

RESOLUTION NO. R-2019- 0167

RESOLUTION REVOKING RESOLUTION R-2017-0365
(CONTROL NUMBER 2013-00345)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN-2017-02480

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application Z/CA-2015-02509 was presented to the Board of County Commissioners at a public hearing on March 23, 2017;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, Resolution R-2017-0365 was adopted by the Board of County Commissioners on March 23, 2017;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) 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 Resolution R-2017-0365 approving Zoning Application Z/CA-2015-02509, the application of Pho Chieu Buddhist Center, Inc., by Sycamore Engineering, Inc. Agent, for a Class A Conditional Use to allow a Place of Worship is hereby revoked.

Commissioner McKinlay moved for the approval of the Resolution.

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

Commissioner Mack Bernard, Mayor	-	Aye
Commissioner Dave Kerner, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Robert S. Weinroth	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Melissa McKinlay	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on January 24, 2019.


Filed with the Clerk of the Board of County Commissioners on February 4th, 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
COUNTY
FLORIDA




EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

PARCEL I:

THE NORTH 160 FEET OF THE EAST 115 FEET OF TRACT 61, BLOCK 24, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO ROAD RIGHT OF WAY FOR INGRESS AND EGRESS PURPOSES ACROSS THE WEST 10 FEET OF THE ABOVE DESCRIBED PARCEL.

TOGETHER WITH A PERPETUAL EASEMENT FOR ROADWAY PURPOSES ACROSS THE WEST 20 FEET OF THE EAST 125 FEET OF SAID TRACT 61.

PARCEL II:

THE SOUTH 80 FEET OF THE NORTH 240 FEET OF THE EAST 115 FEET OF TRACT 61, BLOCK 24, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO ROAD RIGHT OF WAY FOR INGRESS AND EGRESS PURPOSES ACROSS THE WEST 10 FEET OF THE ABOVE DESCRIBED PARCEL.

TOGETHER WITH A PERPETUAL EASEMENT FOR ROADWAY PURPOSES ACROSS THE WEST 20 FEET OF THE EAST 125 FEET OF SAID TRACT 61.

PARCEL III:

THE EAST 115 FEET OF TRACT 61, BLOCK 24, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 240 FEET AND THE SOUTH 267.84 FEET THEREOF.

SUBJECT TO ROAD RIGHT OF WAY FOR INGRESS AND EGRESS PURPOSES ACROSS THE WEST 10 FEET OF THE ABOVE DESCRIBED PARCEL.

TOGETHER WITH A PERPETUAL EASEMENT FOR ROADWAY PURPOSES ACROSS THE WEST 20 FEET OF THE EAST 125 FEET OF SAID TRACT 61.

PARCEL IV:

BEGINNING AT A POINT 57.84 FEET NORTH OF THE SOUTHEAST CORNER OF TRACT 61, BLOCK 24, ACCORDING TO THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WHICH POINT OF BEGINNING BEING WHERE THE EAST BOUNDARY OF SAID TRACT 61 INTERSECTS THE NORTH BOUNDARY OF THE RIGHT OF WAY OF STATE ROAD 802; THENCE RUN NORTH 210 FEET ALONG THE EAST BOUNDARY OF SAID TRACT 61 TO A POINT; THENCE, RUN WEST 105 FEET TO A POINT; THENCE RUN SOUTH ALONG A LINE, PARALLEL TO THE EAST BOUNDARY OF THE SAID TRACT 61 FOR A DISTANCE OF APPROXIMATELY 210 FEET TO A POINT WHERE THE SAID LINE INTERSECTS THE NORTH BOUNDARY OF THE RIGHT OF WAY OF STATE ROAD 802; THENCE RUN IN AN EASTERLY DIRECTION ALONG THE NORTH BOUNDARY OF THE RIGHT OF WAY OF SAID STATE ROAD 802 TO THE POINT OF BEGINNING.