

RESOLUTION NO. R-86-91

RESOLUTION APPROVING ZONING PETITION 73-9(A), 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. 73-9(A) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 30th October 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan. With minor site plan modification, the proposal will be consistent with zoning code requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 30th of October 1985, that Petition No. 73-9(A) the petition of FAMILY AND FRIENDS, INC., By Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A DAY CARE CENTER, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 73-9, BY DELETING THE DAY CARE CENTER AND) TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on the Southerly 210.75 feet, less the Easterly 210 feet thereof of the following described parcel:

All of that part of the Northwest 1/4 of the Northwest 1/4 of the Southwest 1/4 of Section 24, Township 43 South, Range 42 East, lying North of the Railroad Right-of-Way; Less the Right-of-Way for Haverhill Road. Said property located on the east side of Baverhill

Road, approximately 0.4 mile north of Okeechobee Boulevard (S.R. 704) in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a) A twenty (20) foot backup distance between the ultimate base building line and the first adjacent parking stall
 - b) A minimum five (5) foot landscape strip between the off-street parking area and abutting right-of-way, and a minimum two and one half (2 1/2) foot landscape strip between the off-street parking area and abutting properties.
2. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
3. Security lighting shall be directed away from nearby residences.
4. 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.
5. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
6. 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.
7. The property owner shall convey for the ultimate right-of-way of Haverhill Road, 58 feet from centerline (approximately an additional 8 feet) within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
8. The Developer shall pay a Fair Share Fee in the amount and manner required by the "Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is \$2,169.00 (81 trips X \$26.79 per trip).
9. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.
10. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Haverhill Road.
11. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

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

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

The foregoing resolution was declared duly passed and adopted
this day of **FEB 11 1986** confirming action of the 30th October
1985.

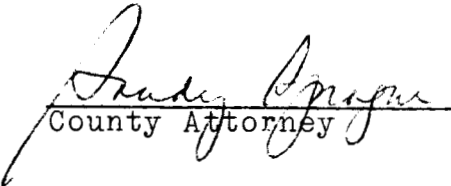
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney