

RESOLUTION NO. R-2003- 1990

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. SR 2000-038  
TO REVOKE THE CONDITIONAL USE "A" APPROVED BY  
RESOLUTION NO. R-2000-1225  
PETITION NO. 2000-038  
THE PETITION OF SARAH ZOLTEN

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan; and

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report SR 2000-038 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 4, 2003; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 2000-038 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to revoke Special Exceptions; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The property owner requested the revocation of the conditional use.
2. The revocation is consistent with the Palm Beach County Comprehensive Plan and the Unified Land Development Code.

WHEREAS, Section 5.3 of the Land Development Code requires that the 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 the recommendation of Status Report No. SR 2000-038, to revoke the Conditional Use "A" previously granted by the approval of the petition of Sarah Zolten, Petition No. 2000-038, confirmed by the adoption of Resolution R-2000-1225, which approved a dog daycare facility, on property legally described as that certain piece, parcel or tract of land, situate lying and being in the Northwest quarter (NW 3) of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

Commencing at the North Quarter corner of said Section 25 and run South along the centerline of Military Trail 63.01 feet to a point, Thence West parallel to the North line of said Section 25, 190.00 feet to the

POINT OF BEGINNING;

Thence, South parallel to the centerline of Military Trail, a distance of 174.99 feet to a point; Thence East parallel to the North line of said Section 25, 150 feet to a point on the West right of way line of Military Trail; Thence South along said right of way line, a distance of 15.0 feet to a point; Thence West, along a line parallel to the North line of said Section 25, a distance of 240.00 feet to a point; Thence South parallel to the centerline of Military Trail, a distance of 213.66 feet more or less, to a point 200 feet north of the south line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4); Thence East along a line parallel to the South line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Northwest Quarter (NW1/4) of Section 25, a distance of 240.00 feet to a point on the West right of way line of Military Trail; Thence South along said right of way, a distance of 20.0 feet to a point; Thence West along a line parallel to the South line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Northwest Quarter (NW1/4) of Section 25, a distance of 200.00 feet to a point; Thence South along a line parallel to said centerline of Military Trail, a distance of 180.00 feet, more or less to a point on the south line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25; Thence West along said South line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25, a distance of 426.71 feet to the Southwest corner of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25; Thence North along the West line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25, a distance of 605.65 feet a point on a line 63.01 feet South of and parallel to the North line of said Section 25, also being the South right of way line of Lake Worth Road;

Thence East along said right of way line of Lake Worth Road, a distance of 426.45 feet to the POINT OF BEGINNING.

Less that portion of the above described parcel lying North of the proposed South right of way line of Lake Worth Road (State Road 802) as shown on the right of way map recorded in Road Plat Book 5, pages 126 to 138, inclusive, Public Records of Palm Beach County, Florida.

And Also Less a parcel of land in the Northwest Quarter (NW1/4) of Section 25, Township 44 South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25; Thence running South, along the West line of said Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of said Section 25, a distance of 63.01 feet; Thence running East, parallel to the North line of said Section 25, a distance of 21.0 feet to the POINT OF BEGINNING;

Thence continuing east, along the extension of the previous course, a distance of 68.01 feet, Thence south, parallel to the West line of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of the Northwest Quarter (NW1/4) of Section 25, a distance of 99.93 feet; Thence running West, perpendicular to the previous course, a distance of 68.0 feet; Thence running North, perpendicular to the previous course, a distance of 101.10 feet to the POINT OF BEGINNING.

And ALSO LESS that portion conveyed to Palm Beach County in Official Record Book 5887 at Page 1971. Subject to easements, reservations, restrictions and rights of way of record. Containing 5.856 acres,

more or less, being located on the southwest corner of Lake Worth Road and Military Trail, in the General Commercial Zoning District, is approved.

Commissioner **Koons** moved for approval of the Resolution.

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


KAREN T. MARCUS, CHAIR	—	<b>Aye</b>
TONY MASILOTTI, VICE CHAIRMAN	—	<b>Absent</b>
JEFF KOONS	—	<b>Aye</b>
WARREN H. NEWELL	—	<b>Aye</b>
MARY MCCARTY	—	<b>Aye</b>
BURT AARONSON	—	<b>Aye</b>
ADDIE L. GREENE	—	<b>Aye</b>

The Chair thereupon declared the resolution was duly passed and adopted this 4 day of December, 2003.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKINSON, CLERK  
BY:   
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 6 day of January, 2004.