

RESOLUTION NO. R-93- 397

RESOLUTION APPROVING RECOMMENDATION OF  
STATUS REPORT NO. CR-79-82(A)/8.2  
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-248  
WHICH APPROVED THE SPECIAL EXCEPTION OF  
PATRICIA POLLARD  
PETITION NO. 79-82(A)

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 CR-79-82(A)/8.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on March 25, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR-79-82(A)/8.2 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. This proposal is consistent with the requirements of the Comprehensive Plan and local land development regulations; and
2. The conditions listed below require this petition to develop more in conformity with current standards of development.

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. CR-79-82(A)/8.2, amending Conditions of Approval of Resolution No. R-91-248, the Special Exception of Patricia Pollard, Petition No. 79-82(A), confirmed by the adoption of Resolution R-91-248, which permitted an Adult Congregate Living Facility (ACLF) on property lying in Tract 44, Block 25, The Palm Beach Farms Company Plat No. 3, as in Sections 19 and 30, Township 44 South, Range 42 East as recorded in Plat Book 2, Page 47., being located on the south side of 38th Place South, approximately 0.1 of a mile west of Jubilee Road (Lyons Road) and approximately 0.1 of a mile north of Lake Worth Road (S.R. 802) in an AR-Agricultural Residential Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number 8 of Resolution R-91-248 which currently

states:

Based on the Traffic Performance Standards (Category "B"), the developer shall contribute an additional \$1,996.00 toward Palm Beach County's existing Roadway Improvement Program, these total funds of \$9,979.00 to be paid prior to the issuance of the first building permit or prior to February 1, 1991, whichever shall first occur. If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of \$1,996.00 shall be credited toward the increased Fair Share Fee.

Is hereby deleted.

Commissioner Aaronson moved for approval of the Resolution.

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

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

The Chair thereupon declared the resolution was duly passed and adopted this 25th day of March, 1993.

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]

