

RESOLUTION NO. R-2020- 1784

RESOLUTION REVOKING RESOLUTION R-2019-1956
(CONTROL NUMBER 1997-00008)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN-2020-01227

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 27, have been satisfied;

WHEREAS, Zoning Application ABN/ZV/PDD/CA-2017-00983 was presented to the Board of County Commissioners at a public hearing on December 19, 2019;

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-2019-1956 was adopted by the Board of County Commissioners on December 19, 2019;

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-2019-1956, approving Zoning Application ABN/ZV/PDD/CA-2017-00983 the application of AMKBJ Partners, LTD LLLP, by WGINC, Agent, for a Class A Conditional Use to allow a Workforce Housing Program (WHP) Density Bonus greater than 30 percent, is hereby revoked.

Commissioner Bernard 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 Maria G. Marino - Aye
- Commissioner Gregg K. Weiss - Aye
- Commissioner Maria Sachs - Aye
- Commissioner Melissa McKinlay - Aye
- Commissioner Mack Bernard - Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 23, 2020.

Filed with the Clerk of the Board of County Commissioners on December 3rd, 2020

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 OVERALL PARCEL PCN:

00-42-44-36-08-010-0000; 00-42-44-36-08-016-0060; 00-42-44-36-08-016-0090; 00-42-44-36-08-016-0110; 00-42-44-36-08-009-0030;

A PORTION OF TRACT 9, 10, AND 16 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, "PLAT OF SEC. 36 - T44S, R42E.", ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, THENCE SOUTH 01°47'37" WEST, ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 2736.10 FEET TO THE CENTER OF SAID SECTION 36; THENCE NORTH 87°42'20" WEST ALONG SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 36, A DISTANCE OF 67.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 87°42'20" WEST, ALONG SAID SOUTH LINE, A DISTANCE OF 937.99 FEET; THENCE NORTH 01°55'35" EAST, ALONG THE WEST LINE OF SAID TRACT 10, A DISTANCE OF 1375.08 FEET; THENCE SOUTH 87°18'06" EAST, ALONG THE NORTH LINE OF SAID TRACTS 10 AND 9, A DISTANCE OF 934.89 FEET; THENCE SOUTH 01°47'37" WEST, ALONG A LINE 67.00 FEET WEST OF THE EAST LINE OF SAID TRACT 9, ALSO BEING THE WEST LINE OF SOUTH MILITARY TRAIL, AS RECORDED IN OFFICIAL RECORDS BOOK 5876 AT PAGE 135 OF SAID PUBLIC RECORDS, A DISTANCE OF 350.05 FEET; THENCE NORTH 87°18'06" WEST, A DISTANCE OF 601.55 FEET; THENCE SOUTH 01°52'51" WEST, ALONG THE EAST LINE OF SAID TRACT 10, A DISTANCE OF 679.51 FEET; THENCE SOUTH 87°36'17" EAST, ALONG THE NORTH LINE OF THE SOUTH ONE-HALF OF SAID TRACT 16, A DISTANCE OF 299.52 FEET; THENCE NORTH 01°47'37" EAST, ALONG A LINE 370.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 16, A DISTANCE OF 171.33 FEET; THENCE NORTH 87°33'15" WEST, ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF THE NORTH ONE-HALF OF SAID TRACT 16, A DISTANCE OF 10.00 FEET; THENCE NORTH 01°47'37" EAST, ALONG A LINE 380.00 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID TRACT 16, A DISTANCE OF 171.34 FEET; THENCE SOUTH 87°30'14" EAST, ALONG THE NORTH LINE OF SAID TRACT 16, A DISTANCE OF 313.03 FEET; THENCE SOUTH 01°47'37" WEST, ALONG A LINE 67.00 FEET WEST OF THE EAST LINE OF SAID TRACT 16, ALSO BEING THE WEST LINE OF SOUTH MILITARY TRAIL, AS RECORDED IN OFFICIAL RECORDS BOOK 5990 AT PAGE 694, AND OFFICIAL RECORDS BOOK 5940 AT PAGE 707 OF SAID PUBLIC RECORDS, A DISTANCE OF 684.26 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS FOLLOWS:

PARCEL 1:

THE NORTH 350 FEET OF TRACT 9 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THERE OF RECORDED IN PLAT BOOK 3, PAGE 10, PALM BEACH COUNTY PUBLIC RECORDS, LESS RW FOR STATE ROAD 809.

LESS A PORTION OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTER OF SAID SECTION 36; THENCE NORTH 01°47'03"EAST, ALONG THE NORTH-SOUTH SECTION LINE, A DISTANCE OF 1368.52 FEET; THENCE NORTH 88°12'57" WEST AS MEASURED AT RIGHT ANGLES TO SAID NORTH-SOUTH ¼ SECTION LINE, A DISTANCE OF 50.00 FEET TO A POINT ON THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL, AS SHOWN ON STATE OF FLORIDA STATE ROAD DEPT. RIGHT-OF-WAY MAP, ROAD NO. 809, SEC NO. 9375-113, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE SOUTH 01°47'03" WEST, ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY OF MILITARY TRAIL, A DISTANCE OF 350.04 FEET; THENCE NORTH 87°18'29" WEST, DEPARTING SAID RIGHT-OF-WAY LINE, A

DISTANCE OF 17.00 FEET; THENCE NORTH 01°47'03" EAST, PARALLEL WITH AND 17.00 FEET WEST OF SAID EXISTING WESTERLY RIGHT-OF-WAY LINE OF MILITARY TRAIL, A DISTANCE OF 350.04 FEET; THENCE SOUTH 87°18'29" EAST, A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

TRACT 10 AND THE SOUTH HALF (S 1/2) OF TRACT SIXTEEN (16), IN THE NORTHWEST QUARTER (NW 1/4) OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS. LESS AND EXCEPT THE PROPERTY DESCRIBED IN RIGHT-OF-WAY DEED IN DEED BOOK 889, PAGE 275 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY AND RIGHT-OF-WAY DEED IN OFFICIAL RECORD BOOK 5940, PAGE 107, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 3:

THE WEST 190 FEET OF THE EAST 240 FEET OF THE NORTH 1/2 OF THE NORTH 1/2 OF TRACT 16, A SUBDIVISION OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SUBJECT TO AN 10 FOOT EASEMENT ALONG THE NORTH SIDE AND A 15 FOOT EASEMENT ON THE SOUTH SIDE AND ALSO THE WEST 190 FEET OF THE EAST 240 FEET OF THE SOUTH 1/2 OF THE NORTH 1/2 OF TRACT 16, A SUBDIVISION OF THE NORTHWEST 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA SUBJECT TO AN 10 FOOT EASEMENT ALONG THE SOUTH SIDE AND A 15 FOOT EASEMENT ON THE NORTH SIDE AND LESS THAT PROPERTY CONVEYED IN DEED RECORDED IN OFFICIAL RECORD BOOK 5990, PAGE 694, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING TWO PARCELS

PARCEL A

THE WEST 140 FEET OF THE EAST 380 FEET OF THE NORTH HALF OF THE NORTH HALF OF TRACT 16, IN THE NW 1/4 OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 10, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL B

THE WEST 130 FEET OF THE EAST 370 FEET OF THE SOUTH HALF OF THE NORTH HALF OF TRACT 16 OF THE SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 3, PAGE 10 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 981,873 SQUARE FEET (22.541 ACRES), MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

LOCATION MAP

