

RESOLUTION NO. R-2006-2329

RESOLUTION REVOKING RESOLUTION R-1996-0130
(CONTROL NUMBER 1995-021)
AFFIRMING THE ADMINISTRATIVE ABANDONMENT
OF ZONING APPLICATION CA1995-021

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 CA1995-021 was presented to the Board of County Commissioners at a public hearing on January 25, 1996; and

WHEREAS, Resolution R-1996-0130 approving this application was adopted by the Board of County Commissioners on January 25, 1996; 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) and

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on October 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-1996-0130, approving Zoning Application CA1995-021, the petition of Levitt Homes, by Robert A. Bentz, agent, for a Class A Conditional Use to allow a retail and wholesale nursery is hereby revoked.

Commissioner Marcus 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 | - | Aye |
| 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 October 26, 2006.

Filed with the Clerk of the Board of County Commissioners on 26th day of October, 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

LEGAL DESCRIPTION:

A parcel of land lying in Tracts 70, 71 and 72, Block 58 of "The Palm Beach Farms Company Plat No 3", as recorded in Plat Book 2, pages 45 through 54 of the public records of Palm Beach County, Florida, said parcel being more particularly described as follows:

COMMENCING at the Northwest corner of said Tract 72, THENCE along the North boundary of said Tract 72, Block 58 North $89^{\circ}37'21''$ East, a distance of 30.00 feet to the POINT OF BEGINNING; THENCE continue North $89^{\circ}37'21''$ East along the North boundary of said Tracts 72, 71 and 70, a distance of 660.00 feet to an intersection with a line 30.00 feet East of and parallel with the East boundary of said Tract 71; THENCE along said parallel line South $00^{\circ}16'18''$ East, a distance of 516.00 feet; THENCE South $89^{\circ}37'21''$ West, a distance of 134.82 feet to a point on the arc of a non-tangent curve concave to the North (said point bears North $65^{\circ}05'50''$ East from the radius point of the next described curve), THENCE Southwesterly, along the arc of said curve having a radius of 53.00 feet, a delta of $188^{\circ}08'33''$, and an arc distance of 174.04 feet to a Point of Reverse Curvature with a curve concave to the Southwest, THENCE Northwesterly, along the arc of said curve having a radius of 25.00 feet, a delta of $73^{\circ}37'02''$, and an arc distance of 32.12 feet to a Point of Tangency, THENCE South $89^{\circ}37'21''$ West, a distance of 109.25 feet, THENCE South $00^{\circ}22'39''$ East, a distance of 125.00 feet to the south line of said Tract 72, Block 58; THENCE South $89^{\circ}37'21''$ West along said South line, a distance of 293.15 feet; THENCE North $00^{\circ}16'18''$ West along a line 30 feet East of an parallel to the West line of said Tract 72, Block 58, a distance of 660.00 feet to the POINT OF BEGINNING;

Said lands lying in the COUNTY OF PALM BEACH, FLORIDA containing 9.000 acres more or less.