

RESOLUTION NO. R-2006-0153

RESOLUTION REVOKING RESOLUTION R-1999-968
(CONTROL NUMBER 1999-019)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING APPLICATION CA1999-019

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; and

WHEREAS, Zoning Application CA1999-019 was presented to the Board of County Commissioners at a public hearing on May 27, 1999; and

WHEREAS, Resolution R-1999-968 approving this application was adopted by the Board of County Commissioners on May 27, 1999; and

WHEREAS, the Zoning Director has determined the request to administratively 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), meets the requirements contained therein; and

WHEREAS, the Zoning Director has administratively 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, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on January 26, 2006; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) 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-1999-968, approving Zoning Application CA1999-019, the petition of Elbert & Melodye Abell, by Robert Basehart, agent, for a Class A Conditional Use to allow a retail nursery is hereby revoked.

Commissioner Koons moved for the approval of the Resolution.

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

Tony Masilotti, Chair	-	Absent
Addie L. Greene, Vice Chairperson	-	Absent
Karen T. Marcus	-	Aye
Jeff Koons	-	Aye
Warren H. Newell	-	Aye
Mary McCarty	-	Aye
Burt Aaronson	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 26, 2006.

Filed with the Clerk of the Board of County Commissioners on 26th day of January, 2006.

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

THE EAST HALF OF TRACT 15 AND 16 OF HYPOLUXO FARMS, ACCORDING TO THE UNRECORDED PLAT THEREOF PREPARED BY E. ELLIOTT GROSS AND ASSOC., ENG., WEST PALM BEACH, FL, JUNE 1954, BEING A SUB-DIVISION OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 45 SOUTH, RANGE 42 EAST, WHICH NORTHEAST CORNER IS 2,652.23 FEET WESTERLY FROM THE CENTERLINE OF MILITARY TRAIL; THENCE SOUTHERLY ALONG THE EAST LINE OF SECTION 11, A DISTANCE OF 678.52 FEET; THENCE WESTERLY MAKING AN ANGLE OF 97°37'24" WITH THE PRECEDING COURSE, MEASURED FROM NORTH TO WEST, A DISTANCE OF 649.89 FEET; THENCE NORTHERLY MAKING AN ANGLE OF 87°45'54", MEASURED FROM EAST TO NORTH, A DISTANCE OF 679.52 FEET TO A POINT IN THE NORTH LINE OF SAID SECTION 11; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SECTION 11 A DISTANCE OF 666.295 FEET TO A POINT OF BEGINNING, EXCEPTING THEREFROM, THE NORTH 56 FEET AS CANAL RIGHT-OF-WAY.