

RESOLUTION NO. R-2019- 0548

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. STR-1991-0030-8  
TO REVOKE THE SPECIAL EXCEPTION APPROVED BY  
RESOLUTION NO. R-1991-1186  
CONTROL NO. 1991-0030  
APPLICATION NO. SE-1991-00030

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

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

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, Status Report STR-1991-0030-8 was presented to the Board of County Commissioners at a public hearing on April 25, 2019;

WHEREAS, the Board of County Commissioners has reviewed Status Report STR-1991-0030-8 and considered the evidence and testimony, 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 revoke the Special Exception described in STR-1991-0030-8;

WHEREAS, the Zoning Director has determined that only areas where the site was implemented in accordance with the Building Permit Plan dated August 28, 1991, shall be vested, any discrepancies between the Plan and the site conditions shall be modified to be in compliance with the current ULDC.;

WHEREAS, the Board of County Commissioners incorporates by reference the Findings in the Status Report; and

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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. STR-1991-0030-8, to revoke the Special Exception previously granted by the approval of Zoning Application No. SE-1991-00030, Control No. 1991-030, confirmed by the adoption of Resolution R-1991-1186, on parcels of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, is approved.

Commissioner Weinroth moved for the approval of the Resolution.

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

- Commissioner Mack Bernard, Mayor - Aye
- Commissioner Dave Kerner, Vice Mayor - Aye
- Commissioner Hal R. Valeche - Aye
- Commissioner Gregg K. Weiss - Aye
- Commissioner Robert S. Weinroth - Aye
- Commissioner Mary Lou Berger - Aye
- Commissioner Melissa McKinlay - Absent

The Mayor thereupon declared the resolution was duly passed and adopted on April 25, 2019.

Filed with the Clerk of the Board of County Commissioners on May 1, 2019.

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

SHARON R. BOCK,  
CLERK AND COMPTROLLER

By:   
COUNTY ATTORNEY

By:   
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

THE NORTH 323 FEET OF THE NW 1/4 OF THE SW 1/4 OF SECTION 35, TOWNSHIP 40 SOUTH, RANGE 42 EAST, LESS THE WEST 660 FEET THEREOF, SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING PARCEL OF LAND:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF LOXAHATCHEE RIVER ROAD AND ROEBUCK ROAD, ALSO BEING THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 35, AS SHOWN ON THE PLAT OF JUPITER HIGHLANDS AS RECORDED IN PLAT BOOK 25, PAGE 241 OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS; THENCE NORTH 89°55'33" WEST ALONG THE CENTERLINE OF ROEBUCK ROAD, ALSO BEING THE NORTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 35 (THE CENTERLINE OF ROEBUCK ROAD IS TAKEN TO BEAR NORTH 89°55'33" WEST AND ALL OTHER BEARINGS STATED HEREIN ARE RELATIVE THERETO), A DISTANCE OF 57.82 FEET; THENCE SOUTH 00°04'27" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF ROEBUCK ROAD AS LAID OUT AND IN USE AND THE POINT OF BEGINNING; THENCE SOUTH 89°55'33" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 25.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF LOXAHATCHEE RIVER ROAD AS SHOWN ON THE PLAT OF PENNOCK POINT AS RECORDED IN PLAT BOOK 22, PAGE 29, OF THE PALM BEACH COUNTY, FLORIDA PUBLIC RECORDS; THENCE SOUTH 00°16'43" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 25.00 FEET; THENCE NORTH 45°06'06" WEST A DISTANCE OF 35.46 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE NORTH 30.0 FEET THEREOF FOR ROEBUCK ROAD RIGHT OF WAY AND THE EAST 30.0 FEET THEREOF FOR LOXAHATCHEE RIVER ROAD RIGHT OF WAY (BOTH PREVIOUSLY KNOWN AS HOMESTEADERS ROAD) AS DESCRIBED IN COMMISSIONERS MEETING BOOK 3, PAGE 237, DATED DECEMBER 9, 1915, PALM BEACH COUNTY PUBLIC RECORDS.

CONTAINING 4.16 ACRES, MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

