

RESOLUTION NO. R-2020- 0939

RESOLUTION REVOKING RESOLUTION R-1976-0926
(CONTROL NUMBER 1976-00133)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN/Z-2019-01611

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 SE-1976-00133 was presented to the Board of County Commissioners at a public hearing on October 5, 1976;

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-1976-0926 was adopted by the Board of County Commissioners on October 5, 1976;

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-1976-0926, approving Zoning Application SE-1976-00133, the application of Edward J. Brady, by Joseph M. Carey, Agent, for a Special Exception to allow Farm Implement Sales and Service is hereby revoked.

Commissioner Bernard moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	-	Aye
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 July 30, 2020.

Filed with the Clerk of the Board of County Commissioners on July 30th, 2020

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

THE LAND IS DESCRIBED AS FOLLOWS:

TRACTS 113, 114 AND 115, SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, THE PALM BEACH FARMS CO. PLAT NO. 1, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 26, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT THE RIGHT-OF-WAY FOR DELRAY WEST ROAD AS SHOWN IN INSTRUMENTS RECORDED IN DEED BOOK 811, PAGE 412; DEED BOOK 811, PAGE 414; O.R. BOOK 9904, PAGE 1675; O.R. BOOK 10154, PAGE 1367 AND O.R. BOOK 10195, PAGE 606, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH:

ALL THAT LAND LYING WEST OF THE PALM BEACH FARMS CO. PLAT NO. 1 IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, AS RECORDED IN PLAT BOOK 2, PAGE 26, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND EAST OF THE WEST SECTION LINE OF SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, BOUNDED ON THE NORTH BY THE WESTERLY EXTENSION OF THE NORTH LINE OF TRACT 113 OF SAID PLAT, LESS AND EXCEPTING THEREFROM THE WEST 183 FEET AND THE SOUTH 140 FEET.

MORE PARTICULARLY DESCRIBED AS:

A PORTION OF LAND LYING IN SECTION 18, TOWNSHIP 46 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHERLY WEST CORNER OF TIVOLI ISLES P.U.D., AS RECORDED IN PLAT BOOK 107, PAGE 92 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; SAID POINT OF BEGINNING BEING ON THE EAST RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-1, AS RECORDED IN DEED BOOK 987, PAGE 233 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE N.89°09'51"E. ALONG THE SOUTH LINE OF TRACTS 109 THROUGH 112 OF PALM BEACH FARMS CO. PLAT NO. 1, AS RECORDED IN PLAT BOOK 2, PAGE 26 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 1045.65 FEET; THENCE S.01°12'49"E., A DISTANCE OF 528.91 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF FLORIDA DEPARTMENT OF TRANSPORTATION PARCEL 119 AS RECORDED IN OFFICIAL RECORD BOOK 10195, PAGE 606 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S.89°32'38"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 986.99 FEET TO A POINT ON THE WEST LINE OF TRACT 113 OF SAID PALM BEACH FARMS CO. PLAT NO. 1; THENCE S.01°17'43"E. ALONG SAID WEST LINE OF TRACT 113, A DISTANCE OF 90.00 FEET; THENCE S.89°32'38"W., A DISTANCE OF 63.68 FEET; THENCE N.00°45'40"W. ALONG SAID EAST RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT CANAL E-1, A DISTANCE OF 611.95 FEET TO A POINT OF BEGINNING.

SAID LANDS CONTAINING 556,192 SQUARE FEET (~12.77 ACRES) MORE OR LESS.

EXHIBIT B
LOCATION MAP

