

RESOLUTION NO. R-2024- 0595

RESOLUTION APPROVING ZONING APPLICATION ABN/DOA/CA-2022-01898
(CONTROL NO. 2003-00099)
a Class A Conditional Use
APPLICATION OF Lantana Parcel LLC
BY Cotleur & Hearing, Inc., AGENT
(Lantana Plaza)

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;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/DOA/CA-2022-01898, Lantana Parcel LLC, by Cotleur & Hearing, Inc., Agent, for a Development Order Abandonment to abandon a Requested Use for a Financial Institution, a Development Order Amendment to modify the Site Plan, to add and delete uses, to add square footage and, to modify Conditions of Approval and a Class A Conditional Use to allow Retail Gas and Fuel Sales and Convenience Store on 9.65 acres was presented to the Board of County Commissioners at a public hearing conducted on May 23, 2024;

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;

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, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Class A Conditional Use;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

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 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:

1. The foregoing recitals are true and correct and are incorporated herein
2. Zoning Application ABN/DOA/CA-2022-01898, the Application of Lantana Parcel LLC, by Cotleur & Hearing, Inc., Agent, for a Class A Conditional Use to allow Retail Gas and Fuel Sales and Convenience Store on 9.65 acres was presented to the Board of County Commissioners at a public hearing conducted on May 23, 2024, on a parcel of land generally described as shown on the legal description 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 May 23, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Barnett moved for the approval of the Resolution.

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

Commissioner Maria Sachs, Mayor	-	Aye
Commissioner Maria G. Marino, Vice Mayor	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Michael A. Barnett	-	Aye
Commissioner Marci Woodward	-	Aye
Commissioner Sara Baxter	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on May 23, 2024.

Filed with the Clerk of the Board of County Commissioners on May 23, 2024.

This resolution shall not become effective until the effective date of the Small Scale Land Use Amendment No. (SCA-2023-00021).

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

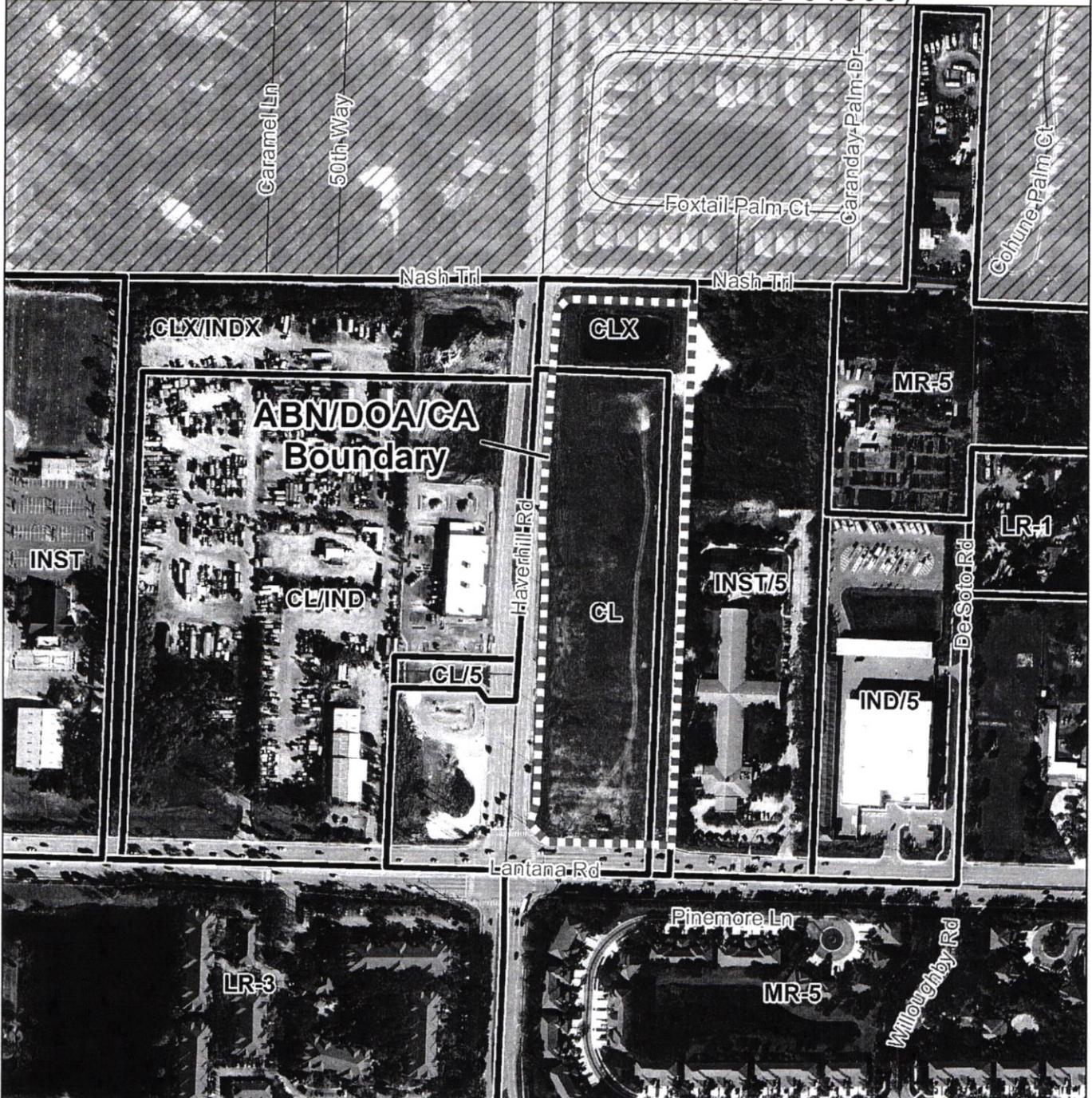
PARCEL A, LANTANA PLACE ALSO KNOWN AS LANTANA PLAZA, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 111, PAGES 134 AND 135, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. CONTAINING IN ALL 9.6545 ACRES OR 420,548 SQUARE FEET, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

Zoning Application

Lantana Plaza (ABN/DOA/CA-2022-01898)



Site Data

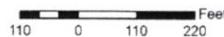
Size: 9.65 acres
 Existing Use: Vacant
 Proposed Use: Commercial
 Zoning: MUPD
 Zoning Quad: 33

Future Land Use Designations

LR-1	Low Residential, 1 unit/acre	CLX	Commercial Low crosshatching
LR-3	Low Residential, 3 units/acre	CLX/INDX	Com Low crosshatch, underlying IND crosshatch
MR-5	Medium Residential, 5 units/acre	IND/5	Industrial, underlying MR-5
CL	Commercial Low	INST	Institutional
CL/5	Commercial Low, underlying MR-5	INST/5	Institutional, underlying MR-5
CL/IND	Commercial Low, underlying IND		



Date: 04/01/2024
 Contact: PBC Zoning
 Filename: X:\PlanningZoningCoord\DRO-Maps\2024\05-May\2024-0898
 Note: Map is not official, for presentation purposes only.



Planning, Zoning & Building
 2300 N. Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



EXHIBIT C

CONDITIONS OF APPROVAL

Class A Conditional Use Retail Gas and Fuel with Convenience Store on 9.65 acres

ALL PETITIONS

1. The approved Preliminary Site Plan is dated July 24, 2023. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Retail; Gas and Fuel Sales with Convenience Store shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) Development shall be consistent with the approved Architectural Elevations, the DRO-approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.