

RESOLUTION MO. R- 80- 1410

RESOLUTION APPROVING ZONING PETITION

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. 80-175 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 25 September 1980; 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 would be in harmony and compatible with the present and future development of the area concerned
2. The proposal would promote such distribution of population and such classification of land uses, development and utilization as will tend to facilitate and provide adequate provisions for public requirements, including but not limited to transportation, water flowage, water supply, drainage, sanitation, educational opportunities, recreation, soil fertility and food supply
3. The proposal would be consistent with the needs of the County for land areas for specific purposes to serve population and economic activities

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 25th day of September, 1980, that Petition No. 80-175 the petition of NATIONAL MEDICAL ENTERPRISES, INC., by Ray Liberti, Agent, for the FURTHER SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY, MURSING AND CONVALESCENT FACILITIES on the West 468.00 feet of the Northwest 1/4 of the Northeast 1/4 of Section 26, Township 46 South, Range 42 East. Said property located on the south side of Lake Worth Drainage District Lateral Canal #36, approximately .4 mile west of Military Trail (S.R. 809), was approved as advertised subject to the following conditions:

1. petitioner shall construct Linton Boulevard to a four-lane median divided section from the Project's east property line to the project's west property line, as determined by the County Engineer.
2. petitioner shall construct at the project's entrance on Linton Boulevard a left turn lane, east approach.
3. petitioner shall contribute Eight Thousand Five Hundred Sixty-three Dollars (\$8,563.00) toward the cost of meeting this project's direct and identifiable traffic impact to be paid at the time of issuance of the building permit(s). Credit shall be applied toward the Fair Share contribution based on a certified cost estimate for the reconstruction of the portion of Military Trail to be four-laned as stated in Condition No. 2, not including turn lanes, per the County Engineer's approval. Additionally, full credit shall be applied toward the portion of construction on Linton Boulevard east of Military Trail not including turn lanes. (Condition #2 mentioned above is as shown in Petition 80-176).
4. The Lake Worth Drainage District will require the *North* 90 feet of the West 468 feet of the Northwest Quarter of the Northeast Quarter of Section 26, 46/42, for the right-of-way for Lateral Canal No. 36 and an irregular Parcel of land for the right-of-way for Equalizing Canal No, 3, approximately 73 feet in width at the north end and approximately 94 feet in width at the south end, more particularly shown on Sheet 219 of 240 of the Lake Worth Drainage District Right-of-Way Maps as recorded in the office of the Clerk of the Circuit Court of Palm Beach County. We will accept a Quit Claim Deed or an Easement, on our form, whichever the owner prefers. If the owner succeeds in negotiating for the abandonment of L-36, then the above request for L-36 right-of-way will be withdrawn,

5. The developer will take reasonable precautions during the development of this project to insure that fugitive particulates (dust particles) from the project do not become a nuisance to neighboring properties.
6. All landscaping shall be installed as shown on site plan submitted prior to the issuance of a Certificate of Occupancy.

Commissioner Gregory, moved for approval of the petition.

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

Dennis Koehler, Chairman	Aye
Frank Foster, Vice Chairman	Aye
Bill Bailey, Member	Aye
Norman R. Gregory, Member	Aye
Peggy B. Evatt, Member	Aye

The foregoing resolution was declared duly passed and adopted this 14th day of October, 1980, confirming action of 25 September 1980.

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *[Signature]*  
Deputy Clerk

APPROVE AS TO FORM  
AND LEGAL SUFFICIENCY

*Charles Felchak*  
County Attorney

