

RESOLUTION NO. R-2012- 1350

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2012-01263
(CONTROL NO. 1978-00220)
a Requested Use
APPLICATION OF Weingarten Nostat Inc
BY Jon E Schmidt & Associates, AGENT
(Wendys at Boca Lyons)

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and public hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended), have been satisfied; and

WHEREAS, Zoning Application DOA/R-2012-01263 was presented to the Board of County Commissioners at a public hearing conducted on September 27, 2012; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request; and

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS hereby incorporates by reference the Findings of Fact in the staff report addressing the standards contained in Article 2.B.2.B for a a Requested Use.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the Palm Beach County Unified Land Development Code requires that the 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 Zoning Application DOA/R-2012-01263, the petition of Weingarten Nostat Inc, by Jon E Schmidt & Associates, agent, for a Requested Use to allow a Type I Restaurant in the MUPD Zoning District, on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 27, 2012.

Commissioner Marcus 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	-	Aye
Commissioner Karen T. Marcus	-	Aye

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

- Aye
- Aye
- Aye
- Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on September 27, 2012.

Filed with the Clerk of the Board of County Commissioners on September 27th, 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

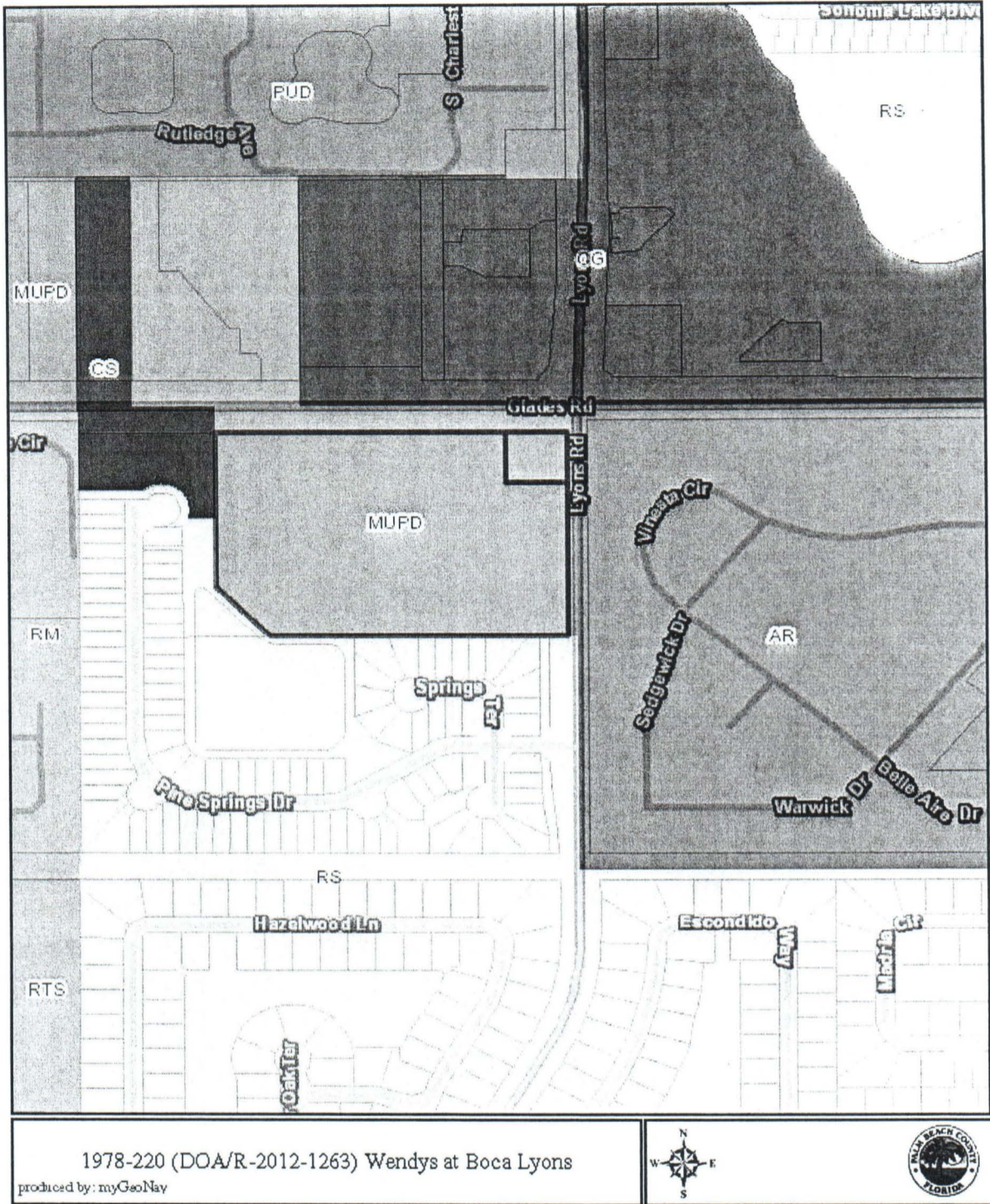


EXHIBIT A
LEGAL DESCRIPTION

**Legal Description
Boca Lyons Shopping Plaza
Palm Beach County (PBC) Development Review Officer (DRO) Submittal
Original Submittal: May 16, 2012**

Being all of Tract "A" of the Boca Lyons Shopping Plaza M.U.P.D as recorded in Plat Book 115, Pages 117 and 118, Public Records of Palm Beach County, Florida.

EXHIBIT B
VICINITY SKETCH



1978-220 (DOA/R-2012-1263) Wendys at Boca Lyons
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