

RESOLUTION NO. R-2023- 1025

RESOLUTION REVOKING RESOLUTION R-2009-0003
(CONTROL NUMBER 1982-00129)
AFFIRMING THE ABANDONMENT
OF ZONING APPLICATION ABN/DOA/CA-2022-01020

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-2007, the application of West Palm Hospitality LLC, by David L. Carpenter & Assoc., agent, for a Requested Use to allow a second hotel was presented to the Board of County Commissioners at a public hearing on January 8, 2009;

WHEREAS, Zoning Application ABN/DOA/CA-2022-01020, submitted on behalf of Okee 704 LLC, by Schmidt Nichols, Agent, for a Development Order Abandonment to abandon a Hotel on 7.23 acres; a Development Order Amendment to reconfigure the Site Plan; delete square footage; add and delete uses and to modify Conditions of Approval on 7.23 acres; and a Class A Conditional Use to allow a Type 1 Restaurant with drive-through on 7.23 acres was presented to the Board of County Commissioners at a public hearing on July 19, 2023;

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 Resolution R-2009-0003, approving a Requested Use to allow a second hotel, on a parcel of land generally described as shown on the legal description in Exhibit A, attached hereto and made a part hereof, is hereby revoked.

Commissioner Marino 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 Gregg K. Weiss, Mayor

- Aye

Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- Aye
Commissioner Michael A. Barnett	- 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 July 19, 2023.

Filed with the Clerk of the Board of County Commissioners on July 19, 2023.

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

BY: 
COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER
BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 27, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LYING SOUTH OF OKEECHOBEE ROAD AND BEING THE SOUTHERLY 510 FEET OF THE NORTHERLY 590 FEET OF THE WESTERLY 620.38 FEET OF THE EASTERLY 1260.38 FEET THEREOF. SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCE AT THE NORTHEAST CORNER OF SECTION 27, THENCE WITH A BEARING OF SOUTH 01' 52' 53" WEST, ALONG THE EAST LINE OF SECTION 27, A DISTANCE OF 75.00 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY OF OKEECHOREE BOULEVARD, EXTENDED, AND A LINE LYING 75.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SECTION 27; THENCE WITH A BEARING OF NORTH. 88' 18' 09" WEST, ALONG THE SOUTH RIGHT OF WAY LINE OF OKEECHOBEE BOULEVARD, A DISTANCE OF 640.00 FEET TO A POINT; THENCE WITH A BEARING OF SOUTH 01' 52' 53" WEST, ALONG A LINE LYING 640.00 FEET WEST OF AND PARALLEL TO THE EAST LINE OF SECTION 27, A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE AFOREMENTIONED LINE LYING PARALLEL TO THE EAST LINE OF SECTION 27, WITH A BEARING OF SOUTH 01' 52' 53" WEST, A DISTANCE OF 510.00 FEET TO A POINT; THENCE WITH A BEARING OF NORTH 88' 18' 09" WEST, ALONG A LINE LYING 590.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SECTION 27 AND THE CENTERLINE OF OKEECHOBEE BLVD., A DISTANCE OF 620.38 FEET TO A POINT ON THE EAST LINE OF THE PLAT, THE CLASSIC AT WEST PALM BEACH, AS RECORDED IN PEAT BOOK 61, PAGE 158, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF NORTH 01' 52' 53" EAST, ALONG THE EAST LINE OF SAID PLAT, A DISTANCE OF 499.96 FEET TO THE NORTH EAST CORNER OF SAID PEAT AND THE SOUTH RIGHT OF WAY LINE OF OKEECHOBEE BOULEVARD, AS RECORDED IN DEED BOOK 1121, PAGE 622, OF THE~ PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE WITH A BEARING OF SOUTH 88' 18' 09" EAST, ALONG THE SOUTH RIGHT OF WAY LINE OF OKEECHOBEE BLVD.~ AND A LINE LYING 90.00 FEET SOUTH OF THE NORTH LINE OF SECTION 27, A DISTANCE OF 67.00 FEET; THENCE WITH A BEARING OF NORTH 88' ~50' 06" EAST, A DISTANCE OF 200.24 FEET TO A POINT ON A LINE LYING 80.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SECTION 27; THENCE WITH A BEARING OF SOUTH 88' 18' 09" EAST, ALONG A LINE, LYING 80.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SECTION 27, A DISTANCE OF 353.42 FEET MORE or~ LESS TO THE POINT OF BEGINNING

TOGETHER WITH THAT CERTAIN EASEMENT FOR INGRESS AND EGRESS CREATED BY GRANT IN WARRANTY DEED DATED JULY 10, 1~78, FROM HARVEY E. SYKES, SR. AND MILDRED N. SYKES, HIS WIFE, TO RAMBLEW000 PLAZA, A FLORIDA JOINT VENTUR'E, AS RECORDED IN OFFICIAL RECORDS BOOK 2890, PAGE 798, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

CONTAINING 314,726 SQUARE FEET, (7.225 ACRES) MORE OR LESS AND SUBJECT TO EASEMENTS, RESERVATIONS, AND RIGHTS OF WAY OF RECORD