

RESOLUTION NO. R-2020- 0187

RESOLUTION REVOKING RESOLUTION R-2012-0781
(CONTROL NUMBER 1981-00010)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN-2019-02322

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 (ULDC), Ordinance 2003-067 Supplement 26, have been satisfied;

WHEREAS, Zoning Application ZV/ABN/CA-2011-02630 was presented to the Board of County Commissioners at a public hearing on May 24, 2012;

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-2012-0781 was adopted by the Board of County Commissioners on May 24, 2012;

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-2012-0781, approving Zoning Application ZV/ABN/CA-2011-02630, the application of Francalby Corp., by Urban Design Kilday Studios, Agent, for a Class A Conditional Use to allow a Convenience Store with Gas Sales, is hereby revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

- | | | |
|---|---|--------|
| Commissioner Dave Kerner, Mayor | - | Absent |
| Commissioner Robert S. Weinroth, Vice Mayor | - | Aye |
| Commissioner Hal R. Valeche | - | Aye |
| Commissioner Gregg K. Weiss | - | Aye |
| Commissioner Mary Lou Berger | - | Aye |
| Commissioner Melissa McKinlay | - | Aye |
| Commissioner Mack Bernard | - | Aye |

The Mayor thereupon declared that the resolution was duly passed and adopted on February 27, 2020.

Filed with the Clerk of the Board of County Commissioners on March 13th, 2020

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

THE WEST HALF (W 1/2) OF EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 4, TOWNSHIP 45 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE NORTH 1019.90 FEET THEREOF, AS MEASURED ALONG THE EAST AND WEST LINES OF THE SAID WEST HALF (W 1/2) OF THE EAST HALF (E 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 4, AND LESS THE RIGHT-OF-WAY FOR I-95.

ALSO KNOWN AS:

TRACT "A" OF HYPOLUXO CONVENIENCE WITH GAS SALES, ACCORDING TO PLAT THEREOF AS RECORDED IN PLAT BOOK 123, PAGE 130, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. CONTAINING 1.62 ACRES, MORE OR LESS. SUBJECT TO RESTRICTIONS, RESERVATIONS AND EASEMENTS OF RECORD.

CONTAINING 1.62 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

