

RESOLUTION NO. R-2019- 0911

RESOLUTION REVOKING RESOLUTION R-2013-1070
(CONTROL NUMBER 2012-00580)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF THE CONDITIONAL OVERLAY ZONE
FOR ZONING APPLICATION ABN/Z-2018-02226

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 (ULDC), Ordinance 2003-067, Supplement 24, have been satisfied;

WHEREAS, Zoning Application Z-2012-02793 was presented to the Board of County Commissioners at a public hearing on August 22, 2013;

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-2013-1070 was adopted by the Board of County Commissioners on August 22, 2013;

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-2013-1070, approving Zoning Application Z-2012-02793, the application of Race Trac Petroleum Inc., by Land Design South, Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to Single-Family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ), hereby revokes the COZ, with the RS Zoning District remaining.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Mack Bernard, Mayor	-	Aye
Commissioner Dave Kerner, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Robert S. Weinroth	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Melissa McKinlay	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on June 27, 2019.

Filed with the Clerk of the Board of County Commissioners on July 5th, 2019.

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: 
DEPT. CLERK

The seal is circular with a double-line border. The outer ring contains the text "PALM BEACH COUNTY COMMISSIONERS" at the top and "BOARD OF COUNTY COMMISSIONERS" at the bottom, separated by a star on the left. The center of the seal contains the text "PALM BEACH COUNTY" and "FLORIDA".

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 35, THENCE NORTH 88°26'25" WEST ALONG THE SOUTH LINE OF SAID SECTION 35, A DISTANCE OF 336.27 FEET; THENCE NORTH 02°07'22" EAST, A DISTANCE OF 60.50 FEET TO THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF LANTANA ROAD AS RECORDED IN OFFICIAL RECORD BOOK 12022, PAGE 197, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND THE WEST LINE OF SAID EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35; THENCE CONTINUE NORTH 02°07'22" EAST ALONG SAID WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35, A DISTANCE OF 360.43 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE SOUTH 88°26'25" EAST, A DISTANCE OF 225.48 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE HAVERHILL ROAD AS RECORDED IN OFFICIAL RECORD BOOK 12022, PAGE 197, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 13°27'33" EAST ALONG SAID WEST RIGHT-OF-WAY LINE OF HAVERHILL ROAD, A DISTANCE OF 10.09 FEET; THENCE NORTH 02°08'57" EAST ALONG SAID WEST RIGHT-OF-WAY LINE OF HAVERHILL ROAD, A DISTANCE OF 166.48 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE EAST, HAVING A RADIUS OF 8943.75 FEET; THENCE NORTHERLY ALONG SAID WEST RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°31'9", A DISTANCE OF 393.24 FEET TO A POINT OF TANGENCY; THENCE NORTH 04°40'06" EAST ALONG SAID WEST RIGHT-OF-WAY LINE OF HAVERHILL ROAD, A DISTANCE OF 344.92 FEET; THENCE NORTH 42°05'19" WEST, A DISTANCE OF 36.41 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF NASH TRAIL AS RECORDED IN OFFICIAL RECORD BOOK 1689, PAGES 893 AND 894, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 88°50'44" WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE OF NASH TRAIL, A DISTANCE OF 226.32 FEET TO A POINT ON SAID WEST LINE OF THE EAST HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 35; THENCE SOUTH 02° 07' 22" WEST ALONG THE AFORE DESCRIBED LINE, A DISTANCE OF 938.55 FEET TO THE AFOREMENTIONED POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 5.07 ACRES OR 220,861 SQUARE FEET MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

