

RESOLUTION NO. R-2008-0472

RESOLUTION REVOKING RESOLUTION R-2003-0117  
(CONTROL NO. 2002-00032)  
AFFIRMING THE ADMINISTRATIVE ABANDONMENT  
OF ZONING APPLICATION CA-2002-032

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 CA2002-032 was presented to the Board of County Commissioners at a public hearing conducted on January 23, 2003; and

WHEREAS, Resolution R-2003-117 approving this application was adopted by the Board of County Commissioners on January 23, 2003; and

WHEREAS, the Zoning Director 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 24, 2008; 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 Resolution R-2003-117, approving Zoning Application CA2002-032, the application of Howard And Amy Holloway, for a Class A Conditional Use to allow a convenience store with gas sales and a restaurant, fast food is hereby revoked.

Commissioner Marcus moved for the approval of the Resolution.

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

- Addie L. Greene, Chairperson - Aye
- Jeff Koons, Vice Chair - AYE
- Karen T. Marcus - Aye
- Robert J. Kanjian - Aye
- Mary McCarty - Aye
- Burt Aaronson - Aye
- Jess R. Santamaria - Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on March 24, 2008.

Filed with the Clerk of the Board of County Commissioners on March 24, 2008.

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

DESCRIPTION:

HOLLOWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGES 124 AND 125, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT:

ALL OF TRACT B, AND A PORTION OF TRACT C, HOLLOWAY PLAZA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 109, PAGES 124 AND 125, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID TRACT C, SAID POINT ALSO BEING ON THE PLAT LIMITS OF SAID PLAT; THENCE NORTH 89°27'00" EAST, A DISTANCE OF 12.00 FEET; THEN NORTH 00°33'00" WEST, A DISTANCE OF 300.00 FEET; THENCE SOUTH 89°27'00" WEST, A DISTANCE OF 12.00 FEET TO A POINT ON THE PLAT LIMITS OF AFORESAID PLAT; THENCE SOUTH 00°33'00" EAST ALONG SAID PLAT LIMITS, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

A PORTION OF JOSEPH STREET, SUNBEAM PARK, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 26, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. BEING DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHEAST CORNER OF BLOCK 1, OF SAID SUNBEAM PARK; THENCE SOUTH 89°27'00" WEST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF JOSEPH STREET, A DISTANCE OF 400.00 FEET; THENCE NORTH 00°33'00" WEST, A DISTANCE OF 60.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF JOSEPH STREET; THENCE NORTH 89°27'00" EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF JOSEPH STREET, A DISTANCE OF 400.00 FEET; THENCE SOUTH 00°33'00" EAST, A DISTANCE OF 60.00 FEET, TO THE POINT OF BEGINNING.

SAID LANDS SITUATE LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 225,776 SQUARE FEET MORE OR LESS.