

RESOLUTION NO. R-2009- 0494

RESOLUTION REVOKING RESOLUTIONS R-73-621, R-91-243, and R-2005-0601
(CONTROL NO. 1973-00157)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING APPLICATION ABN/Z-2008-01682

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 Application ABN/Z-2008-01682 was presented to the Board of County Commissioners at a public hearing conducted on March 30, 2009; and

WHEREAS, Resolutions R-73-621, R-91-243, and R-2005-0601 approving these applications were adopted by the Board of County Commissioners on October 16, 1973, February 26, 1991 and March 24, 2005; and

WHEREAS, the the Board of County Commissioners 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 March 30, 2009; 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-73-621, R-91-243, and R-2005-0601, approving Zoning Application 1973-157, the application of Kings Academy, for a Special Exception granted via Resolution R-73-621 to allow a privated school, a Special Exception to amend the site plan for a private school, to increase the square footage granted via Resoluciones R-91-243 and Status Report to amend Conditions of Approval granted via Resolution R-2005-0601 are hereby revoked.

Commissioner Marcus moved for the approval of the Resolution.

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

Commissioner John F. Koons, Chairman	-	Aye
Commissioner Burt Aaronson, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Addie L. Greene	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 30, 2009.

Filed with the Clerk of the Board of County Commissioners on April 2, 2009.

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

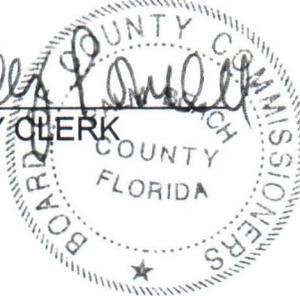


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN THE SOUTHEAST ONE-QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE NORTHWEST CORNER OF PLAT No.5 OF GOLFVIEW HEIGHTS, RECORDED IN PLAT BOOK 24, PAGE 8, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA;
THENCE ALONG THE WEST BOUNDARY OF SAID PLAT, S01°24'24"W FOR 660.45 FEET TO THE NORTH RIGHT-OF-WAY OF CHERRY ROAD, RECORDED IN OFFICIAL RECORD BOOK 6694, PAGE 934 OF SAID PUBLIC RECORDS;
THENCE ALONG SAID RIGHT-OF-WAY FOR THE FOLLOWING COURSES:

THENCE N88°40'06 "W FOR 5.00 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH, HAVING A RADIUS OF 320.00 FEET;
THENCE WESTERLY, ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 10°00'00" FOR 55.85 FEET TO A POINT OF TANGENCY;
THENCE S81°19'54"W FOR 30.92 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH, HAVING A RADIUS OF 290.00 FEET;
THENCE WESTERLY, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 9°43'19" FOR 49.21 FEET TO A POINT OF TANGENCY;
THENCE N88°56'47"W FOR 444.92 FEET TO THE WEST LINE OF THE EAST ONE-HALF, OF THE SAID SOUTHEAST QUARTER OF SECTION 25;

THENCE ALONG SAID WEST LINE, S01°24'13"W FOR 10.00 FEET TO THE NORTH RIGHT-OF-WAY OF CHERRY ROAD PER PALM BEACH COUNTY RIGHT-OF-WAY PROCUREMENT MAP, DRAWING No.3-60-025;
THENCE ALONG SAID RIGHT-OF-WAY, N88°56'47"W FOR 672.76 FEET TO THE WEST LINE OF THE EAST ONE-HALF, OF THE NORTHWEST ONE-QUARTER, OF THE SAID SOUTHEAST ONE-QUARTER OF SECTION 25;
THENCE ALONG SAID WEST LINE, N01°20'57"E FOR 686.58 FEET TO THE SOUTH LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL L-2, RECORDED IN OFFICIAL RECORD BOOK 6975, PAGE 1773 OF SAID PUBLIC RECORDS;
THENCE ALONG SAID SOUTH LINE, S88°50'49"E FOR 1258.32 FEET TO THE POINT OF BEGINNING.