

RESOLUTION NO. R-2022- 1415

RESOLUTION REVOKING RESOLUTIONS R-2016-1084; R-2016-1085; R-2016-1086;
R-2016-1087; R-2016-1088; R-2016-1089
(CONTROL NUMBER 2007-00288)

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 PDD/R-2015-02533, an application of 7 T's Enterprises, Inc., by Urban Design Kilday Studios, Agent, for Requested Uses to allow a Type 1 Restaurant; four Type II Restaurants; and a Congregate Living Facility Type 3 and subject to Conditions of Approval, were approved by the Board of County Commissioners at a public hearing on August 29, 2016, by Resolutions R-2016-1084, R-2016-1085, R-2016-1086, R-2016-1087, R-2016-1088, and R-2016-1089;

WHEREAS, Zoning Application ABN/Z-2022-00681, was submitted on behalf of Toll Brothers, Inc., 7 T'S Enterprises Inc, Westside Farms Inc by Urban Design Studio Agent for a an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Single Family Residential (RS) Zoning District; and a Development Order Abandonment to abandon a Type 1 Restaurant; four Type 2 Restaurants; and a Congregate Living Facility Type 3 previously granted by Resolutions R-2016-1084; R-2016-1085; R-2016-1086; R-2016-1087; R-2016-1088; and R-2016-1089;

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 hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Development Order Abandonment;

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 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 Resolutions R-2016-1084, R-2016-1085, R-2016-1086, R-2016-1087, R-2016-1088, and R-2016-1089, which approved Requested Uses to allow a Type 1 Restaurant, four Type 2 Restaurants, and a Congregate Living Facility Type 3 on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, are hereby revoked.

Commissioner Kerner moved for the approval of the Resolution.

The motion was seconded by Commissioner Sachs and, upon being put

to a vote, the vote was as follows:

Commissioner Gregg K. Weiss, Mayor	- Aye
Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on November 28, 2022.

Filed with the Clerk of the Board of County Commissioners on December 2nd, 2022

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2022-0016.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

**Thomas Packing Plant MUPD
Legal Description**

PARCEL 1 TRACTS 113,114 AND 115, BLOCK 70, THE PALM BEACH FARMS CO, PLAT NO.3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

PARCEL 2 TRACTS 116, BLOCK 70, THE PALM BEACH FARMS CO, PLAT NO. 3 ACCORDING TO THE PLAT THEROF AS RECORDE IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA,

PARCEL 3 TRACTS 117, 118 AND 119, BLOCK 70, THE PALM BEACH FARMS CO, PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.