

RESOLUTION NO. R-95- 1118

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. SR 88-10.3
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-89-345
WHICH APPROVED THE SPECIAL EXCEPTION OF
ALAN D. REESE, TRUSTEE
PETITION NO. 88-10

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 SR 88-10.3 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on August 24, 1995: and

WHEREAS, the Board of County Commissioners has reviewed Status Report SR 88-10.3 and considered testimony presented by the applicant and other interested parties, 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. With the amendment to conditions of approval, the special exception will be consistent with the Palm Beach County Comprehensive Plan.
2. The property owner was notified in 1992, 1993, and 1994 that the project was not consistent with the Palm Beach County Comprehensive Plan, and that if a plat was not recorded prior to the expiration a time extension, staff might recommend a condition of approval to reduce the number of residents.

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. SR 88-10.3, to amend Conditions of Approval of Resolution No. R-89-345, the Special Exception of Alan D. Reese, Trustee, Petition No. 88-10, which permits a Planned Unit Development, Congregate Living Facility-3, (Devonshire PUD), on a parcel of land lying in the East 1/2 of the Northwest 1/4 of the southwest 1/4 of the Northeast 1/4 in Section 25, Township 44 South, Range 42 East., being located on the approximately 330 feet east of Military Trail (S.R. #809), approximately 0.3 of a mile south of Lake Worth Road (S.R. #802) in the RM-Multiple Family Residential (Medium Density) Zoning District, 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 R-93-1029 which currently states:

Maximum occupancy of the site shall be limited to 120 residents, including resident staff.

Is hereby amended to state:

Maximum occupancy of the site shall be limited to 93 residents, including resident staff. (BUILDING)

Commissioner Aaronson moved for approval of the Resolution.

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

KEN FOSTER, CHAIR Aye
BURT AARONSON Aye
MAUDE FORD LEE Aye
KAREN T. MARCUS Aye
MARY MCCARTY Absent
WARREN H. NEWELL Aye
CAROL ROBERTS Aye

The Chair thereupon declared the resolution was duly passed and adopted this 24th day of August, 1995.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

BY: [Signature]

DOROTHY H. WILKEN, CLERK BY: [Signature] DEPUTY CLERK

