

RESOLUTION NO. R-2023- 0236

RESOLUTION REVOKING RESOLUTION R-1983-0612 and R-1984-1830
(CONTROL NUMBER 1983-00017)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/PDD-2022-01281

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 SE-1983-00017, an application of South Florida Trotting Center, Inc., by Howard Beissinger, Agent, for a Special Exception to allow a horse breeding and training farm, including accessory buildings and structures, and an on-site water and sewage treatment plant, and subject to Conditions of Approval was approved by the Board of County Commissioners on February 24, 1983 by resolution R-1983-0612; and Zoning Application SE-1983-00017 (A), an application of South Florida Trotting Center, Inc. by David S. Pressly, Attorney, for an amendment to modify Special Conditions placed on the Zoning Application of Application SE-1983-00017, and subject to Conditions of Approval was approved by the Board of County Commissioners on July 26, 1984 by resolution R-1984-1830;

WHEREAS, Zoning Application ABN/PDD-2022-01281, submitted on behalf of Zuckerman Homes, by WGINC, Agent, for a Development Order Abandonment to abandon a Special Exception to allow horse breeding and training farm, including accessory buildings and structures, and an onsite water and sewage treatment plant on 105.58 acres, an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District was presented to the Board of County Commissioners at a public hearing conducted on February 23, 2023;

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 hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Abandonment;

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, 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-1983-0612, which approved a Special Exception to allow a horse breeding and training farm, including accessory buildings and structures, and an on-site water and sewage treatment plant, the application of South Florida Trotting Center, Inc., by Howard Beissinger, Agent, approved February 24, 1983 and Resolution R-1984-1830, which approved an

amendment to modify Special Conditions placed on the Zoning Application SE-1983-00017, the application of South Florida Trotting Center, Inc, by David S. Pressly, Agent, approved July 26, 1984, are hereby revoked.

Commissioner Braxter moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor	-	Aye
Commissioner Maria Sachs, Vice Mayor	-	Absent
Commissioner Maria G. Marino	-	Aye
Commissioner Michael A. Barnett	-	Aye
Commissioner Marci Woodward	-	Aye
Commissioner Sara Baxter	-	Aye
Commissioner Mack Bernard	-	Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on February 23, 2023.

Filed with the Clerk of the Board of County Commissioners on February 27th, 2023

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: [Signature]
COUNTY ATTORNEY

BY: [Signature]
DEPUTY CLERK


EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION:

17 TO 23, INCLUSIVE, BLOCK 44, PALM BEACH FARMS COMPANY, PLAT 3, IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54; LESS THAT PART OF LOT 17 CONVEYED FOR ROAD PURPOSES IN DEED BOOK 636, PAGE 96, AND THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST AND THE WEST $\frac{1}{2}$ OF TRACT 82 OF THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE WEST $\frac{1}{2}$ OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH $0^{\circ} 15' 28''$ EAST ALONG THE EAST LINE OF THE SAID WEST $\frac{1}{2}$ A DISTANCE OF 3,315.33 FEET, THENCE SOUTH $88^{\circ} 55' 17''$ WEST A DISTANCE OF 331.50 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE SOUTH $88^{\circ} 55' 17''$ WEST A DISTANCE OF 331.50 FEET; THENCE SOUTH $0^{\circ} 20' 40''$ EAST A DISTANCE OF 706.40 FEET; THENCE NORTH $89^{\circ} 46' 02''$ EAST A DISTANCE OF 331.0 FEET; THENCE NORTH $0^{\circ} 18' 04''$ WEST A DISTANCE OF 711.29 FEET TO THE POINT OF BEGINNING; SUBJECT TO EASEMENT OVER THE EAST 35 FEET THEREOF; AND THE EAST $\frac{1}{2}$ OF TRACT 82 IN THE UNRECORDED PLAT OF HERITAGE FARMS IN SECTION 12, TOWNSHIP 45 SOUTH,, RANGE 41 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF THE WEST $\frac{1}{2}$ OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF SOUTH $00^{\circ} 15' 28''$ EAST ALONG THE EAST LINE OF THE SAID WEST $\frac{1}{2}$ A DISTANCE OF 3,315.33 FEET TO THE POINT OF BEGINNING; THENCE SOUTH $88^{\circ} 35' 17''$ WEST 331.50 FEET; THENCE SOUTH $00^{\circ} 18' 04''$ EAST 711.29 FEET TO THE SOUTH LINE OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 12; THENCE NORTH $89^{\circ} 46' 02''$ EAST ALONG THE SAID SOUTH LINE A DISTANCE OF 331.00 FEET TO THE EAST LINE OF THE SAID WEST $\frac{1}{2}$; THENCE NORTH $00^{\circ} 15' 28''$ WEST ALONG THE SAID EAST LINE A DISTANCE OF 716.18 FEET TO THE POINT OF BEGINNING; LESS THE SOUTH 677.10 FEET OF THE EAST 321.66 FEET OF THE NORTH $\frac{1}{2}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SAID SECTION 12.

CONTAINING 3,398,245 SF / 78.0130 ACRES MORE OR LESS.