

RESOLUTION NO. R-2021-1754

RESOLUTION REVOKING A PORTION OF RESOLUTION R-1993-0509
(CONTROL NUMBER 1992-00023)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/DOA/CA-2021-00249

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 as amended, have been satisfied;

WHEREAS, Zoning Application Z/SE-1992-00023 was presented to the Board of County Commissioners at a public hearing on April 20, 1993; and was Reinstated by the Board of County Commissioners within Application SA92-023(A) and Resolution R-97-1292 on September 2, 1997;

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-1993-0509, approving multiple special exceptions, was adopted by the Board of County Commissioners on April 20, 1993 and was Reinstated by the Board of County Commissioners within Application SA92-023(A) and Resolution R-97-1292 on September 2, 1997 ;

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-1993-0509, approving Special Exceptions within Zoning Application Z/SE-1992-00023, and R-97-1292 approving Zoning Application SA92-23(A) a Reinstatement and Development Order Amendment, which were both applications of Steve Craig, TR., Emma Wilson, Gene Barbato, TR., For Spears Corporation, Inbar and Pat Scruggs, Schooley Cadillac, INC, by Kieran J. Kilday, Agent, and wherein more specifically to allow a Special Exception to allow an Auto Service Station with Car Wash and revised to a Convenience Store with Gas Sales is hereby revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Robert S. Weinroth, Mayor	- Aye
Commissioner Gregg K. Weiss, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Dave Kerner	- Aye

Commissioner Maria Sachs
Commissioner Melissa McKinlay
Commissioner Mack Bernard

- Aye
- Aye
- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 22, 2021.


Filed with the Clerk of the Board of County Commissioners on November 22nd, 2021

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

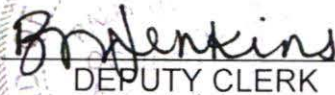
BY:



COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY:



DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION - Overall MUPD (22.40 AC)
ALL OF BMC REPLAT NO. 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 111, PAGE 24, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
SAID PARCEL CONTAINING 975,713 SQUARE FEET OR 22.399 ACRES MORE OR LESS.

LEGAL DESCRIPTION - Existing Murphy USA (0.45 AC)
A PORTION OF LAND BEING A PORTION OF TRACT "A-1" OF BMC REPLAT NO. 1, (BEING A REPLAT OF A PORTION OF TRACT A, ACCORDING TO THE PLAT RECORDED IN PLAT BOOK 86, PAGE 162) ACCORDING TO THE PLAT THEREOF, ON FILE IN THE OFFICE OF CLERK OF THE CIRCUIT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 111, PAGE 24, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST; THENCE WITH THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 25, NORTH 01 DEGREES 45 MINUTES 33 SECONDS EAST A DISTANCE OF 295.82 FEET TO A POINT; THENCE LEAVING SAID WEST LINE SOUTH 88 DEGREES 14 MINUTES 27 SECONDS EAST A DISTANCE OF 73.24 FEET TO A 5/8 INCH REBAR SET WITH CAP "PSM 4986", SAID 5/8 INCH REBAR BEING LOCATED IN THE EAST RIGHT OF WAY LINE OF MILITARY TRAIL (73.5 FOOT PUBLIC RIGHT OF WAY), ALSO SAID 5/8 INCH REBAR BEING THE TRUE POINT OF BEGINNING; THENCE WITH THE SAID RIGHT OF WAY LINE OF MILITARY TRAIL NORTH 01 DEGREES 57 MINUTES 07 SECONDS EAST A DISTANCE OF 139.00 FEET TO A 5/8 INCH REBAR SET WITH CAP "PSM 4986"; THENCE LEAVING THE SAID RIGHT OF WAY LINE ALONG AND ACROSS THE WAL-MART STORES EAST, LP PROPERTY (RECORDED IN OR BOOK 15659, PAGE 1112) AS FOLLOWS: SOUTH 88 DEGREES 02 MINUTES 53 SECONDS EAST A DISTANCE OF 127.18 FEET TO A P.K. NAIL SET"; THENCE SOUTH 01 DEGREES 57 MINUTES 07 SECONDS WEST A DISTANCE OF 51.76 FEET TO A P.K. NAIL SET"; THENCE SOUTH 88 DEGREES 02 MINUTES 53 SECONDS EAST A DISTANCE OF 49.15 FEET TO A P.K. NAIL SET; THENCE SOUTH 01 DEGREES 57 MINUTES 07 SECONDS WEST A DISTANCE OF 36.00 FEET TO A P.K. NAIL SET; THENCE NORTH 88 DEGREES 02 MINUTES 53 SECONDS WEST A DISTANCE OF 49.15 FEET TO A P.K. NAIL SET; THENCE SOUTH 01 DEGREES 57 MINUTES 07 SECONDS WEST A DISTANCE OF 51.24 FEET TO A P.K. NAIL SET; THENCE NORTH 88 DEGREES 02 MINUTES 53 SECONDS WEST A DISTANCE OF 127.18 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINING 19,447 SQUARE FEET OR 0.45 ACRES MORE OR LESS.

LEGAL DESCRIPTION - CA area Existing Walgreens (1.45 AC)
A PORTION OF TRACT "A-1" OF BMC REPLAT NO. 1, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 111, PAGE 24, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHERNMOST SOUTHWEST CORNER OF SAID TRACT "A-1"; THENCE NORTH 43°11'13" WEST, A DISTANCE OF 39.53 FEET TO A POINT; THENCE NORTH 01°45'32" EAST, ALONG THE WEST LINE OF SAID TRACT "A-1", A DISTANCE OF 170.75 FEET TO A POINT; THENCE SOUTH 88°14'28" EAST, A DISTANCE OF 319.00 FEET TO A POINT; THENCE SOUTH 01°45'32" WEST, A DISTANCE OF 199.28 FEET TO A POINT ON THE SOUTH LINE OF SAID TRACT "A-1"; THENCE NORTH 88°07' 58" WEST ALONG THE SOUTH LINE OF SAID TRACT "A-1", A DISTANCE OF 291.08 FEET TO THE POINT OF BEGINNING.
SAID PARCEL CONTAINING 63,085 SQUARE FEET OR 1.45 ACRES MORE OR LESS.

VICINITY SKETCH

