

RESOLUTION NO. R-2006-0283

RESOLUTION DENYING ZONING APPLICATION DOA2004-826
(CONTROL NO. 1984-152)
APPLICATION OF MIZNER TRAIL GOLF CLUB, LTD.

WHEREAS, the Board of County Commissioners, as the governing body, 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 hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code, have been satisfied; and

WHEREAS, Zoning Application DOA2004-826 was presented to the Board of County Commissioners at a public hearing conducted on February 23, 2006; 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 has considered the findings in the staff report and the following findings of fact:

1. This request is not consistent with the intent of the Palm Beach County Unified Land Development Code.
2. This request does not minimize adverse effects on adjacent lands.
3. This request would cause loss of an integral open space component and unifying element of an established community.
4. This request is inconsistent with provisions of the Palm Beach County Unified Land Development Code regarding layout, function, and general development characteristics.
5. This request is not supported by changed circumstances that require a modification.

WHEREAS, Article 2 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 DOA2004-826, the Application of Mizner Trail Golf Club, Ltd., by Sanders Planning Group, P.A., agent, for a Development Order Amendment to redesignate land use from golf course to residential, add units, and add an access point in the Residential Planned Unit Development 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 denied on February 23, 2006, without prejudice.

Commissioner McCarty moved for approval of the Resolution.

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

Tony Masilotti, Chair	¥	Aye
Addie L. Greene, Vice Chairperson	¥	Aye
Karen T. Marcus	¥	Aye
Jeff Koons	¥	Absent
Warren H. Newell	¥	Aye
Mary McCarty	¥	Aye
Burt Aaronson	¥	Absent

The Chairman thereupon declared the resolution was duly passed and adopted on February 23, 2006.

Filed with the Clerk of the Board of County Commissioners on 23rd day of February, 2006.

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

TRACTS 64 B AND 64 C, BOCA DEL MAR NO. 7, ACCORDING TO THE PLAT THEREOF; AS RECORDED IN PLAT BOOK 30, PAGES 210 THROUGH 217 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

