

RESOLUTION NO. R-2016- 0003

RESOLUTION REVOKING RESOLUTIONS  
R-1987-1120-A; R-1990-524; & R-1990-1463  
(CONTROL NUMBER 1987-00030)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION DOA/ABN-2014-02332

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;

WHEREAS, Zoning Applications Z/SE-1987-00030; SE-1987-00030 was presented to the Board of County Commissioners at a public hearing on March 27, 1987, August 31, 1989, and July 26, 1990, respectively;

WHEREAS, Resolutions R-1987-1120-A; R-1990-524; & R-1990-1463 approving this application was adopted by the Board of County Commissioners on July 28, 1987, March 27, 1990, and August 28, 1990, respectively;

WHEREAS, the Zoning Director has determined the request to legislatively 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, as amended) (ULDC), meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Orders to the Board of County Commissioners for ratification on January 7, 2016;

WHEREAS, the Board of County Commissioners has legislatively abandoned the Development Orders, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County ULDC; and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County 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-1987-1120-A, approving Zoning Application Z/SE-1987-00030, the application of Timothy C. Sullivan and Thomas Ralph Browning, by David L. Carpenter, Agent, for a Special Exception (SE) to allow a Large Scale Community Shopping Center in excess of 50,000 square feet (sq. ft.) of total floor area granted under Resolution R-1987-1120-A; that Resolution R-1990-524, approving Zoning Application Z/SE-1987-00030, the application of K & D Land Development, by David L. Carpenter, Agent, for a Special Exception (SE) to amend the Site Plan for an existing Large Scale Community Shopping Center in excess of 50,000 sq. ft. to permit Recreation Facilities, Amusements and Attractions and Exhibits, Public and Private (Bingo Hall) granted under Resolution R-1990-524; and, that Resolution R-1990-1463, approving Zoning Application SE-1987-00030, the application of Timothy C. Sullivan and Thomas Ralph Browning, by David L. Carpenter, Agent, for a Corrective Resolution to clarify the wording of an Engineering Condition granted under Resolution R-1990-1463 are hereby revoked.

Commissioner Burdick moved for the approval of the Resolution.

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

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|---|-------|
| Commissioner Mary Lou Berger, Mayor     | - Aye |
| Commissioner Hal R. Valeche, Vice Mayor | - Aye |

Commissioner Paulette Burdick  
Commissioner Shelley Vana  
Commissioner Steven L. Abrams  
Commissioner Melissa McKinlay  
Commissioner Priscilla A. Taylor

- Aye  
- Absent  
- Aye  
- Aye  
- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 7, 2016.

Filed with the Clerk of the Board of County Commissioners on 21st day of January, 2016

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:**

PARCEL # 1: THAT PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF TRACT 2, BLOCK 2, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PLAT NO. 1, PALM BEACH PLANTATIONS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY OF MILITARY TRAIL (STATE ROAD 809) AS DESCRIBED IN OFFICIAL RECORD BOOK 1151, PAGE 127, LESS THE SOUTH 110 FEET THEREOF.

PARCEL #2: THE SOUTH 110 FEET OF THE SOUTH QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 12, TOWNSHIP 44 SOUTH RANGE 42 EAST, LESS THE RIGHT-OF-WAY FOR MILITARY TRAIL. ALSO DESCRIBED AS THE SOUTH 110 FEET OF THE SOUTHEAST QUARTER OF TRACT 2, BLOCK 2, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PLAT NO. 1, PALM BEACH PLANTATIONS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY OF MILITARY TRAIL (STATE ROAD 809).

PARCEL #3: THE NORTH HALF OF THE SOUTH HALF OF THE EAST HALF OF TRACT 2, BLOCK 2, SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PLAT NO. 1, PALM BEACH PLANTATIONS, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10, PAGE 20, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING WEST OF THE RIGHT-OF-WAY OF MILITARY TRAIL (STATE ROAD 809) AS DESCRIBED IN OFFICIAL RECORD BOOK 1144, PAGE 453.