

RESOLUTION NO. R-2020- 1927

RESOLUTION REVOKING RESOLUTION R-2019-1693
(CONTROL NUMBER 2018-00130)
AFFIRMING THE LEGISLATIVE ABANDONMENT
OF ZONING APPLICATION ABN-2020-01529

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 (ULDC), Ordinance 2003-067, Supplement 28 have been satisfied;

WHEREAS, Zoning Application CA-2018-00130 was presented to the Board of County Commissioners at a public hearing on October 24, 2019;

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-2019-1693 was adopted by the Board of County Commissioners on October 24, 2019;

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-2019-1693 approving Zoning Application CA-2018-02131, the Application of WayJohn, Inc., by Insite Studio, Agent, for a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through is hereby revoked.

Commissioner Weinroth moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	-	Aye
Commissioner Robert S. Weinroth, Vice Mayor	-	Aye
Commissioner Maria G. Marino	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Maria Sachs	-	Aye
Commissioner Melissa McKinlay	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on December 22, 2020.

Filed with the Clerk of the Board of County Commissioners on December 22nd, 2020

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

PARCEL 1:

LOT 6, OF H.I.D. PLAZA, ACCORDING TO THE MAP OF PLAT THEREOF AS RECORDED IN PLAT BOOK 46, PAGES 5 AND 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL 2:

TOGETHER WITH ALL OWNER'S REAL PROPERTY RIGHT, TITLE AND INTEREST WITHIN THOSE CERTAIN COVENANTS, AND EASEMENTS CONTAINED IN THE NON-EXCLUSIVE EASEMENT FOR INGRESS, EGRESS AND UTILITIES FOR THE BENEFIT OF PARCEL 1, AS SET FORTH IN THAT CERTAIN EASEMENT RECORDED SEPTEMBER 7, 1982, IN OFFICIAL RECORDS BOOK 3787, PAGE 424 AND IN EASEMENT RECORDED NOVEMBER 9, 1982, IN OFFICIAL RECORDS BOOK 3822, PAGE 944; AND EASEMENTS SHOWN ON PLAT RECORDED ON PLAT BOOK 46, PAGES 5 AND 6, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID DESCRIBED PARCEL CONTAINING 44,590 SQUARE FEET, OR 1.0236 ACRES, MORE OR LESS.

EXHIBIT B
LOCATION MAP

