

RESOLUTION NO. R- 87-212

RESOLUTION FIPPROVING ZONING PETITION 86-87, Special Exception

WHEREFIS, 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

WHEREFIS, 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. 86-87 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 28, 1986 and

WHEREFIS, 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

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

1. With required site plan amendments, this proposal will be 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 10th day of February, 1987, that: Petition No. 86-87, the petition of 7171 NORTH FEDERAL HIGHLY ASSOCIATES By John G. Baccari, Agent, for a SPECIAL EXCEPTION TO ALLOW FIDULT CONGREGATE LIVING FACILITY on the West 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 and the East 1/2 of the Northeast 1/4 of the Northwest 1/4 of the Northwest 1/4 of Section 26, Township 46 South, Range 42 East. Said property located on the south side of Linton Boulevard (S.W. 12th Street), approximately .7 miles west of Military Trail (S.R. 809) in an AR-Agricultural

Residential District 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. delete the commercial uses from the proposed plan
 - b. one (1) of three (3) alternative perimeter landscape strips adjacent to existing residential lots
 - c. required landscaping between off-street parking areas and abutting properties
 - d. required landscaping between off-street parking areas and right-of-way
 - e. required number of trees
 - f. maximum of 249 tenants
 - g. maximum total floor area of 67,496 square feet
 - h. maximum lot coverage of 44,997 square feet
2. The developer shall preserve existing vegetation, particularly the slash pine, and shall incorporate said vegetation into the project design. Areas of existing vegetation to be preserved shall be shown upon the approved development plan prior to master plan and/or site plan certification.
3. The developer shall comply with the weed species eradication requirements of the Landscape Code (500.35. F.17.).
4. Since sewer and/or water service is/are available to the property, septic tank and/or well shall not be approved for use on said property.
5. The development shall meet the stormwater retention requirements in effect at the time of the Permit application of the applicable Drainage District, however, at a minimum, the developer 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. The drainage system shall be maintained in an acceptable condition per the County Engineer's approval.
6. The property owner shall construct: a left turn lane, east approach and a right turn lane, west approach on Linton Boulevard at the project's entrance road concurrent with onsite paving and drainage improvements.
7. The Petitioner shall convey to the Lake Worth Drainage District the north 75 feet of the subject property for the right-of-way for Lateral Canal No. 36 by Quit Claim Deed or an Easement Deed in the form provided by said District within ninety (90) days of adoption of the Resolution by the Board of County Commissioners.

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

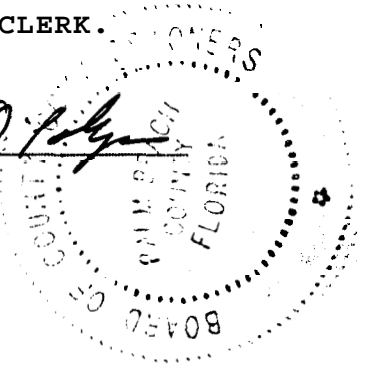
Karen T. Marcus	--	ABSENT
Jerry L. Owens	--	AYE
Ken Spillias	--	AYE
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	AYE

The foregoing resolution was declared duly passed and adopted this 10th day of February, 1987 confirming action of August 28, 1986.

PFILM BEFICH COUNTY, FLORIDFI
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK.

BY: Barbara O. Lyne
Deputy Clerk



FIPPROVED AS TO FORM
FIND LEGFIL SUFFICIENCY

[Signature]
County Attorney