

RESOLUTION NO. R-2011-0796

RESOLUTION APPROVING ZONING APPLICATION DOA/R-2010-03025
(CONTROL NO. 1995-00022)
a Requested Use
APPLICATION OF Arrigo Enterprises Inc
BY Greenberg Traurig, PA, AGENT
(Arrigo Dodge MUPD)

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-2010-03025 was presented to the Board of County Commissioners at a public hearing conducted on May 26, 2011; 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-2010-03025, the petition of Arrigo Enterprises Inc, by Greenberg Traurig, PA, agent, for a Requested Use to allow a Restaurant, Type I 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 May 26, 2011.

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 Karen T. Marcus, Chair	-	Absent
Commissioner Shelley Vana, Vice Chair	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Burt Aaronson	-	Absent
Commissioner Jess R. Santamaria	-	Aye
Commissioner Priscilla A. Taylor	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on May 26, 2011.

Filed with the Clerk of the Board of County Commissioners on May 31, 2011.

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



The seal is circular with the text "PALM BEACH COUNTY COMMISSIONERS" around the perimeter and "FLORIDA" at the bottom. A star is located at the bottom center of the seal.

EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION
Arrigo Enterprises, Inc.

All of the Plat of AUTONATION OF PALM BEACH, according to the plat thereof, recorded in Plat Book 83, Page 92, Public Records of Palm Beach County, Florida, LESS AND EXCEPT THEREFROM that portion of said plat conveyed to the State of Florida Department of Transportation by that certain Special Warranty Deed dated September 26, 2002, recorded November 18, 2002, in Official Records Book 14405, page 1617, of the Public Records of Palm Beach County, Florida.

TOGETHER WITH the reservation of the right of ingress and egress contained in that certain deed recorded in Official Records Book 2279, Page 1407, Public Records of Palm Beach County, Florida.

AND

"Parcel 1"

The East one-half of the West one-half of Tract 1, Block 4, THE PALM BEACH FARMS CO. PLAT NO. 3, according to the plat thereof, recorded in Plat Book 2, page 45, of the Public Records of Palm Beach County, Florida.

AND

"Parcel 2"

The East one-half of Tract 27, less the North 38 feet thereof, Block 1, THE PALM BEACH FARMS CO. PLAT NO. 9, according to the plat thereof, recorded in Plat Book 5, page 58, of the Public Records of Palm Beach County, Florida.

AND

That certain 30-foot-wide road right-of-way lying North of Parcel 1 hereof bounded on the West by the southerly extension of the West boundary line of said Parcel 2, bounded on the East by the northerly extension of the East boundary line of Parcel 1, and bounded on the North by the South boundary line of Parcel 2 hereof; said road right-of-way as shown on the plat of THE PALM BEACH FARMS CO. PLAT NO. 9, according to the plat thereof, recorded in Plat Book 5, page 58, of the Public Records of Palm Beach County, Florida; together with the North 15 feet of the said 30-foot-wide road right-of-way lying South of and abutting the East 68.67 feet of said Parcel 2, bounded on the West by the northerly extension of the East boundary line of said Parcel 1, and bounded on the East by the West boundary line of the plat of AUTONATION OF PALM BEACH, according to the plat thereof recorded in Plat Book 83, page 92, of the Public Records of Palm Beach County, Florida.

EXHIBIT B
VICINITY SKETCH

Vicinity Sketch
Arrigo Dodge MUPD DOA

