

RESOLUTION NO. R-2005-1403

RESOLUTION REVOKING RESOLUTIONS R-97-0534, R-97-1300, R-01-0968, R-03-0758 and R-03-0759
(CONTROL NUMBER 1996-086)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING PETITIONS VDB1996-086 AND DOA1996-086A
(EMERALD PLACE)

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 Petitions VDB96-86, SR96-86 and DOA1996-086A were presented to the Board of County Commissioners at a public hearing April 24, 1997, September 25, 1997, June 25, 2001 and May 22, 2003; and

WHEREAS, Resolutions R-97-0534, R-97-1300, R-01-0968, R-03-0758 and R-03-0759 approving these petitions were adopted by the Board of County Commissioners on April 24, 1997, September 25, 1997, June 25, 2001 and May 22, 2003; and

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

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

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on July 28, 2005; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code 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-97-0534, the petition of Michael and Sari Winston, by Alan Ciklin, agent, to allow a Voluntary Density Bonus for eleven (11) units is hereby revoked.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-97-1300, the petition of Michael and Sari Winston, by Alan Ciklin, agent, amending Resolution R-97-533 is hereby revoked.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-2001-0968, the petition of Michael and Sari Winston, by Alan Ciklin, agent, approving the recommendation of Status Report No. SR-96-86, to amend Conditions of Approval of Resolution No. R-97-534, approving a Voluntary Density Bonus for 11 units hereby revoked.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-2003-0758, the petition of Symphony Builders, by Jay Huebner, agent, for a Development Order Amendment to reconfigure the site is hereby revoked.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Resolution R-2003-0759, the petition of Symphony Builders, by Jay Huebner, agent, for a Development Order Amendment to modify/delete the voluntary density bonus conditions of approval is hereby revoked.

Commissioner MARCUS moved for the approval of the Resolution.

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

Tony Masilotti, Chair	<u>AYE</u>
Addie L. Greene, Vice Chairperson	<u>AYE</u>
Karen T. Marcus	<u>AYE</u>
Jeff Koons	<u>ABSENT</u>
Warren H. Newell	<u>AYE</u>
Mary McCarty	<u>ABSENT</u>
Burt Aaronson	<u>ABSENT</u>

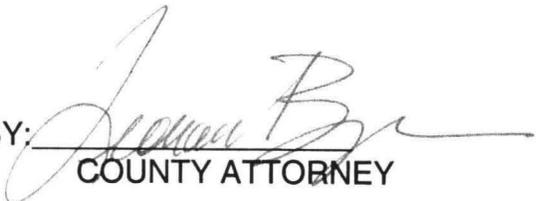
The Chair thereupon declared that the resolution was duly passed and adopted on July 28, 2005.

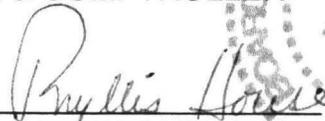
Filed with the Clerk of the Board of County Commissioners on 24TH day of AUGUST, 2005.

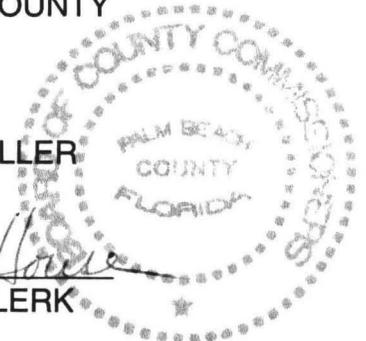
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



LEGAL DESCRIPTION R-1997-534

THAT PORTION OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WEST OF THE WEST MAINTENANCE LINE OF SIMS ROAD, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN ROAD PLAT BOOK 6, PAGES 67, 68 AND 69, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

AND

THE EAST 24.48 FEET OF THE WEST ½ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF TH NORTHWEST ¼ OF SAID SECTION 14, LESS THE NORTH 60.00 FEET THEREOF;

LESS THAT PORTION OF THE NORTH 60.00 FEET OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 14 TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING WEST OF THE WEST MAINTENANCE LINE OF SIMS ROAD, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN ROAD PLAT BOOD6, PAGES 67, 68 AND 69, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA TOGETHER WITH THE FOLLOWING DESCRIBED LANDS, TO WIT:

BEGIN AT THE SOUTHEAST CORNER OF ABOVE DESCRIBED LAND; THENCE RUN SOUTH 00°D05'46" WEST (BASED ON AN ASSUMED MERIDIAN) 25.00 FEET, ALONG SAID WEST MAINTENANCE LINE, TO A POINT; THENCE RUN NORTH 45°D37'05" WEST 34.91 FEET TO A POINT ON A LINE THAT IS 60.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼ OF SAID SECTION 14; THENCE RUN NORTH 88°D40'04" EAST 25.00 FEET ALONG A LINE THAT IS 60.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF THE EAST ½ OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SAID SECTION 14 TO THE POINT OF BEGINNING.

LESS THE EAST 40.00 FEET OF THE ABOVE DESCRIBED PARCELAND LESS THE FOLLOWING:

COMMENCING AT THE CENTER OF SAID SECTION 14; THENCE SOUTH 88°D05'36" WEST ALONG THE SOUTH LINE OF THE NORTHWEST ¼ OF SAID SECTION, A DISTANCE OF 80.03 FEET TO THE WEST RIGHT OF WAY LINE OF SIMS ROAD MAINTENANCE MAP, AS RECORDED IN ROAD PLAT BOOK 6, PAGE 68, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 88°D05'36" WEST ALONG THE SOUTH LINE OF SAID NORTHWEST ¼ A DISTANCE OF 40.02 FEET; THENCE NORTH 00°D17'25" WEST ALONG THE WEST RIGHT OF WAY LINE OF SIMS ROAD, A DISTANCE OF 619.12 FEET TO THE POINT OF BEGINNING.

FROM THE POINT OF BEGINNING THENCE NORTH 46°D01'19" WEST A DISTANCE OF 35.80 FEET; THENCE NORTH 88°D14'39" EAST TO WEST RIGHT OF WAY LINE OF SAID SIMS ROAD, A DISTANCE OF 25.65 FEET; THENCE SOUTH 00°D17'28" EAST ALONG THE WEST RIGHT OF WAY LINE, A DISTANCE OF 25.65 FEET TO THE POINT OF BEGINNING.

EXHIBIT A

LEGAL DESCRIPTIONS FOR R-2003-0758 AND R-2003-0759

A PORTION OF THE NORTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST ONE-QUARTER; THENCE SOUTH 00°17'26" EAST, ALONG THE EAST LINE OF SAID NORTHWEST ONE-QUARTER, A DISTANCE OF 2202.06 FEET; THENCE SOUTH 89°42'34" WEST, A DISTANCE OF 120.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°17'26" EAST, ALONG A LINE 120.00 FEET WEST OF AND PARALLEL WITH SAID EAST LINE, A DISTANCE OF 605.89 FEET; THENCE SOUTH 88°05'34" WEST, ALONG A LINE 13.20 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST ONE-QUARTER, A DISTANCE OF 243.96 FEET; THENCE NORTH 00°10'41" WEST, ALONG THE EAST LINE OF LOTS 1 THROUGH 7, "ASPEN RIDGE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 68 AT PAGES 10 THROUGH 14 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 632.16 FEET; THENCE NORTH 88°13'54" EAST, ALONG THE SOUTH LINE OF ASPEN RIDGE CIRCLE, AS SHOWN ON SAID PLAT, A DISTANCE OF 217.05 FEET; THENCE SOUTH 46°01'46" EAST, ALONG THE SOUTHERLY LINE OF A RIGHT-OF-WAY PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 5773 AT PAGE 996 OF SAID PUBLIC RECORDS, A DISTANCE OF 35.80 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 3.521 ACRES, MORE OR LESS.