

RESOLUTION NO. R-2011-1838

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. STR-1974-0126-1  
TO REVOKE A USE, DAY CARE CENTER (CHILD), FROM  
RESOLUTION NO. R-1989-0717  
AND TO DELETE CONDITIONS D.1 AND D.2 FROM  
RESOLUTION NO. R-2000-1945  
APPLICATION NO. DOA74-0126(D)  
CONTROL NO. 1974-0126

WHEREAS, the Board of County Commissioners (BCC), as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, and the Palm Beach County Unified Land Development Code, as amended, 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; and

WHEREAS, the notice and hearing requirements as provided for in Article 2.E. of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report STR-1974-0126-1 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on December 1, 2011; and

WHEREAS, the Board of County Commissioners has reviewed Status Report STR-1974-0126-1 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. authorizes the Board of County Commissioners to revoke any permit or approval and to modify conditions of approval; and

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

1. The approvals for Gun Club Center are consistent with the land use designation of the Palm Beach County Comprehensive Plan (Comprehensive Plan) and the Unified Land Development Code (ULDC);
2. The Day Care Center (child) was never implemented;
3. The conditions pertaining to the day care use were never followed;
4. The revocation of the Day Care Center (child) and deletion of the two conditions of approval is consistent with the ULDC; and
5. The property owner requested the revocation of the Day Care Center (child) and deletion of the two conditions

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 the recommendation of Status Report No. STR-1974-0126-1, to revoke a use, Day Care Center (child), from Resolution No. R-1989-0717 and delete conditions D.1 and D.2 from Resolution R-2000-1945 on Tract A, of "Gun Club Center No. 2", according to the plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 66, pages 125 and 126 inclusive, together with Tracts 1 and 2, of "Gun Club Center No. 1", according to the plat thereof on file in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, recorded in Plat Book 62, pages 41 and 42 inclusive, and less that certain property shown in that stipulated order of taking as recorded in Official Record Book 6548, page 1314, being located on the northwest corner of Gun Club Road, and Military Trail, in the Urban Center Zoning District, is approved.

The foregoing Resolution was offered by Commissioner            Marcus            who  
moved its adoption. The motion was seconded by Commissioner    Aaronson        and,  
upon being put to a vote, the vote was as follows:

Commissioner Shelley Vana, Chair	Aye	—
Commissioner Steven L. Abrams, Vice Chairman	Aye	—
Commissioner Karen T. Marcus	Aye	—
Commissioner Paulette Burdick	Aye	—
Commissioner Burt Aaronson	Aye	—
Commissioner Jess R. Santamaria	Absent	—
Commissioner Priscilla A. Taylor	Aye	—

The Chair thereupon declared the resolution duly passed and adopted this 1st day of December, 2011.

Filed with the Clerk of the Board of County Commissioners on the 14th day of December, 2011.

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

SHARON R. BOCK, CLERK AND COMPTROLLER

By: [Signature]  
County Attorney

By: [Signature]  
Deputy Clerk

