

RESOLUTION NO. R-2013- 1253

RESOLUTION REVOKING RESOLUTION R-1977-1249
(CONTROL NUMBER 1977-00153)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN-2013-01856

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 Application SE-1977-00153 was presented to the Board of County Commissioners at a public hearing on October 27, 1977;

WHEREAS, Resolution R-1977-1249 approving this application was adopted by the Board of County Commissioners on November 8, 1977;

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Development Order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended), meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Board of County Commissioners for ratification on September 26, 2013;

WHEREAS, the Board of County Commissioners has legislatively abandoned the Development Order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended); and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code (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-1977-1249, approving Zoning Application SE-1977-00153, the application of VITA VIA, Inc., by Sally S. Benson, agent, for a Special Exception to allow a Commercial New and Used Automobile Sale, Rental and Repair Facility and Lot is hereby revoked.

Commissioner Taylor moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Mayor	-	Aye
Commissioner Priscilla A. Taylor, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on September 26, 2013.

Filed with the Clerk of the Board of County Commissioners on 26th day of September, 2013.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION - EXHIBIT "A"

A portion of the South half (S½) of the West half (W½) of Lot 5, Block 1, LESS the West 60 feet thereof conveyed to Palm Beach County, Florida, by deed recorded in Official Records Book 2857, Page 1604 for Right-of-Way of Military Trail, State Road 809, in PALM BEACH PLANTATIONS, a Subdivision of Section 12, Township 44 South, Range 42 East according to the plat thereof as recorded in Plat Book 10, Page 20 of the public records of Palm Beach County, Florida, said lands situate, lying and being in Palm Beach County, Florida, more particularly described as follows:

BEGINNING at the Northwest corner of the above described parcel;

THENCE North 89° 59' 00" East along the North line of said parcel, a distance of 243.25 feet;

THENCE South 02° 38' 30" East, a distance of 333.42 feet;

THENCE Due West (assumed and all bearings herein are related thereto), a distance of 243.26 feet to the Easterly right-of-way line of South Military Trail;

THENCE North 02° 38' 30" West along said right-of-way line (60 feet Easterly from the centerline), a distance of 333.35 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following described parcel:

Lift Station (West Portion)

A parcel of land in the Plat of PALM BEACH PLANTATIONS, Section 12, Township 44 South, Range 42 East, according to the Plat thereof, recorded in Plat Book 10, Page 20, Public Records of Palm Beach County, Florida, more particularly described as follows:

COMMENCING at the Northwest corner, of the South ½ of the West ½ of Lot 5, Block 1, LESS the West 60.0 feet as Right-of-Way for Military Trail (State Road 809) per Right-of-Way deed recorded in Official Records Book 2857, Page 1604, as shown on the Subdivision of Section 12, Township 44 South, Range 42 East, PALM BEACH PLANTATIONS;

THENCE South 02° 38' 30" East, along the Easterly Right-of-Way line of South Military Trail, a distance of 212.35 feet;

THENCE Due East, a distance of 237.49 feet to the POINT OF BEGINNING;

THENCE continue Due East, a distance of 5.76 feet;

THENCE South 02° 38' 30" East, a distance of 20.02 feet;

THENCE Due West, a distance of 6.69 feet;

THENCE Due North, a distance of 20.00 feet to the POINT OF BEGINNING.