

RESOLUTION NO. R-2018- 0338

RESOLUTION REVOKING RESOLUTION R-2011-1856.
(CONTROL NUMBER 2003-00007)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ZV/ABN/DOA-2017-01997

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 (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 DOA/R-2011-0939 was presented to the Board of County Commissioners at a public hearing on December 1, 2011;

WHEREAS, Resolution R-2011-1856 approving this Application was adopted by the Board of County Commissioners on December 1, 2011;

WHEREAS, the Zoning Director has determined the request to legislatively abandon the Development Order, as provided for in Article 2 (Application Processes and 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 March 22, 2018 ; and,

WHEREAS, 2.B.6.C (Board Action) 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 Resolution R-2011-1856, approving Zoning Application DOA/R-2009-00939 the application of Mission Lakes II LLC, Mission Lakes I LLC, by Urban Design Kilday Studio, Agent, for a Requested Use to allow a Type I Restaurant in the Multiple Use Planned Development (MUPD) Zoning District, is hereby revoked.

Commissioner Bernard 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 Melissa McKinlay, Mayor	-	Aye
Commissioner Mack Bernard, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Paulette Burdick	-	Absent
Commissioner Dave Kerner	-	Aye
Commissioner Steven L. Abrams	-	Aye
Commissioner Mary Lou Berger	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 22, 2018.


Filed with the Clerk of the Board of County Commissioners on April 3rd, 2018.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS
SHARON R BOCK,
CLERK & COMPTROLLER

BY: 
DEPUTY CLERK
COUNTY
FLORIDA


**EXHIBIT A
LEGAL DESCRIPTION**

OUTPARCEL II, MISSION LAKES M.U.P.D.

A PARCEL OF LAND BEING PART OF TRACTS "C" AND "O", MISSION LAKES M.U.P.D., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 106, PAGE 129, PUBLIC RECORDS, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID PLAT; THENCE, NORTH 01°27'15" EAST, ALONG THE WEST BOUNDARY OF SAID PLAT, A DISTANCE OF 557.05 FEET FOR A POINT OF BEGINNING;

THENCE, CONTINUE NORTH 01°27'15" EAST, ALONG SAID WEST BOUNDARY, A DISTANCE OF 363.30 FEET; THENCE, SOUTH 88°24'14" EAST, DEPARTING SAID WEST BOUNDARY, A DISTANCE OF 334.66 FEET TO THE INTERSECTION THEREOF WITH THE WESTERLY BOUNDARY OF SAID TRACT "RA"; THENCE, SOUTH 00°03'27" WEST, ALONG SAID WESTERLY BOUNDARY OF TRACT "RA" AND ITS SOUTHERLY PROLONGATION, A DISTANCE OF 354.20 FEET; THENCE, NORTH 89°56'33" WEST, A DISTANCE OF 343.40 FEET TO THE POINT OF BEGINNING.

CONTAINING: 121,607 SQUARE FEET OR 2.79 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD