

RESOLUTION NO. R-2021- 0732

RESOLUTION DENYING ZONING APPLICATION SW-2020-01268
(CONTROL NO. 2020-00066)
APPLICATION OF BET Holdings, LLC
BY Urban Design Studio, AGENT
(BET Holdings)

WHEREAS, the Board of County Commissioners, as the governing body, 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 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 SW-2020-01268 was presented to the Board of County Commissioners at a public hearing conducted on May 27, 2021;

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 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Subdivision Waiver;

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 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 BET Holdings, the Application of BET Holdings, LLC, by Urban Design Studio, Agent, for a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District, on a parcel of land generally described as shown on the legal description 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 denied on May 27, 2021, with prejudice.

Commissioner McKinlay moved for approval of the Resolution.

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

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| 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 the resolution was duly passed and adopted on May 27, 2021.

Filed with the Clerk of the Board of County Commissioners on June 8th, 2021.

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND IN SECTION 12, TOWNSHIP 45 SOUTH, RANGE 41 EAST, BEING THE SOUTH 1/2 OF TRACT 65 OF THE UNRECORDED PLAT OF HERITAGE FARMS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12, THENCE ON AN ASSUMED BEARING OF SOUTH 00 DEGREES 15 MINUTES 28 SECONDS EAST ALONG THE EAST LINE OF THE WEST 1/2 OF SAID SECTION 12, A DISTANCE OF 1283.97 FEET (DEED) (1285.30 FEET PRIOR SURVEY); THENCE SOUTH 89 DEGREES 03 MINUTES 29 SECONDS WEST, A DISTANCE OF 1332.10 FEET; THENCE SOUTH 00 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 02 MINUTES 48 SECONDS WEST, A DISTANCE OF 1331.59 FEET TO THE WEST LINE OF SECTION 12; THENCE 00 DEGREES 36 MINUTES 16 SECONDS EAST ALONG THE WEST LINE, A DISTANCE OF 169.80 FEET; THENCE NORTH 89 DEGREES 02 MINUTES 07 SECONDS EAST, A DISTANCE OF 1331.08 FEET; THENCE NORTH 00 DEGREES 25 MINUTES 52 SECONDS WEST, A DISTANCE OF 169.54 FEET TO THE POINT OF BEGINNING.

CONTAINING 5.19 ACRES, MORE OR LESS.

CERTAIN LAND SITUATE IN PALM BEACH COUNTY, FLORIDA.

EXHIBIT B
VICINITY SKETCH

