

RESOLUTION NO. R-2014- 0874

RESOLUTION REVOKING A CLASS A CONDITIONAL USE GRANTED UNDER
RESOLUTION R-96-993
(CONTROL NUMBER 1996-00016)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/DOA-2014-00291

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 petitions related to zoning; and

WHEREAS, Zoning Application CA96-16 was presented to the Board of County Commissioners at a public hearing on July 25, 1996; and

WHEREAS, the Class A Conditional Use granted under Resolution R-96-993 approving this application was adopted by the Board of County Commissioners on July 25, 1996 and

WHEREAS, the Zoning Director has determined the request to legislatively abandon the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended), meets the requirements contained therein; and

WHEREAS, the Zoning Director has legislatively abandoned the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) and

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on June 26, 2014; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code (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-1996-993, approving Zoning Application CA96-16, the petition of Herbert and Heinz Kahlert, by Kieran J. Kilday, agent, for a Class A Conditional Use for a Type III Congregate Living Facility is hereby revoked.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Priscilla A. Taylor, Mayor	-	Aye
Commissioner Paulette Burdick, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on June 26, 2014.

Filed with the Clerk of the Board of County Commissioners on 02 day of July, 2014.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK

The seal is circular with a double-line border. The outer ring contains the text "PALM BEACH COUNTY COMMISSIONERS" at the top and "FLORIDA" at the bottom, separated by a small star on the left. The inner ring contains the text "CLERK & COMPTROLLER".

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTION 28, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL B-3, ACCORDING TO THE PLAT OF BOYNTON BEACH ENTERPRISE CENTER REPLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 80, PAGES 160 THROUGH 161, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH A NON-EXCLUSIVE EASEMENT AS CONTAINED IN THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 10087, PAGE 933, FOR STORM AND OVERFLOW WATER DRAINAGE EASEMENT OVER, UNDER AND UPON THE EAST 30 FEET OF THE WEST 398.88 FEET OF THE SOUTH 160 FEET OF PARCEL B-2, AND THE SOUTH 84.59 FEET OF THE WEST 398.88 FEET OF PARCEL B-2, ACCORDING TO THE PLAT OF BOYNTON BEACH ENTERPRISE CENTER PLAT NO. 2, ACCORDING TO THE PLAT OF BOYNTON BEACH ENTERPRISE CENTER PLANT NO. 2, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 79, PAGES 152 THROUGH 155, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS LYING AND SITUATED IN PALM BEACH COUNTY, FLORIDA AND CONTAINING 207,134 SQUARE FEET (4.755 ACRES) MORE OR LESS.