

RESOLUTION NO. R-2012- 1166

RESOLUTION REVOKING RESOLUTION R-2007-1620
(CONTROL NUMBER 2005-00589)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/Z/DOA/CA-2012-00696

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 CA2006-1901 was presented to the Board of County Commissioners at a public hearing on September 24, 2007; and

WHEREAS, Resolution R-2007-1620 approving this application was adopted by the Board of County Commissioners on September 24, 2007 and

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

WHEREAS, the Zoning Director has legislatively 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 2005-00589; and

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County Unified Land Development Code (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-2007-1620 approving Zoning Application CA2006-1901 the application of Military Trail Dev Grp Llc, by Miller Land Planning, agent, for a Class A Conditional Use to allow for townhomes in the Single-family Residential (RS) Zoning District is hereby revoked.

Commissioner Abrams 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:

Commissioner Shelley Vana, Chair	-	Aye
Commissioner Steven L. Abrams, Vice Chairman	-	Aye
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	
Commissioner Burt Aaronson	-	Aye
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on August 23, 2012.

Filed with the Clerk of the Board of County Commissioners on 4th day of September, 2012.

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
PALM BEACH COUNTY
FLORIDA



EXHIBIT A
LEGAL DESCRIPTION

TRACT 15, IN THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, ALSO BEING DESCRIBED AS THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPTING:

2 ACRES MORE OR LESS, CONSISTING OF A STRIP 132 FEET BY 660 FEET FROM NORTHERN BOUNDARY OF TRACT 15 OF THE SOUTHEAST 1/4, BEING THE SOUTHWEST 1/4 OF SOUTHWEST 1/4 OF SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, DESCRIBED AS RUNNING EAST FROM THE CENTER OF MILITARY TRAIL 660 FEET; THENCE SOUTH 132 FEET; THENCE WEST 660 FEET; THENCE NORTH 132 FEET ALONG MILITARY TRAIL TO CLOSE, AS SET FORTH IN DEED BOOK 1018, PAGE 145, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

FURTHER LESS AND EXCEPTING:

THE SOUTH 25 FEET OF SAID TRACT 15 ABUTTING AND LYING NORTH OF THE PLATTED 15 FOOT ROAD RIGHT OF WAY; SAID PLATTED ROAD RIGHT OF WAY AS SHOWN ON THE PLAT OF AMENDED PLAT OF SEC. 12, TWP. 45 S., R. 42 E., MARY A. LYMAN ET AL, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 9, PAGE 74, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

FURTHER LESS AND EXCEPTING:

THAT PORTION LYING WITHIN 33 FEET OF THE CENTER LINE OF OLD MILITARY TRAIL, SAID CENTER LINE BEING THE WEST LINE OF THE SOUTHEAST 1/4 OF SAID SECTION 12.