

RESOLUTION NO. R-2017- 1410

RESOLUTION REVOKING RESOLUTION R-1983-0130
(CONTROL NUMBER 1972-00051)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ZV/ABN/DOA/R-2016-01229

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 SE-1982-00109 was presented to the Board of County Commissioners at a public hearing on September 23, 1982;

WHEREAS, Resolution R-1983-00130 approving this Application was adopted by the Board of County Commissioners on January 25, 1983;

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 September 28, 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-1983-130, approving Zoning Application SE-1982-00109, the application of Boynton West Shopping Center, by Alan J. Ciklin, Agent, for a Special Exception to allow an Auto Service Station is hereby revoked.

Commissioner Kerner moved for the approval of the Resolution.

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

Commissioner Paulette Burdick, Mayor	- Aye
Commissioner Melissa McKinlay, Vice Mayor	- Absent
Commissioner Hal R. Valeche	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Absent
Commissioner Mack Bernard	- Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on September 28, 2017.

Filed with the Clerk of the Board of County Commissioners on October 4th, 2017

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

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



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: (AFFECTED AREA OF DEVELOPMENT)

A PORTION OF THE PLAT OF BOYNTON WEST SHOPPING CENTER, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 43, PAGE 23, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA LYING IN SECTION 23, TOWNSHIP 45 SOUTH, RANGE 42 EAST MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23: THENCE N 00°05'04" W, ALONG THE EAST LINE OF SAID SECTION 23, A DISTANCE OF 1004.04 FEET TO A POINT:

THENCE, LEAVING SAID SECTION LINE. BEARING N 89°49'28" W, A DISTANCE OF 59.98 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF MILITARY TRAIL (SR 809) (AS DEDICATED BY DEED BOOK 887, PAGE 248 AND PLAT BOOK 43, PAGE 23 OF SAID PUBLIC RECORDS), SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND:

THENCE, CONTINUE BEARING N 89°49'28" W A DISTANCE OF 142.66 FEET TO A POINT;

THENCE, BEARING N 00°22'13" W A DISTANCE OF 376.69 FEET TO A POINT;

THENCE, BEARING N 89°28'00" E, A DISTANCE OF 118.94 FEET TO A POINT;

THENCE, BEARING S 45°18'17" E. A DISTANCE OF 22.09 FEET TO A POINT;

THENCE, BEARING S 26°20'42" E. A DISTANCE OF 22.42 FEET TO THE AFORESAID EASTERLY LINE OF THE "PLAT OF BOYNTON SHOPPING CENTER" AND THE AFORESAID WESTERLY RIGHT OF WAY LINE OF S. MILITARY TRAIL (SR 809);

THENCE. BEARING S 00°05'04" E, ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 342.60 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 53,840 SQUARE FEET OR 1.236 ACRES MORE OR LESS AND IS SUBJECT TO ANY AND ALL CONDITIONS, RESTRICTIONS AND EASEMENTS AS CONTAINED WITHIN THE CHAIN OF TITLE.