

RESOLUTION NO. 2001- 0147.1
RESOLUTION DENYING ZONING PETITION CA99-030(A)
CLASS A CONDITIONAL USE
PETITION OF PALM BEACH COUNTY ESTATES HOMES, INC.
BY STEVEN MICKLEY

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the Board of County Commissioners, pursuant to Article 5 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 92-20, as amended) is authorized and empowered to consider, approve, approve with conditions or deny Class A Conditional Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Petition CA99-030(A) was presented to the Board of County Commissioners at a public hearing conducted on January 25, 2001; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendations of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This proposed Class A Conditional Use does not comply with all standards imposed on it by other applicable provisions of the ULDC for use, layout, function, and general development characteristics.
2. This proposed Class A Conditional Use creates adverse impacts and safety problems on the adjacent roadway.

WHEREAS, Article 5 of the Palm Beach County Unified Land Development Code 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 Petition CA99-0030(A), the petition of Palm Beach Country Estates Homes, Inc., by Steven Mickley, agent, for a Class A Conditional Use (CA) to allow general day care (220 children) in the Agricultural Residential (AR) Zoning District, on a parcel of land legally described in EXHIBITA, 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 January 25, 2001 without prejudice .

Commissioner Marcus moved for the approval of the Resolution.

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

Warren H. Newell, Chairman	-	Aye
Carol A. Roberts, Vice Chair	-	Nay
Karen T. Marcus		Aye
Mary McCarty		Nay
Burt Aaronson		Aye
Tony Masilotti		Aye
Addie L. Greene		Aye

The Chair thereupon declared that the resolution was duly passed and adopted on January 25, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

