

RESOLUTION NO. R-2001- 0007

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 88-33E
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
TO AMEND LEGAL DESCRIPTION P-ND CONDITIONS OF APPROVAL
OF RESOLUTION NO. R-98- 1130
WHICH APPROVED THE SPECIAL EXCEPTION OF
HAROLD MURPHY
PETITION NO. DOA88-33(E)

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.

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 88-33E was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on January 4, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 88-33E and considered testimony presented by the applicant and other interested parties, 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 add or modify conditions of approval; and

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

1. On 12-5-00, the Board of County Commissioners conveyed previously conveyed right-of-way back to the property owner.
2. The amendment of condition number E.3. will reflect the reconveyed right-of-way.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County 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 88-33E, to approve a Development Order Amendment to amend legal description and conditions of approval of Resolution No. R-98-1 130, the Special Exception of Harold Murphy, Petition No. DOA88-33(E), which deleted land area (-8.871 acres) and modified/deleted conditions of Resolution No. R-97-658, on property legally described in Exhibit A, being located on the north side of Southern Blvd. approx. 330 ft. east of Cléry Rd. in the Light Industrial Zoning District, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.

2. Condition number E.3. of Resolution R-98- 1130 which currently states:

Within 90 days of approval of this project, the property owner shall convey to Palm Beach County by road right-of-way warranty deed for Southern Boulevard, 220 feet north of the north right-of-way of the West Palm Beach Canal free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable to the Land Acquisition Division to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyance shall also include "Safe Sight Distances" where appropriate at intersections as determined by the County Engineer. (Previously Condition E.3 of Resolution R-97-657, Petition 88-33(D). (ENG) [COMPLETE]

Is hereby amended to state:

Within 90 days of approval of this project, the property owner shall convey to Palm Beach County by road right-of-way warranty deed for Southern Boulevard, 18 1± feet north of the north right-of-way of the West Palm Beach Canal free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable to the Land Acquisition Division to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyance shall also include "Safe Sight Distances" where appropriate at intersections as determined by the County Engineer. (Previously Condition E.3 of Resolution R-98- 1130, Petition 88-33(E). (ENG) [COMPLETE]

Commissioner Marcus moved for approval of the Resolution.

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


WARREN H. NEWELL, CHAIRMAN	—	Aye
CAROL A. ROBERTS, VICE CHAIR	—	Aye
BURT AARONSON	—	Absent
ADDIE L. GREENE	—	Absent
KAREN T. MARCUS	—	Aye
TONY MASILOTTI	—	Aye
MARY MCCARTY	—	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 4 day of January, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

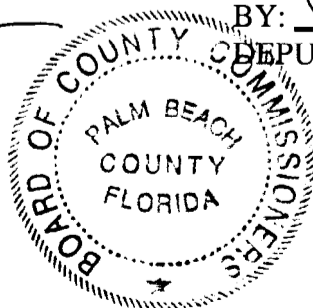


EXHIBIT "A"

LEGAL DESCRIPTION
TO ACCOMPANY SKETCH OF PARCEL

A PARCEL OF LAND SITUATE IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLA., MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE N.E. CORNER OF TRACT 70, BLOCK 5, PALM BEACH FARMS CO. PLAT #3, PB2, PG 46, BEAR S00°00'00"E, 15.00' FROM THE POC TO THE POB.

THENCE : S00°00'00"E, 585.51';
THENCE : N87°30'11"W, 330.31';
THENCE : N00°00'00"E, 571.28';
THENCE : S89°58'24"E, 330.00' TO THE POB OF SAID PARCEL.

CONTAINS 4.313 ACRES MORE OR LESS.

Daniel J. Christian #4227
Professional Surveyor
Date: 9/16/08
Job #: DK 00-160
PC: Murphy Parcel