

RESOLUTION NO. R-83-1081

RESOLUTION APPROVING ZONING PETITION 83-86, Special Exception

WHEREAS, t h e 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 482.5 of the Palm Beach County Zoning Code Ordinance no. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-86 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 23rd June 1.983; 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;
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WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposed nursing home is consistent with the Comprehensive Plan and Zoning Code requirements.
2. Provided that significant buffering is established along Wallis Road, and the north and west property boundaries, this development could be compatible with adjoining residential. development.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 23rd day June 1983, that Petition No. 83-86 the petition of HENTHROG CORPORATION by Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW NURSING AND CONVALESCENT FACILITIES on South 1/2 of Tract 11, Together with the West 295 feet of the South 50 feet of the North 1/2 of Tract 11, all less the East 20 feet, Model Land Company, a subdivision of Section 35, Township 43 South, Range 42 East, as recorded in Plat Book 5, Page 77. Said property located on the northwest corner of the intersection of Haverhill Road and Wallis Road in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

1. This development must 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;
 - a) 54 feet from the centerline of Haverhill Road, approximately an additional 14 feet of right-of-way.
 - b) 30 feet from the centerline of Wallis Road, approximately an additional 10 feet of right-of-way.

All right-of-way must be conveyed within 90 days of closing on this property and accepted by Palm Beach County prior to the issuance of the first building permit .

3. The developer shall contribute Four Thousand Five Hundred Dollars (\$4,500.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the rate of \$37.00 per bed.
4. 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.
5. The developer shall take necessary precautions during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. Prior to Site Plan certification, the petitioner shall submit to the Zoning Division a tree survey of this site and shall amend the site plan to incorporate as many significant trees into the site design as possible.
7. The developer shall install a 90% opaque, 6 ft. high buffer consisting of a combination of existing trees, hedge materials, berming, and fencing along the entire south, west, and north property lines.
8. Employee shifts shall be staggered to avoid the 7:30-8:30 A.M. and 4:00 to 6:00 P.M. peak hour traffic.
9. The developer shall contribute \$2,500.00 toward the cost of installing a canal culvert on Wallis Road.
10. The developer shall install a traffic signal when warranted at the intersection of Wallis Road and Haverhill Road.

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

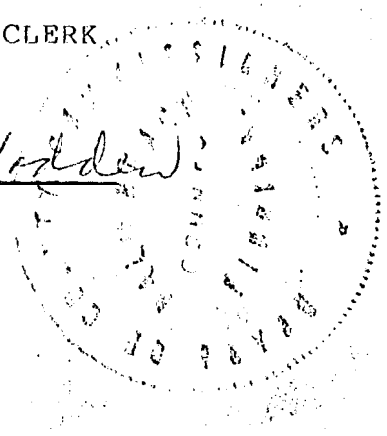
Peggy E. Evatt, Chairman	-- AYE
Ken Spillias, vice Chairman	-- ABSENT
Dennis P. Koehler, Member	-- AYE
Dorothy Wilken, Member	-- AYE
Bill Dailey, Member	-- AYE

The foregoing resolution was declared duly passed and
adopted this day of 'SEP 13 1983 , confirming action of
23rd. June 1983.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Fredy Madden
Deputy Clerk



APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

John Barrett
County Attorney