

RESOLUTION NO. R-2020- 1622

RESOLUTION REVOKING RESOLUTION R-1998-1513  
(CONTROL NUMBER 2018-00158)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN/ZV/PDD/CA-2019-01200

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 (ULDC), Ordinance 2003-067, Supplement 26, have been satisfied;

WHEREAS, Zoning Application ABN/ZV/PDD/CA-2019-01200 was presented to the Board of County Commissioners at a public hearing on October 22, 2020;

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-1998-1513 was adopted by the Board of County Commissioners on September 24, 1998;

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-1998-1513, approving Zoning Application CA-1989-00027, the application of Felix Fundora, by Carlos Gonzalez, Agent, for a Class A Conditional Use to allow a Daycare, general (170 children) in a Single Family Residential (RS) Zoning District, is hereby-revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on October 22, 2020.

Filed with the Clerk of the Board of County Commissioners on November 4th, 2020

This Resolution shall not become effective unless or until the effective date of Large-Scale Future Land Use Atlas Amendment No. LGA-2020-003.

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

PARCEL 1:

THE NORTH 160 FEET OF THE FOLLOWING DESCRIBED LAND: A PART OF TRACT 62, BLOCK 5, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, DESCRIBED AS FOLLOWS:

STARTING AT A POINT ON THE WEST LINE OF SAID TRACT 62, WHERE IT INTERSECTS THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80; THENCE RUNNING EAST ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80, A DISTANCE OF 125 FEET 11 INCHES, MORE OR LESS TO A POINT IN A LINE WHICH IS PARALLEL TO AND 125 FEET EAST OF, MEASURED AT RIGHT ANGLES, THE WEST LINE OF SAID TRACT 62; THENCE RUN NORTHERLY ALONG SAID LINE, PARALLEL TO THE WEST LINE OF SAID TRACT 62, A DISTANCE OF 317 FEET; THENCE RUN WEST PARALLEL TO THE NORTH RIGHT OF WAY LINE OF SOUTHERN BOULEVARD, A DISTANCE OF 125 FEET 11 INCHES, MORE OR LESS, TO THE WEST LINE OF SAID TRACT 62; THENCE RUN SOUTH ALONG WEST LINE OF TRACT 62, A DISTANCE OF 317 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE WEST 15 FEET THEREOF AS CONVEYED TO PALM BEACH COUNTY IN OFFICIAL RECORDS BOOK 6495, PAGE 88, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2

THE NORTH 160 FEET OF THE FOLLOWING DESCRIBED LAND:

A PART OF TRACT 62, BLOCK 5, THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT, IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 AS IN ROAD PLAT BOOK 2, PAGES 11 TO 18, WHERE SAID RIGHT OF WAY LINE INTERSECTS THE WEST LINE OF SAID TRACT 62; THENCE RUN EASTERLY ON THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80, A DISTANCE OF 243.11 FEET, MORE OR LESS, TO THE POINT OF BEGINNING WHICH POINT IS THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED IN DEED BOOK 1098, PAGE 675, TO GUARLING F. SYRMAN, ET UX; THENCE RUN NORTHERLY ON SYRMAN'S WEST LINE AND ITS NORTHERLY EXTENSION TO A POINT IN A LINE PARALLEL TO AND 577.31 FEET SOUTH OF THE NORTH LINE OF SAID TRACT 62; THENCE RUN WESTERLY ON SAID PARALLEL LINE 128 FEET, MORE OR LESS, TO A POINT IN A LINE PARALLEL TO AND 125 FEET EAST OF THE WEST LINE OF TRACT 62, AFORESAID, WHICH POINT IS IN THE EASTERLY BOUNDARY LINE OF A TRACT OF LAND CONVEYED IN OFFICIAL RECORDS BOOK 48, PAGE 451 TO JOHN F. DALEY, ET UX; THENCE RUN SOUTHERLY A DISTANCE OF 322.29 FEET ALONG DALEY'S EASTERLY LINE TO A POINT IN THE NORTHERLY LINE OF STATE ROAD 80; THENCE RUN EASTERLY A DISTANCE OF 128 FEET, MORE OR LESS, ALONG THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80 TO THE POINT OF BEGINNING.

TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS RUNNING FROM THE NORTH RIGHT OF WAY LINE OF STATE ROAD 80, NORTHERLY TO THE SOUTH LINE OF TRACT HEREIN CONVEYED WHICH EASEMENT OVER THE EAST

10 FEET OF LAND CONVEYED TO FRED D. TOSLAND AND BEATRICE I. TOSLAND, HIS WIFE, IN OFFICIAL RECORDS BOOK 202, PAGE 525, AND WHICH EASEMENT HEREIN GRANTED CONSISTS OF THE SAME 7 FEET RESERVED IN SAID DEED, PLUS AN ADDITIONAL 3 FEET.

EXHIBIT B  
VICINITY SKETCH

