

RESOLUTION NO. R-79-722

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. 73-86 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 24 May 1979.

NOW, THEREFORE, RE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session the 24th day of May, 1979, that petition No. 79-86 the petition of E.C.L.P. INVESTMENTS, LTD., A FLORIDA LIMITED PARTNERSHIP, by Charles B. Adams, Attorney, for a SPECIAL EXCEPTION TO ALLOW THE EXPANSION OF AN EXISTING NURSING HOME on a parcel of land more particularly described as follows: PARCEL I being the East 140 feet of Tract 27, MODEL LAND COMPANY'S SUBDIVISION of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79; less the North 375 feet and the South 160 feet thereof, and also Less the East 20 feet thereof for Boutwell Road right-of-way; together with PARCEL II being the South 125 feet of the North 375 feet of the East 220 feet of Tract 27 of Model Land Company Subdivision of Section 20, Township 44 South, Range 43 East; less the East 20 feet thereof for Boutwell Road right-of-way, and more particularly described as follows: Commencing at the Northeast corner of said Tract 27; thence Southerly along the

East line of said Tract 27, which line is the centerline of Boutwell Road, for a distance of 250.00 feet to a point; thence Westerly along a line parallel to the North line of said Tract 27 for a distance of 20.00 feet to the Point of Beginning; thence continuing along the same line a distance of 200.00 feet to a point; thence Southerly along a line parallel to the East line of said Tract 27 for a distance of 125.00 feet to a point; thence Easterly along a line parallel to the North line of said Tract 27 for a distance of 200.00 feet to a point in the West right-of-way line of said Boutwell Road; thence Northerly along said West right-of-way and parallel to the East line of said Tract 27 a distance of 125.00 feet to the Point of Beginning; together with PARCEL III being the South 160 feet of the East 140 feet of Tract 27, KODEL LAND COMPANY Subdivision of Section 20, Township 44 South, Range 43 East, as recorded in Plat Book 5, page 79, less the East 20 feet thereof and also less the South 15 feet thereof; and also less the Parcel described as follows: the North 10 feet of the South 25 feet of the West 120 feet of the East 140 feet of said Tract 27. Said property located on the northwest corner of the intersection of Eoutwell Road and Tenth Avenue, approximately .7 mile east of Congress Avenue (S.R. 807) in an RH-Residential Multiple Family District (High Density), was approved as advertised subject to the following conditions:

1. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County fifty-four (54) feet from the centerline of Tenth Avenue North for the ultimate right-of-way.
2. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County thirty (30) feet from the centerline of Boutwell Road for the ultimate right-of-way.
3. Within ninety (90) days of the Special Exception approval, petitioner shall convey to Palm Beach County a twenty-five (25) foot "safe corner" at Boutwell Road and Tenth Avenue North.
4. Petitioner shall not be allowed direct access to Tenth Avenue North.

Commissioner Koehler, 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:

Rill Bailey, Chairman	-	Yes
Dennis Koehler, Vice Chairman	-	Yes
Peggy Evatt, Member	-	Absent
Frank Foster, Member	-	Yes
Norman Gregory, Member	-	Yes

The foregoing resolution was declared duly passed and adopted
this 5th day of June, 1979, confirming action of
24 May 1979.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: *John B. Dunkle*
Deputy Clerk

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY

Charles H. [Signature]
County Attorney

