

RESOLUTION NO. R-2001- 1356

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 79-134A
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-99-1145
WHICH APPROVED A DEVELOPMENT ORDER AMENDMENT
BASED ON A BCC STATUS REPORT FOR
PETITION NO. 79-134(A)

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 petitions relating to zoning; and

WHEREAS, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report CR 79-134A was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 23, 2001; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 79-134A and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; and

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

1. The number of parking spaces for the day care center is not consistent with the Unified Land Development Code (ULDC).
2. With the amendment of conditions of approval, the project will be consistent with the ULDC.
3. The amendment of conditions of approval is consistent with the Palm Beach County Comprehensive Plan and with the Unified Land Development Code.

WHEREAS, Section 5.3 of the Palm Beach County 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 the recommendation of Status Report No. CR 79-134A, to amend Conditions of Approval of Resolution No. R-99-1145, the Development Order Amendment based on a BCC Status Report, for Petition No. 79-134(A), which revoked the part of the Special Exception of a day care center which increased the capacity to a maximum of 134 children, and amended conditions of approval in the RM-Multiple Family (Medium Density) Residential Zoning District, on a parcel of land being a portion of Tract 57, FLORIDA FRUIT LANDS COMPANY'S SUBDIVISION, No. 2, recorded in Plat Book 1, Page 102. Commencing at the Southeast corner of Section 25, Township 47 South, Range 41 East; thence Northerly along the East line of said Section 25, a distance of 330.00 feet; thence Westerly along a line which forms an angle of 89 degrees 32'26" to the left, with a prolongation of last described course, a distance of 1652.32 feet to a point on the North line of said Tract 57 and the POINT OF BEGINNING; thence Southerly along a line which forms an angle of 90 degrees 34'00" to the left

with a prolongation of last described course, a distance of 315.17 feet to a point on the South line of said Tract 57; thence Westerly along the South line of said Tract 57 which forms an included angle of 89 degrees **26'30"** with last described course a distance of 188.21 feet; thence Northerly along a line which forms an included angle of 90 degrees 33'30" with last described course, a distance of 315.19 feet to a point on the North line of said Tract 57; thence Easterly along the North line of said Tract 57, a distance of **138.21** feet to the POINT OF BEGINNING, being located on the south side of Sandalfoot Boulevard, 1/4 mile west of SR7/US 441, is approved, subject to the following conditions:

1. All previously approved conditions of approval continue to apply unless expressly modified herein.
2. Condition number 2 of Resolution No. R-99-1145 which currently states:

The daycare shall be limited to a maximum 64 children total.

Is hereby amended to state:

The daycare shall be limited to a maximum 50 children total. (ONGOING: CODE ENF/HEALTH)

Commissioner **McCarty** moved for approval of the Resolution.

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

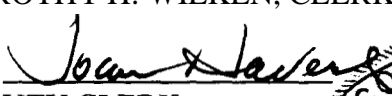
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|------------------------------|---|--------|
| WARREN H. NEWELL, CHAIRMAN | — | Aye |
| CAROL A. ROBERTS, VICE CHAIR | — | Absent |
| BURT AARONSON | — | Aye |
| ADDIE L. GREENE | — | Aye |
| KAREN T. MARCUS | — | Aye |
| TONY MASILOTTI | — | Aye |
| MARY MCCARTY | — | Aye |

The Chair thereupon declared the resolution was duly passed and adopted this 23 day of August, 2001.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

DOROTHY H. WILKEN, CLERK
BY: 
DEPUTY CLERK

