

RESOLUTION NO. ZR-2021- 005

RESOLUTION REVOKING RESOLUTION ZR-2015-010
(CONTROL NUMBER 1979-00226)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION CB-2014-02362

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067, as amended, is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application CB-2014-02362 was presented to the Zoning Commission at a public hearing on April 2, 2015;

WHEREAS, Resolution ZR-2015-009 approving this Application was adopted by the Zoning Commission on April 2, 2015;

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Development Order, as provided in Article 2 (Application Processes and Procedures) of the ULDC, meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Zoning Commission for ratification on January 7, 2021; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Resolution ZR-2015-009, approving Zoning Application CB-2014-02362, the application of WH Cleary, LLC, by Urban Design Kilday Studios, Agent, for a Class B Conditional Use to allow a Recycling Plant is hereby revoked.

Commissioner Brumfield moved for the approval of the Resolution.

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

Sheri Scarborough, Chair	- Yes
Sam Caliendo, Vice Chair	- Yes
Amir Kanel	- Yes
John Kern	- Absent
Michael Kelley	- Yes
Marcelle Griffith Burke	- Yes
Alex Brumfield III	- Yes
Mark Beatty	- Yes
Jess Sowards	- Yes

The Chair thereupon declared that the resolution was duly passed and adopted on January 7, 2021.

This resolution is effective when filed with the Palm Beach County Zoning Division on January 7, 2021.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
COUNTY ATTORNEY

BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

TRACT 36, BLOCK 6, PALM BEACH FARMS COMPANY PLAT NO. 3 AS RECORDED IN PLAT BOOK 2 AT PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 360 FEET THEREOF, ALL LYING AND BEING IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

LOTS 1 THROUGH 6, INCLUSIVE AND TRACT "A", PLAT OF HEMSTREET PARK AS RECORDED IN PLAT BOOK 42, PAGE 104, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS THE ADDITIONAL RIGHTS-OF-WAY AS DEDICATED TO THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AS CONTAINED IN PARAGRAPH 1 ON THE PLAT OF HEMSTREET PARK AS RECORDED IN PLAT BOOK 42, PAGE 104, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 9.24 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

