

RESOLUTION NO. R-2018- 0964

RESOLUTION REVOKING RESOLUTION R-1975-0957  
(CONTROL NUMBER 1975-00168)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN-2018-00108

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

WHEREAS, Zoning Application SE-1975-00168 was presented to the Board of County Commissioners at a public hearing on December 18, 1975;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, Resolution R-1975-0957 was adopted by the Board of County Commissioners on December 18, 1975;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) 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-1975-0957, approving Zoning Application SE-1975-00168, the application of J.L. Wagner, Inc., by Joseph L. Wagner, Agent, for a Special Exception for an Interim Sewage Treatment Plant, is hereby revoked.

Commissioner Berger moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on June 25, 2018.

Filed with the Clerk of the Board of County Commissioners on June 25th, 2018

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 BOGGS  
CLERK & COMPTROLLER

BY:   
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION: ORB 29350 PG 1083

PARCEL "A":

THE NORTH 200 FEET OF THE SOUTH 2360 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

PARCEL 1:

THE NORTH 50 FEET OF THE SOUTH 2360 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

(ALSO KNOWN AS LOT 28, FIRST ADDITION TO PALM GARDENS, UNRECORDED)

PARCEL 2:

THE NORTH 50 FEET OF THE SOUTH 2310 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

(ALSO KNOWN AS LOT 29, FIRST ADDITION TO PALM GARDENS, UNRECORDED)

PARCEL 3:

THE NORTH 50 FEET OF THE SOUTH 2260 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

(ALSO KNOWN AS LOT 30, FIRST ADDITION TO PALM GARDENS, UNRECORDED)

PARCEL 4:

THE NORTH 50 FEET OF THE SOUTH 2210 FEET OF THE EAST 200 FEET OF THE WEST 230 FEET OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

(ALSO KNOWN AS LOT 31, FIRST ADDITION TO PALM GARDENS, UNRECORDED)

TOGETHER WITH AND SUBJECT TO AN EASEMENT FOR INGRESS AND EGRESS IN COMMON WITH OTHER LOT OWNERS OVER AND UPON THE NORTH 40 FEET OF THE SOUTH 2165 FEET OF SAID SOUTHWEST QUARTER, SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

CONTAINING 0.92 ACRES OR 40,004 SQUARE FEET, MORE OR LESS.