

RESOLUTION NO. R-2018- 1700

RESOLUTION REVOKING RESOLUTION R-1975-294
(CONTROL NUMBER 1981-00148)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/ZV/Z/CA-2017-02003

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;

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, Zoning Application 1975-0037 was presented to the Board of County Commissioners at a public hearing on April 24, 1975;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, 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 consider, approve, approve with conditions or deny the request;

WHEREAS, Resolution R-1975-294 was adopted by the Board of County Commissioners on May 6, 1975;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC 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-1975-294, approving Zoning Application 1975-0037 the application of American German Club, by Horst George Agent, for a Development Order Amendment to allow a Special Exception to allow the Expansion of an Existing Private Club is hereby revoked.

Commissioner Burdick moved for the approval of the Resolution.

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

Commissioner Melissa McKinlay, Mayor	- Aye
Commissioner Mack Bernard, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 25, 2018.

Filed with the Clerk of the Board of County Commissioners on november 5th, 2018

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

PARCEL 1:

THE NORTH 129.45 FEET OF THE W 1/2 OF THE SW 1/4 OF THE SE 1/4 OF THE SE 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 S, RANGE 42 E, LESS THE NORTH 129.45 FEET THEREOF AND LESS THE SOUTH 40 FEET THEREOF AND THE WEST 40 FEET THEREOF FOR ROAD PURPOSES.

EXCEPTING THE SOUTH 20 FEET OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 S, RANGE 42 E, LESS THE NORTH 129.45 FEET THEREOF AND LESS THE SOUTH 40 FEET THEREOF AND THE WEST 40 FEET THEREOF FOR ROAD PURPOSES AS DESCRIBED IN RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORDS BOOK 2474, PAGE 684.

PARCEL 3:

THE NORTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE NORTH 25 FEET CONVEYED TO THE COUNTY OF PALM BEACH, FLORIDA IN OFFICIAL RECORDS BOOK 1689, PAGE 895.

PARCEL 4:

THE SOUTH 1/2 OF THE NORTH 1/2 OF THE WEST 1/2 OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

EXCEPTING FROM BOTH PARCELS 3 AND 4: A STRIP OF LAND 40 FEET WIDE OVER THE WEST PART AS CONVEYED TO THE COUNTY OF PALM BEACH COUNTY, FLORIDA, IN DEED BOOK 1088, PAGE 518.

LESS AND EXCEPT THAT PARCEL OF LAND DESCRIBED AS PARCEL NO. 111 AS DESCRIBED IN THAT CERTAIN STIPULATED FINAL JUDGMENT RECORDED IN OFFICIAL RECORDS BOOK 5721, PAGE 1599, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

A VARIABLE WIDTH STRIP OF LAND LYING WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST AND BEING A PORTION OF MYERS ROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND TRACT "E" COLONY RESERVE AT LAKE WORTH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 119, PAGES 66 THRU 71 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT "E"; THENCE SOUTH 88°50'46" EAST ALONG THE NORTH LINE OF SAID TRACT "E" AND THE EASTERLY EXTENSION THEREOF, A DISTANCE OF 75.40 FEET TO A POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF MYERS ROAD AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE SOUTH 02°02'52" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1,273.55 FEET; THENCE NORTH 88°26'29" WEST, A DISTANCE OF 50.00 FEET TO A POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF MYERS ROAD AS RECORDED IN DEED BOOK 1088, PAGE 518 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 02°02'52" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 1,247.80 FEET TO THE SOUTHEAST CORNER OF SAID TRACT "E"; THENCE NORTH 43°23'57" WEST ALONG THE WEST LINE OF SAID TRACT "E", A DISTANCE OF 35.63 FEET TO THE POINT OF BEGINNING.
IN ALL CONTAINING 10.27 ACRES MORE OR LESS.