

RESOLUTION R-2012- 1165

RESOLUTION CORRECTING RESOLUTION R-2012-1055
(CONTROL NO. 2004-00458)
RESOLUTION APPROVING ZONING APPLICATION OF
Hypoluxo Acquisition LLC, Trinacria Acquisition LLC
Toscana Isles PUD
APPLICATION ABN/DOA/R/TDR-2011-03177

WHEREAS, Hypoluxo Acquisition LLC, Trinacria Acquisition LLC, petitioned the Palm Beach County Board of County Commissioners on July 26, 2012 for a Transfer of Development Rights to allow the purchase of 140 Transfer of Development Rights (TDR's) units and designate the site as a receiving area; and

WHEREAS, Resolution R-2012-1055, adopted on July 26, 2012 confirming the action of the Board of County Commissioners inadvertently contained an error in the NOW, THEREFORE CLAUSE and an error in Condition of Approval Transfer of Development Rights 3 in Exhibit C; and

WHEREAS, the NOW, THEREFORE clause should have read as shown below:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application ABN/DOA/R/TDR-2011-03177 the application of Hypoluxo Acquisition LLC, Trinacria Acquisition LLC by CMS Engineering, LLC, agent, for a Transfer of Development Rights to allow the purchase of 140 Transfer of Development Rights (TDR's) units and designate the site as a receiving area on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on ~~May 24, 2012~~ July 26, 2012, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

WHEREAS, Condition of Approval Transfer of Development Rights Condition-3 of Exhibit C of Resolution R-2012-1055 should have read as shown as follows:

3. Prior to final approval by the Development Review Officer (DRO, monies representing One Hundred and ~~Eighty Five (185)~~ Forty (140) Transfer of Development Rights (TDR) units shall be placed in an escrow account in a form acceptable to Palm Beach County. (DRO: ZONING - Zoning)

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are hereby affirmed and ratified.
2. NOW, THEREFORE CLAUSE and Condition of Approval Transfer of Development Rights Condition-3 of Exhibit C of Resolution R-2012-1055 are hereby corrected.

Commissioner Abrams moved for the approval of the Resolution.

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

Commissioner Shelley Vana, Chair	-	Aye
Commissioner Steven L. Abrams, Vice Chairman	-	
Commissioner Karen T. Marcus	-	Aye
Commissioner Paulette Burdick	-	Aye

Commissioner Burt Aaronson
Commissioner Jess R. Santamaria
Commissioner Priscilla A. Taylor

- Aye
- Aye
- Aye

The Chairperson thereupon declared the resolution was duly passed and adopted on August 23, 2012.

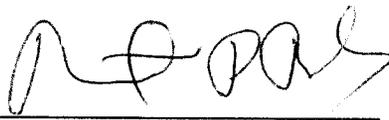
Filed with the Clerk of the Board of County Commissioners on September 4th, 2012

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

