

RESOLUTION NO. R-2016- 1077

RESOLUTION REVOKING RESOLUTIONS R-2005-01625 and R-2007-232
(CONTROL NUMBER 2004-00471)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ZV/ABN/PDD/R-2015-02512

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 (Development Review Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application TDD/R-2004-01024 was presented to the Board of County Commissioners at a public hearing on August 25, 2005 and Zoning Application TDD/DOA/R/W-2006-01186 was presented to the Board of County Commissioners at a public hearing on February 22, 2007;

WHEREAS, Resolution R-2005-01625 was adopted by the Board of County Commissioners on August 25, 2005 and Resolution R-2007-232 was adopted by the Board of County Commissioners on February 22, 2007;

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 ULDC, meets the requirements contained therein;

WHEREAS, the Zoning Director presented the abandonment of the Development Order to the Board of County Commissioners for ratification on August 25, 2016; and,

WHEREAS, Article 2.A.1.K (Public Hearing Procedures) 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 Resolutions R-2005-01625, approving Zoning Application TDD/R-2004-01024, and Resolution R-2007-232, approving Zoning Application TDD/DOA/R/W-2006-01186, the applications of Boynton Beach Associates X, LLP, by Kilday & Associates, Inc., Agent, for Requested Uses that allowed for a General Daycare; Single Tenant exceeding 25,000 square feet (sq. ft.), and three Type I Restaurants, in the Agricultural Reserve Traditional Marketplace Development Zoning District are hereby revoked.

Commissioner Taylor moved for the approval of the Resolution.

The motion was seconded by Commissioner Abrams 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	- Nay
Commissioner Shelley Vana	- Absent
Commissioner Steven L. Abrams	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Priscilla A. Taylor	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on August 25, 2016.

Filed with the Clerk of the Board of County Commissioners on August 29th, 2016

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 – POD 'A' CANYON TOWN CENTER TMD

BEING ALL OF TRACT "A", TRACT "L-1" AND TRACT "L-2", ALL ACCORDING TO THE PLAT OF CANYON TOWN CENTER TMD, AS RECORDED IN PLAT BOOK 111, PAGES 17 THROUGH 19, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

CONTAINING 26.750 ACRES MORE OR LESS.