

RESOLUTION NO. R-2018- 1076

RESOLUTION REVOKING RESOLUTION R-2015-1355
(CONTROL NUMBER 1986-00150)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ZV/ABN/DOA-2017-02207

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 ZV/DOA/R-2015-00326 was presented to the Board of County Commissioners at a public hearing on September 24, 2015;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

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, Resolution R-2015-1355 was adopted by the Board of County Commissioners on September 24, 2015;

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 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-2015-1355, approving Zoning Application ZV/DOA/R-2015-00326, the application of Lakeside Development Corporation, by Urban Design Kilday Studios, Agent, for a Requested Use to allow a Type I Restaurant within Building K, is hereby revoked.

Commissioner Berger moved for the approval of the Resolution.

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

Commissioner Melissa McKinlay, Mayor	- Aye
Commissioner Mack Bernard, Vice Mayor	- Absent
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
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 July 26, 2018.

Filed with the Clerk of the Board of County Commissioners on August 1st, 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




EXHIBIT A

LEGAL DESCRIPTION

A Tract of land lying in the Palm Beach county County, Florida, being portions of Tracts 67, 68, 69, 70, 71, 93, 94, 95 and 96 of Block 76 of the PALM BEACH FARMS CO. PLAT NO. 3, as recorded in Plat Book 2, Pages 45 through 54, of the Public Records of Palm Beach County, and being more fully described as follows:

Commence at the point of intersection of the southerly right-of-way line of Boca Raton West Road (S.R. 808) and the westerly right-of-way line of the the Florida State Turnpike (said point being 40.00 feet from the centerline of S.R. 808); thence run due west with an assumed bearing, along said southerly line 60.00 feet to a point of intersection with the westerly right-of-way line of Shell Pit Road (also known as Boca Rio Road)(a 60 foot road right-of-way); thence S00°43'00"E, along said westerly line 235.00 feet; thence S90°00'00"W, 20.00 feet to the westerly right-of-way line of said Shell Pit Road (Boca Rio Road) and the Point Of Beginning; thence S00°43'00"E, along said westerly line, 840.09 feet; thence N90°00'00"W, 330.00 feet; thence N00°00'00"W, 100.00 feet; thence N90°00'00"W, 98.10 feet to the point of intersection with a curve concave to the southwest having a radius of 65.00 feet; thence from a tangent bearing N43°48'47"W, run northwesterly along said curve 26.74 feet through a central angle of 23°34'01"; thence due north 85.00 feet; thence S90°00'00"W, 185.00 feet to the beginning of a curve concave to the southeast, having a radius of 145.00 feet; thence run southwesterly along said curve 213.82 feet, through a central angle of 84°29'28" to a point of compound curvature of a curve concave to the northeast, having a radius of 20.00 feet; thence along said curve through a central angle of 95°30'32" a distance of 33.34 feet; thence N90°00'00"E, 59.42 feet; thence S00°00'00"E, 47.00 feet; thence S90°00'00"W, 2.29 feet to the beginning of a curve, concave to the northeast, having a radius of 200.00 feet; thence run northwesterly along said curve through a central angle of 90°00'00" a distance of 314.16 feet to the point of reverse curvature of a curve concave to the southwest, having a radius of 420.00 feet; thence along the arc of said curve through a central angle of 07°07'18" a distance of 52.20 feet; thence N82°52'42"E radial to the previous curve, 53.19 feet; thence N64°30'43"E, 95.00 feet; thence N25°29'17"W, 40.00 feet; thence N00°43'00"W, 106.72 feet; thence S89°17'00"W, 77.90 feet; thence N30°10'50"W, 22.04 feet; thence S59°49'10"W, 98.00 feet to the Point of intersection with a curve concave to the southwest, having a radius of 420.00 feet; thence from a tangent bearing of N30°10'50"W, run northwesterly along said curve through a central angle of 59°08'05" a distance of 433.48 feet; thence N00°00'00"E, 390.01 feet; thence N45°00'00"E, 35.36 feet to a point of intersection with the existing southerly right-of-way line of Boca Raton West Road, said point being 80.00 feet south of the existing centerline of said road; thence run along said right-of-way line, N90°00'00"E, 405.25 feet; thence S86°11'09"E, 165.37 feet; thence N90°00'00"E, 127.76 feet; thence N00°00'00"W, 11.00 feet; thence N90°00'00"E, 43.00 feet; thence S00°00'00"E, 0.18 feet to the point of curvature of a curve concave to the northwest having a radius of 205.06 feet; thence southwesterly along the arc of said curve through a central angle of 41°33'43" a distance of 148.75 feet to the point of reverse curvature of a curve concave to the southwest, having a radius of 115.00 feet; thence southwesterly along the arc of said curve, through a central angle of 42°16'40" a distance of 84.86 feet to the point of tangency of said curve; thence S00°43'00"E, a distance of 43.54 feet; thence N89°17'00"E, a distance of 186.52 feet; thence S00°43'00"E, a distance of 104.10 feet; thence N89°17'00"E, a distance of 175.00 feet; thence N00°43'00"W, a distance of 153.59 feet; thence N89°17'00"E, a distance of 80.02 feet; thence N00°43'00"W, a distance of 7.50 feet; thence N90°00'00"E, a distance of 180.00 feet to the Point Of Beginning.

Parcel 2:

A Tract of land lying in the Palm Beach County, Florida being portions of Tracts 67, 68 and 69 of Block 76 of the PALM BEACH FARMS CO. PLAT NO. 3, as recorded in Plat Book 2, Pages 45 through 54, of the Public Records of Palm Beach County, and being more fully described as follows:

Commence at the point of intersection of the southerly right-of-way line of Boca Raton West Road (S.R. 808) and the westerly right-of-way line of the the Florida State Turnpike (said point being 40.00 feet from the centerline of S.R. 808); thence run due

west with an assumed bearing, along said southerly line 60.00 feet to a point of intersection with the westerly right-of-way line of Shell Pit Road (also known as Boca Rio Road)(a 60 foot road right-of-way); thence $S00^{\circ}43'00''E$, along said westerly line 235.00 feet; thence $S90^{\circ}00'00''W$, 200.00 feet to the Point Of Beginning; run thence $N00^{\circ}43'00''W$, a distance of 184.00 feet to a point on the southerly right-of-way line of Boca Raton West Road, said point being 91.00 feet south of the existing centerline of said road; thence run along said right-of-way line, $N88^{\circ}05'30''W$, a distance of 330.32 feet; thence $N90^{\circ}00'00''W$, continuing along said south right-of-way line, 28.34 feet; thence leaving said right-of-way line run $S00^{\circ}00'00''E$, a distance of 0.18 feet to the point of curvature of a curve concave to the northwest having a radius of 205.06 feet; thence southwesterly along the arc of said curve through a central angle of $41^{\circ}33'43''$ a distance of 148.75 feet to the point of reverse curvature of a curve concave to the southwest, having a radius of 115.00 feet; thence southwesterly along the arc of said curve, through a central angle of $42^{\circ}16'40''$ a distance of 84.86 feet to the point of tangency of said curve; thence $S00^{\circ}43'00''E$, a distance of 43.54 feet; thence $N89^{\circ}17'00''E$, a distance of 186.52 feet; thence $S00^{\circ}43'00''E$, a distance of 104.10 feet; thence $N89^{\circ}17'00''E$, a distance of 175.00 feet; thence $N00^{\circ}43'00''W$, a distance of 153.59 feet; thence $N89^{\circ}17'00''E$, a distance of 80.02 feet; thence $N00^{\circ}43'00''W$, a distance of 7.50 feet to the Point Of Beginning.

Said lands lying in Palm Beach County, Florida and containing 993,163 square feet (22.7999 acres) more or less.