

RESOLUTION NO. R-84-175

RESOLUTION APPROVING ZONING PETITION 83-143, Special Exception

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, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-143 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 27th October 1983; and

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

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

1. Provided that density does not exceed the equivalent of 143 dwelling units this proposal would be consistent with the requirements of the Comprehensive Plan.
2. The proposed development can be accommodated to this site in conformity with property development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 27th day October 1983, that Petition No. 83-143 the petition of THE HENTHROG CORPORATION By Kevin **McGinley**, Agent, for a SPECIAL EXCEPTION TO ALLOW A ADULT CONGREGATE LIVING FACILITY on a parcel of land lying in the Northeast 1/4 of Section 3, Township 41 south, Range 42 East, being more particularly described as follows:

That portion of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 3 lying North of a line 332.76 feet North of, as measured at right angles to, the North line of Cinquez Park Addition No. 2, as recorded in Plat Book 2.1, at Page 20, less the East 179.84 feet of the North 799.30 feet of Northeast 1/4 of the Northeast 1/4 of said Section 3, subject to an easement for road purposes over and across the Easterly

30 feet thereof. Said property located on the west side of Thelma Avenue, approximately .2 mile north of Indiantown Road in an RH-Residential Multiple Family **District** (High Density) was approved subject to the following conditions:

1. This development shall retain **onsite** 85% of the **storm-**water runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.
2. The property owner shall convey for the ultimate **right-**of-way of Thelma Avenue, **50** feet west of the east property line within one hundred and eighty (180) days of approval; conveyance must be accepted by Palm Beach County prior to issuance of the first building permit. This right-of-way shall be from the existing northern terminus of Thelma Avenue right-of-way line north a distance of approximately 1,340 feet to the project's north right-of-way line including the existing out parcel.
3. Developer shall construct on Center Street, at it's intersection with Thelma Avenue, concurrent with a paving and drainage permit issued from the Office of the County Engineer:
 - a) left turn lane, east approach
 - b) right turn lane, north approach
4. The developer shall contribute Ten Thousand Eight Hundred Dollars (~~\$10,800.00~~) toward the cost of meeting this project's direct and identifiable impact, to be paid at the rate of \$37.50 per dwelling unit.
5. The developer shall take reasonable precautions during the development of this property to insure that fugitive **particulates** (dust particles) from this project do not become a nuisance to neighboring properties.
6. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
7. This development may include both dwelling units and room accommodations provided that there shall be a minimum of **3,630** square feet of lot area per each dwelling unit and 1,800 square feet of lot area for each "room accommodation". **No** cooking facilities are permitted in individual "room accommodations". Parking shall be provided on the basis of 1.5 space per tenant in "room accommodations" and 1 space per employee unless variance relief is obtained. The site plan shall be amended to reflect the number of **dwelling** units, "room accommodations", and required parking spaces.
8. The developer shall construct Thelma Avenue from Center Street north to the project's entrance road concurrent with **onsite** paving and drainage improvements, pursuant to a paving and drainage permit from the Office of the County Engineer.

Commissioner Bailey , moved for approval ,
of the petition. The motion was seconded by Commissioner Wilken ,
and upon being put to a vote, the vote was

as follows:

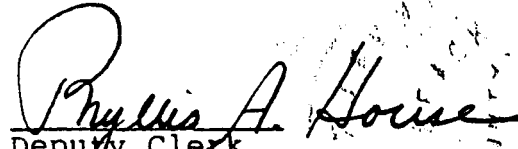
Peggy E. Evatt, Chairman	--	AYE
Ken Spillias, vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	ABSENT
Dorothy Wilken , Member	--	A Y E
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this **day of JAN 8 11984** , confirming action of 27th October 1983 .

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney