

RESOLUTION NO. R-2015- 1730

RESOLUTION REVOKING RESOLUTION R-2011-562  
(CONTROL NUMBER 2010-00352)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ZV/ABN/DOA-2015-00765

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 petitions related to zoning; and

WHEREAS, Zoning Application Z/CA-2010-02802 was presented to the Board of County Commissioners at a public hearing on April 28, 2011; and,

WHEREAS, Resolution R-2011-0562 approving this application was adopted by the Board of County Commissioners on April 28, 2011 and,

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 Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) (ULDC), meets the requirements contained therein; and,

WHEREAS, the Board of County Commissioners has legislatively abandoned the development order, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land ULDC; and,

WHEREAS, the Zoning Director presented the abandonment of the development order to the Board of County Commissioners for ratification on December 3, 2015; and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) of the Palm Beach County 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-2011-0562, approving Zoning Application Z/CA-2010-02802, the application of 934 Pike LLC, by Jon E. Schmidt and Associates, Agent, for a Class A Conditional Use to allow a Gas and Fuel, Wholesale, is hereby revoked.

Commissioner Burdick 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 Mary Lou Berger, Mayor	-	Aye
Commissioner Hal R. Valeche, Vice Mayor	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Steven L. Abrams	-	Absent
Commissioner Melissa McKinlay	-	Aye
Commissioner Priscilla A. Taylor	-	Absent

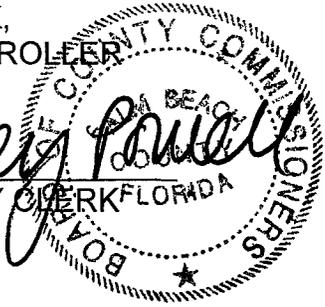
The Chair thereupon declared that the resolution was duly passed and adopted on December 3, 2015.

Filed with the Clerk of the Board of County Commissioners on 14th day of December, 2015.

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

Tract 3, Block 6, Palm Beach Farms Company Plat No. 3, according to the map or plat thereof, as recorded in Plat Book 2, Page 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida.

LESS and EXCEPT the following portions of said Tract 3:

1. The North 245 feet thereof.
2. The South 198 feet thereof.
3. The east 220 feet thereof LESS the North 245 feet thereof and LESS the South 198 feet thereof.
4. The South 17 feet of the North 262 feet thereof, LESS the East 220 feet thereof.

ALSO LESS and EXCEPT the lands conveyed to Palm Beach County in Warranty Deed recorded in Official Records Book 23885, Page 1622 and more particularly described as follows:

A portion of Tract 3, Block 6, Palm Beach Farms Company Plat No. 3, according to the map or plat thereof, as recorded in Plat Book 2, Page 45 through 54, inclusive, of the Public Records of Palm Beach County, Florida. Being more particularly described as follows:

Commencing at the Northwest corner of said Tract 3; thence South  $00^{\circ}59'11''$  East along the West line of said Tract 3, a distance of 262.00 feet to a point on a line being 262.00 South of an parallel with the North line of said Tract 3, same being the Point of Beginning; thence North  $89^{\circ}00'49''$  East along said parallel line, 25.00 feet to a point on a line being 25.00 feet East of and parallel with the West line of said Tract 3, same being the new East Right-of-way line of Pike Road; thence South  $00^{\circ}59'11''$  East along said parallel line and said new East Right-of-way line, 200.00 feet to a point on a line being 462.00 feet south of and parallel with the North line of said Tract 3; thence South  $89^{\circ}00'49''$  West along said parallel line to the West line of said Tract 3, a distance of 25.00 feet; thence North  $00^{\circ}59'11''$  West along the West line of said Tract 3, a distance of 200.00 feet to the Point of Beginning.