

RESOLUTION NO. R-2023- 1032

RESOLUTION REVOKING RESOLUTION R-2008-696
(CONTROL NUMBER 2005-00193)
AFFIRMING THE ABANDONMENT
OF ZONING APPLICATION SV/ZV/ABN/Z-2022-01751

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-2007-991, the application of Levy Ventures, by Jon E Schmidt & Associates, agent, for a Class A Conditional Use to allow a School elementary or Secondary (private), and subject to Conditions of Approval, was presented to the Board of County Commissioners at a public hearing on April 24, 2008;

WHEREAS, Zoning Application SV/ZV/ABN/Z-2022-01751 submitted on behalf of First Care Family Resources Inc., by JMorton Planning & Landscape Architecture, Agent, for a Development Order Abandonment to abandon an Elementary or Secondary School on 0.98 acres, and for an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Commercial Low Office (CLO) Zoning District on 0.98 acres, including a Conditional Overlay Zone (COZ), was presented to the Board of County Commissioners at a public hearing conducted on July 19, 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-2008-696, which approved a Class A Conditional Use to allow a School Elementary or Secondary (private), on a parcel of land generally described as shown on the legal description in Exhibit A, attached hereto and made a part hereof, is hereby revoked.

Commissioner Marino moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on July 19, 2023.

Filed with the Clerk of the Board of County Commissioners on July 19th, 2023

This resolution shall not become effective until the Small Scale Land Use Amendment No. SCA-2023-017 is effective.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A
LEGAL DESCRIPTION

PCN 00-42-42-24-05-000-0010

LOT 1, OF THE PLAT OF CHARLES E. WALTER, P.U.D., ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS IN PLAT BOOK 32 AT PAGES 84 AND 85, LESS AND EXCEPT THE LANDS DESCRIBED IN O.R. BOOK 5752, PAGE 269, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.