA-2015-01717

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;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application PDD/TDR-2003-00061 was presented to the Board of County Commissioners at a public hearing on April 28, 2005, and TDR-2006-1931 was presented to the Board of County Commissioners at the public hearing on July 26, 2007;

WHEREAS, Resolutions R-2005-0817 and R-2007-1242 approving these Applications were adopted by the Board of County Commissioners on April 28, 2005 and July 26, 2007;

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 ULDC, meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Board of County Commissioners for ratification on April 28, 2016 ; and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the 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 Resolutions R-2005-0817 and R-2007-1242, approving Zoning Application PDD/TDR-2003-00061 and TDR-2006-1931, the applications of Kirk & Susan Angelocci, by Land Design South, Agent, for a Requested Use to allow the Transfer of Development Rights for 37 units and designate the application as the receiving area in the Residential Planned Unit Development Zoning District and for the Transfer of Development Rights for 14 units and to designate the application the receiving area for those units are hereby revoked.

Commissioner Abrams moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on April 28, 2016.

Filed with the Clerk of the Board of County Commissioners on May 6th, 2016

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 PER TITLE POLICY:

PARCEL 1:

THE WEST ONE-HALF OF THE EAST ONE-HALF OF THE EAST ONE-HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, BEING A PART OF LOTS 21 TO 24, INCLUSIVE OF MODEL LAND COMPANY SUBDIVISION, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 78. LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE AND ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE DISTRICT L-9 CANAL.

PARCEL 2:

THE NORTH 464 FEET OF THE EAST 138 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE.

PARCEL 3:

THE EAST 138 FEET OF THE SOUTH 36 FEET OF THE NORTH 500 FEET OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 4:

THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPT THE NORTH 500.0 FEET OF THE EAST 138.0 FEET, THEREOF. ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF PURDY LANE AND ALSO LESS AND EXCEPT THE RIGHT-OF-WAY OF THE LAKE WORTH DRAINAGE DISTRICT L-9 CANAL.

ALSO LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCELS FROM PARCEL 4 ABOVE:

PARCEL B:

FROM THE NORTHEAST CORNER OF TRACT 21 OF THE MODEL LAND COMPANY SUBDIVISION OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 5, PAGE 78 IN PALM BEACH COUNTY, FLORIDA, PUBLIC RECORDS, RUN SOUTH 89°31'20" WEST ALONG THE NORTH LINE OF SAID TRACT 21, 470.12 FEET TO A POINT; THENCE SOUTH 0° 2' 30" EAST A DISTANCE OF 280 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 0° 2'30" EAST A DISTANCE OF 110 FEET TO A POINT; THENCE WEST A DISTANCE OF 97.35 FEET TO A POINT; THENCE NORTH A DISTANCE OF 110 FEET TO A POINT; THENCE EAST A DISTANCE OF 97.27 FEET TO THE POINT OF BEGINNING. LESS THEREFROM THE WEST 15 FEET FOR ROADWAY PURPOSES.

PARCEL C:

PART OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF MODEL LAND CO. SUBDIVISION OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, LESS THE NORTH 500 FEET OF THE EAST 138 FEET THEREOF ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA IN PLAT BOOK 5, PAGE 78, PALM BEACH COUNTY, PUBLIC RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTHERLY ALONG THE EAST LINE OF THE ABOVE DESCRIBED PROPERTY, A DISTANCE OF 500.0 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF THE ABOVE DESCRIBED PROPERTY, A DISTANCE OF 138 FEET TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF BEGINNING, CONTINUE WESTERLY ALONG THE SAME COURSE A DISTANCE OF 97.43 FEET; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF THE ABOVE DESCRIBED PROPERTY A DISTANCE OF 110 FEET; THENCE EASTERLY PARALLEL WITH THE WESTERLY COURSE OF AFORE-DESCRIBED, A DISTANCE OF 97.35 FEET; THENCE SOUTHERLY ALONG THE EAST LINE OF THE ABOVE DESCRIBED PROPERTY A DISTANCE OF 110 FEET TO THE POINT OF BEGINNING.

PARCEL D:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; THENCE RUNNING SOUTH 2° 13' 57" W ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 1300.85 FEET TO THE CENTER LINE OF PURDY LANE AS LAID OUT AND IN USE; THENCE SOUTH 88°07'33" WEST; ALONG THE CENTER LINE OF SAID PURDY LANE AND PARALLEL TO THE NORTH LINE OF THE SOUTH ONE HALF (1/2) OF THE NORTHEAST ONE-QUARTER (1/4) OF SAID SECTION 14, A DISTANCE OF 2001.98 FEET; THENCE SOUTH 2° 25' 12" WEST A DISTANCE OF 270.74 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 2° 25' 12" WEST A DISTANCE OF 110 FEET; THENCE SOUTH 88°13' 10" EAST A DISTANCE OF 97 FEET; THENCE N 2° 25' 12" EAST A DISTANCE OF 110 FEET; THENCE SOUTH 88° 13'10" WEST A DISTANCE OF 97 FEET

TO THE POINT OF BEGINNING.

ALSO LESS AND EXCEPT THE RIGHT-OF-WAY FOR WESTWOOD ROAD AS NOW LAID OUT AND IN USE AND AS DESCRIBED IN DEEDS RECORDED IN O.R. BOOK 2730, PAGE 1808; O.R. BOOK 2730, PAGE 1811; O.R. BOOK 2730, PAGE 1830; O.R. BOOK 2730, PAGE 1832; O.R. BOOK 2730, PAGE 1834 AND O.R. BOOK 2771, PAGE 688, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOTAL AREA CONTAINING 593,196.81 SQUARE FEET OR 13.618 ACRES, MORE OR LESS.