

RESOLUTION NO. R-2017- 0005

RESOLUTION REVOKING RESOLUTION R-1996-1192, R-1997-152 and R-2003-1984  
(CONTROL NUMBER 2004-00034)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ZV/ABN/PDD/R-2015-02353

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 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ZV/ABN/PDD/R-2015-02353 was presented to the Board of County Commissioners at a public hearing on January 5, 2017;

WHEREAS, Resolutions R-1996-1192 approving a Class A Conditional Use (CA) adopted by the Board of County Commissioners on August 22, 1996; R-1997-152 approving a Development Order Amendment adopted by the Board of County Commissioners on January 30, 1997; and, R-2003-1984 approving a Development Order Amendment adopted by the Board of County Commissioners on December 4, 2003;

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 ULDC, meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Board of County Commissioners for ratification on January 5, 2017; and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) 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-1996-1192 approving Zoning Application 1996-15, the application of AT & T Wireless Service, by Michael Schora and Fred Roth Agents for a Class A Conditional Use (CA) to allow a commercial communication tower in the Agricultural Residential (AR ) Zoning District; Resolution R-1997-152, approving Zoning Application 1996-15(A), the application of PCS Prime Co., LP, by Fred Roth and Raymond Royce, Agents, for a Development Order Amendment to Amend Condition D.4 of Resolution R-96-1192; and, R-2003-1984, approving Zoning Application, 1996-015(B), the application of Northstar Holding at B&A and Centerline Holding, by Kilday and Associates Inc., Agent, for a Development Order Amendment to delete land area from an existing tower and to reconfigure property boundaries are hereby revoked.

Commissioner Berger moved for the approval of the Resolution.

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

Commissioner Paulette Burdick, Mayor	- Nay
Commissioner Melissa McKinlay, Vice Mayor	- Nay
Commissioner Hal R. Valeche	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye

Commissioner Mary Lou Berger  
Commissioner Mack Bernard

- Aye  
- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on January 5, 2017.

Filed with the Clerk of the Board of County Commissioners on January 18th, 2017

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**

PARCEL 1: TRACT "B", WEST BOYNTON FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 104, PAGE 9, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LESS AND EXCEPTING THEREFROM THE SOUTH 285.38 FEET OF THE WEST 234.91 FEET OF SAID TRACT B.

PARCEL 2: THE SOUTH 285.38 FEET OF THE WEST 234.91 FEET OF TRACT "B", WEST BOYNTON FARMS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 104, PAGE 9, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ABOVE DESCRIBED PARCEL CONTAINS 15.338 ACRES, MORE OR LESS.