

RESOLUTION NO. R-2008- 1133

RESOLUTION REVOKING RESOLUTIONS R-1995-0721, R-1992-189 and R-1991-981
(CONTROL NO. 2007-236)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING APPLICATIONS DOA1991-004B, DOA1991-004A and SE1991-004

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 applications related to zoning; and

WHEREAS, Zoning Applications DOA1991-004B, DOA1991-004A and SE1991-004 were presented to the Board of County Commissioners at public hearings conducted on May 25, 1995, February 4, 1992 and July 23, 1991; and

WHEREAS, Resolutions R-1995-721, R-1992-189 and R-1991-981 approving this application were adopted by the Board of County Commissioners on May 25, 1995, February 4, 1992 and July 23, 1991; and

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

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on June 30, 2008; and

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 Resolutions R-1995-721, R-1992-189 and R-1991-981, approving Zoning Applications DOA1991-004B, DOA1991-004A and SE1991-004, the application of Tidal Wave Development Corp and Tidal Wave Management Corp Inc, to abandon the Special Exceptions granted under Resolutions R-1995-0721, R-1992-189 and R-1991-981 are hereby revoked.

Commissioner Aaronson moved for the approval of the Resolution.

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

Addie L. Greene, Chairperson	-	Aye
Jeff Koons, Vice Chair	-	Aye
Karen T. Marcus	-	Absent
Robert J. Kanjian	-	Aye
Mary McCarty	-	Absent
Burt Aaronson	-	Aye
Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on June 30, 2008.

Filed with the Clerk of the Board of County Commissioners on 7th day of July, 2008.

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 & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

Legal Description for Rezoning

Parcel 12 (179):

A parcel of land located and situate in Section 34, Township 43 South, Range 42 East, Palm Beach County, Florida, more particularly described as follows:

Beginning at the Northeast corner of Tract 69, Block 5, The Palm Beach Farms Co. Plat No. 3, according to the plat thereof, recorded in Plat Book 2, Page 45, Public Records of Palm Beach County, Florida, go South 00° 37' 01" East along the Eastern boundary of said Tract 69, a distance of 660 feet to the Southeast corner of said Tract 69; thence continue South 00° 37' 01" East along the Eastern boundary of Tract 72, of said Plat of The Palm Beach Farms Co. Plat No. 3, to the intersection of the Eastern boundary of said Tract 72 with the Northern Right-of-Way line of State Road 80 as established and laid out in Road Plat Book 2 Pages 11 through 18, inclusive; thence go North 88° 06' 55" West, along the Northern Right-of-Way line of State Road 80, a distance of 230.22 feet to a point; thence go North 00° 37' 01" West a distance of 310.06 feet, more or less; thence go South 89° 22' 59" West, a distance of 100.13 feet to a point on the West line of the East one-half of Tract 69; thence go North 00° 35' 57" West along the West line of the East one-half of Tract 69, a distance of 410.00 feet to a point on the North boundary line of said Tract 69; thence go North 89° 22' 59" East a distance of 330 feet to the POINT OF BEGINNING.

LESS and EXCEPTING that portion thereof for additional Right-of-Way for State Road 80 per the Order of Taking recorded in O.R. Book 13725, Page 1614, Public Records of Palm Beach County, Florida.

Parcel 14 (134):

The South 210 feet of Tract 53, Block 5, The Palm Beach Farms Co. Plat No. 3, according to the map or plat thereof as recorded in Plat Book 2, Pages 45 to 54, inclusive, Public Records of Palm Beach County, Florida, LESS the West 223 feet thereof and LESS the East 333 feet thereof, more particularly described as follows:

Beginning at the Southeast corner of said Tract 53; thence run West along the South line of said Tract 53, 333 feet to a POINT OF BEGINNING; thence North a distance of 210 feet; thence West a distance of 104 feet; thence South a distance of 210 feet; thence East a distance of 104 feet to the POINT OF BEGINNING.

Parcel 15 (135):

The South 210 feet of Tract 53, Block 5, The Palm Beach Farms Co. Plat No. 3, according to the map or plat thereof as recorded in Plat Book 2, Pages 45 to 54, inclusive, Public Records of Palm Beach County, Florida, LESS the West 327 feet thereof and LESS the East 229 feet thereof, more particularly described as follows:

Beginning at the Southeast corner of said Tract 53; thence run West along the South line of said Tract 53, 229 feet to a POINT OF BEGINNING; thence North a distance of 210 feet; thence West a distance of 104 feet; thence South a distance of 210 feet; thence East a distance of 104 feet to the POINT OF BEGINNING.

Parcel 16 (182):

The South 250 feet of the West 100 feet of the East 1/2 of Tract 69, Block 5, The Palm Beach Farms Co. Plat No. 3 and a parcel in Tract 72, Block 5, The Palm Beach Farms

Co. Plat No. 3, according to the map or plat thereof recorded in Plat Book 2, Pages 45 to 54, inclusive, Public Records of Palm Beach County, Florida, the point of beginning, being 330 feet East of the Northwest corner of said Tract;

LESS and EXCEPTING that portion thereof for additional Right-of-way for state road 80 per the order of taking recorded in O.R Book 13789 Page 1849, Public Records of Palm Beach County, Florida.