

RESOLUTION NO. R-2022- 1406

RESOLUTION REVOKING RESOLUTION R-1990-0058
(CONTROL NUMBER 1973-00216)

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 SE-1973-216A, submitted on behalf of Palm Beach Baptist Temple Inc by Kieran J. Kilday, agent, for a Special Exception to amend the site plan for a Church and Accessory Facilities to 1] Increase the square footage for the church and accessory buildings and structures; and 2] permit an Education Institution (maximum 60, K-12 Students), was approved by the Board of County Commissioners at a public hearing on July 27, 1989, by Resolution R-1990-0058;

WHEREAS, Zoning Application ABN/DOA/CA-2022-00187 submitted on behalf of Journey Church Lake Worth, Inc., by Cotleur & Hearing, Inc., Agent, for a Development Order Abandonment to abandon a Educational Facility; a Development Order Amendment to modify and delete Conditions of Approval; to reconfigure the Site Plan; and to add, delete, and modify uses; a Class A Conditional Use to allow a Daycare General was presented to the Board of County Commissioners at a public hearing conducted on November 28, 2022;

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 hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Abandonment;

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, 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 a Special Exception for an Education Institution (maximum 60, K-12 students), adopted by Resolution R-1990-0058, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, is hereby revoked. The remainder of Resolution R-1990-0058 shall remain in full force and effect.

Commissioner Bernard moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor - Aye
Commissioner Maria Sachs, Vice Mayor - Aye
Commissioner Maria G. Marino - Aye
Commissioner Dave Kerner - Aye
Commissioner Marci Woodward - Aye
Commissioner Sara Baxter - Aye
Commissioner Mack Bernard - Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 28, 2022.

Filed with the Clerk of the Board of County Commissioners on December 2nd, 2022

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

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

The South 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 1, Township 45 South, Range 42 East, less the East 39.34 feet of the South 116.00 feet thereof; and the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 excepting therefrom the South 220.00 feet and the right of way of Military Trail (SR 809); also a right-of-way for ingress and egress over the North 30.00 feet of the South 150.00 feet of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 all in Section 1, Township 45 South, Range 42 East, being located on the west side of Military Trail (SR 809), approximately .75 mile north of Hypoluxo Road,