

RESOLUTION NO. R-2021- 0266

RESOLUTION REVOKING RESOLUTION R-1980-0093
(CONTROL NUMBER 1979-00288)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/PDD-2020-01459

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, as amended, have been satisfied;

WHEREAS, Zoning Application SE-1979-00288 was presented to the Board of County Commissioners at a public hearing on December 27, 1979;

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-1980-0093 was adopted by the Board of County Commissioners on January 15, 1980;

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-1980-0093, approving Zoning Application SE-1979-00288, the application of Rubin Construction Company by William R. Boose, III, Agent, for a Special Exception to allow a heliport is hereby revoked.

Commissioner Weinroth moved for the approval of the Resolution.

The motion was seconded by Commissioner Weiss 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 February 25, 2021.

Filed with the Clerk of the Board of County Commissioners on March 8th, 2021

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:



COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY:



DEPUTY CLERK
FLORIDA

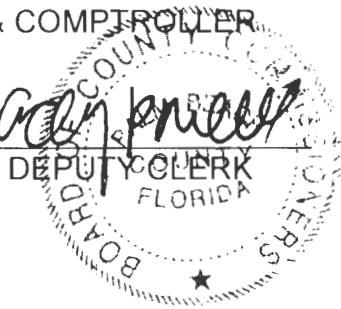


EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

TRACT 29, LESS THE EASTERLY 40 FEET; AND TRACT 32, LESS THE EASTERLY 40 FEET, ALSO LESS THE SOUTHERLY 136.32 FEET OF TRACT 32, BLOCK 7, 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, PAGE 45.

PARCEL 2:

ALL THAT PART OF TRACT 41 LYING NORTH OF THE RIGHT-OF-WAY OF STATE ROAD 80 AND THE SOUTHERLY 136.32 FEET OF TRACT 32, BLOCK 7, 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, PAGE 45, LESS THE EASTERLY 40 FEET THEREOF.

TOGETHER WITH THAT CERTAIN 30 FOOT ROAD RIGHT-OF-WAY LYING BETWEEN SAID TRACTS 32 AND 41, EXCEPT THE EAST 40 FEET THEREOF, SAID 30 FOOT RIGHT-OF-WAY HAVING BEEN ABANDONED BY THE PALM BEACH COUNTY COMMISSION MAY 11, 1953, RECORDED IN DEED BOOK 1022, PAGE 601, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID RIGHT-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT 32; RUN THENCE EASTERLY ALONG THE SOUTH LINE OF SAID TRACT 32, A DISTANCE OF 950.00 FEET, MORE OR LESS, TO A LINE PARALLEL WITH AND 40.00 FEET WEST OF THE EAST LINE OF SAID TRACT 32; THENCE SOUTHERLY ALONG SAID PARALLEL LINE, A DISTANCE OF 30.00 FEET TO THE NORTH LINE OF SAID TRACT 41; THENCE WESTERLY ALONG THE NORTH LINE OF SAID TRACT 41, A DISTANCE OF 950.00 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF SAID TRACT 41; THENCE NORTHERLY ALONG THE NORTHERLY EXTENSION OF THE WEST LINE OF SAID TRACT 41, A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:

A PORTION OF TRACT 41, BLOCK 7, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTIONS 31 AND 32, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHWEST CORNER OF SAID TRACT 41; THENCE SOUTH 00°59'41" EAST ALONG THE WEST LINE OF SAID TRACT 41, A DISTANCE OF 45.301 METERS (148.63 FEET) TO THE POINT OF BEGINNING; THENCE SOUTH 88°30'32" EAST, A DISTANCE OF 289.655 METERS (950.31 FEET) TO A POINT ON THE WESTERLY EXISTING RIGHT OF WAY LINE FOR SANSBURY'S WAY (LYONS ROAD) AS RECORDED IN OFFICIAL RECORD BOOK 1286, PAGE 318 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 00°59'41" EAST ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 26.396 METERS (86.60 FEET) TO A POINT ON THE NORTHERLY EXISTING RIGHT OF WAY LINE FOR STATE ROAD 80 (SOUTHERN BOULEVARD) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93120-2543; THENCE NORTH 88°26'09" WEST ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 141.381 METERS (463.85 FEET); THENCE NORTH 88°31'01" WEST ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE, A DISTANCE OF 148.281 METERS (486.49 FEET) TO A POINT ON THE WEST LINE OF SAID TRACT 41; THENCE NORTH 00° 59'41" WEST ALONG SAID WEST LINE, A DISTANCE OF 26.236 METERS (86.08 FEET) TO THE POINT OF BEGINNING.

LESS AND EXCEPT ADDITIONAL RIGHT-OF-WAY CONVEYED TO PALM BEACH COUNTY IN A WARRANTY DEED DATED MAY 27, 2008, RECORDED SEPTEMBER 3, 2008, IN OFFICIAL RECORDS BOOK 22839, PAGE 797, PUBLIC RECORDS OF

PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 32 AND 41, BLOCK 7, PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF THAT CERTAIN 30 FOOT WIDE ROAD RESERVATION LYING BETWEEN SAID TRACTS 32 AND 41, SAID RESERVATION BEING VACATED BY DEED BOOK 1022, PAGE 601 OF SAID PUBLIC RECORDS, LYING IN SECTION 31, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SANSBURY WAY, AS RECORDED IN OFFICIAL RECORD BOOK 1286, PAGE 381 OF SAID PUBLIC RECORDS, AND THE NORTH RIGHT-OF-WAY LINE OF SOUTHERN BOULEVARD (STATE ROAD 80), AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP FOR SECTION 93120-2543, DATED 1-19-01; THENCE N.88°30'33"W. ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 77.78 FEET; THENCE N.45°15'58"E., A DISTANCE OF 57.76 FEET; THENCE N.00°57'31"W. ALONG A LINE 36.00 FEET WEST OF (AS MEASURED AT RIGHT ANGLES TO) AND PARALLEL WITH THE WEST RIGHT-OF-WAY LINE OF SAID SANSBURY WAY, A DISTANCE OF 270.86 FEET; THENCE N.89°03'50"E., A DISTANCE OF 36.00 FEET TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID SANSBURY WAY; THENCE S.00°57'31"E. ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 314.14 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 1,428,899 SQUARE FEET OR 32.803 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

