

RESOLUTION NO. R-2013- 1529

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2013-01618
(CONTROL NO. 1985-00095)

an Official Zoning Map Amendment to a Planned Development District
APPLICATION OF Lois Realty Corp, Cable Holdco Exchange li LLC
BY Gunster, Yoakley & Stewart, PA, Urban Design Kilday Studios, AGENT
(Bernstein 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;

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;

WHEREAS, Zoning Application ZV/PDD/DOA-2013-01618 was presented to the Board of County Commissioners at a public hearing conducted on October 24, 2013;

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 (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;

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;

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.1.B.;

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; and,

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 ZV/PDD/DOA-2013-01618, the application of Lois Realty Corp, Cable Holdco Exchange li LLC, by Gunster, Yoakley & Stewart, PA, Urban Design Kilday Studios, agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch in EXHIBIT B, attached hereto and made a part hereof, was approved on October 24, 2013 subject to the conditions described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Vana moved for the approval of the Resolution.

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

Commissioner Steven L. Abrams, Mayor	-	Aye
Commissioner Priscilla A. Taylor, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Aye
Commissioner Shelley Vana	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Jess R. Santamaria	-	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on October 24, 2013.

Filed with the Clerk of the Board of County Commissioners on November 1, 2013.

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

BEING ALL OF THE PLAT OF ROOMS TO GO, PLAT BOOK 73, PAGES 76 AND 77,
PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH

THE WEST 150.00 FEET OF TRACT 93, BLOCK 77, PALM BEACH FARMS COMPANY
PLAT NO. 3, PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM
BEACH COUNTY, FLORIDA, LESS THE SOUTH 65.00 FEET THEREOF. CONTAINING
8.196 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

