

RESOLUTION NO. R-85-324

RESOLUTION APPROVING ZONING PETITION 84-175, 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. 84-175 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of November 1984; and

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 and the recommendations of the Planning Commission; and

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

1. The proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 29th of November 1984, that Petition No. 84-175 the petition of DONALD BERG for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on the North 150 feet of the East 100 feet of the South 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 1, Township 44 South, Range 42 East. Said property located on the north side of Sunset Lane approximately .1 mile west of Military Trail (S.R.809) in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

1. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
2. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or

nearby surface waters.

3. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.

4. Occupancy shall be limited to six (6) residents.

5. Residency of the facility shall be limited to persons over 60 years of age, except that in the instance of a married couple one of whom is not 60 years of age or older, both persons may be permitted to reside therein.

6. The facility shall not be operated as a drug or alcohol abuse rehabilitative living facility.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

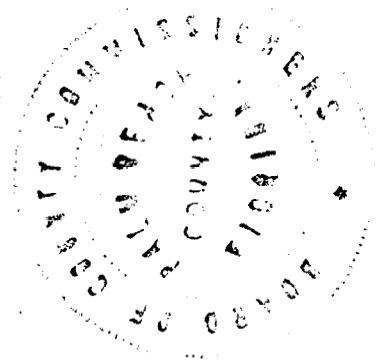
Ken Spillias, Chairman	--	ABSENT
Dorothy Wilkens, Vice Chairman	--	AYE
Karen T. Marcus, Member	--	ABSENT
Jerry L. Owens, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this day of FEB 19 1985 confirming action of the 29th of November 1984.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia L. Weaver
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

Sandy Sprague
County Attorney