

RESOLUTION NO. R-2016- 0399

RESOLUTION REVOKING RESOLUTION R-1978-068, R-1982-0411, R-1987-0903,
and R-1989-0613

(CONTROL NUMBER 1986-00139)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/W-2015-02158

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 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/W-2015-02158 was presented to the Board of County Commissioners at a public hearing on March 24, 2016;

WHEREAS, Resolution R-1978-068, R-1982-0411, R-1987-0903, and R-1989-0613 approving this application was adopted by the Board of County Commissioners on January 17, 1978, January 28, 1982, April 4, 1989;

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Development Order, as provided in Article 2 (Development Review Procedures) of the ULDC, 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 March 24, 2016 ; and

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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-1978-068, approving Zoning Application 77-186, the application of William W. and Padie A. Stratekeyer, for a zoning petition to allow a rezoning, from RM-Residential Multiple Family District (MEDIUM DENSITY) to CG-General Commercial District is hereby revoked. Resolution R-1982-0411, approving Zoning Application 81-226, the application of Don Cook Motors, INC. by Richard C. Ahrens, Agent, for the Further Special Exception to allow the expansion of and amend the Site Plan for an existing commercial used automobile sales facility and lot, previously approved under Zoning Petition NO.77-186, to include an automobile repair facility is hereby revoked. Resolution R-1987-0903, approving Zoning Application 86-139, the application of Boat Mart, INC., By Paul S. Pefley, Jr., Agent, for a Special Exception to allow a commercial new and used, automobile, truck, boat, motorcycle, mobile home, recreational vehicle sales and rental and repair facilities is hereby revoked. Resolution R-1989-0613 approving Zoning Application 86-139 (A), the application of Boat Mart, INC, by Paul S. Pefley, Jr., Agent, for a modification of commission requirements is hereby revoked.

Commissioner Vana moved for the approval of the Resolution.

The motion was seconded by Commissioner Burdick 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 | - Aye |

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

- Aye
- Aye
- Aye
- Aye

The Chair thereupon declared that the resolution was duly passed and adopted on March 24, 2016.

Filed with the Clerk of the Board of County Commissioners on 14th day of April, 20 .

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
FLORIDA



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

PARCEL 1

THE SOUTH 162.18 FEET OF THE EAST 473.03 FEET OF THE SOUTH ½ OF LOT 1, BLOCK 3, (AS MEASURED ALONG THE SOUTH AND EAST LINES THEREOF) LYING WEST OF A PLATTED ROAD RIGHT-OF-WAY (60 FEET) AS SHOWN ON PLAT NO. 1, PALM BEACH PLANTATION, (MODEL LAND COMPANY), A SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 10, PAGE 20, EXCEPT FOR THE EAST 30 FEET THEREOF CONVEYED TO THE COUNTY OF PALM BEACH FOR ROAD PURPOSES, BUT INCLUDING AN EASEMENT FOR INGRESS AND EGRESS VIA THE 25 FOOT STRIP OF LAND LYING NORTH OF AND ADJACENT TO THE NORTH LINE OF THE ABOVE DESCRIBED PARCEL OF LAND.

PARCEL 2

THE WEST 450 FEET OF THE EAST 473.03 FEET, MEASURED PARALLEL WITH THE SOUTH LINE THEREOF, LYING WEST OF A PLATTED ROAD RIGHT OF WAY (60 FEET), OF THE SOUTH ONE-HALF (1/2) OF LOT 1, BLOCK 3, PLAT NO.1, PALM BEACH PLANTATIONS (MODEL LAND COMPANY), A SUBDIVISION OF SECTION 12, TOWNSHIP 44 SOUTH, RANGE 42 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 10, PAGE 20, LESS AND EXCEPTING THE SOUTH 162.18 FEET THEREOF AND ALSO LESS AND EXCEPTING THE RIGHT-OF-WAY FOR MILITARY TRAIL.

PARCEL 3

THE SOUTH ½ OF LOT 1, BLOCK 3, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 12, TOWNSHIP 44, RANGE 42 EAST, KNOWN AS PALM BEACH PLANTATION IN PALM BEACH COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 10, PAGE 20, LESS AND EXCEPTING THE EAST 473.03 FEET THEREOF.

CONTAINING 424,755 SQUARE FEET OR 9.751 ACRES, MORE OR