

RESOLUTION NO. R-83-207

RESOLUTION APPROVING ZONING PETITION 82-157, 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. 82-157 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 28 October 1982; 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. The proposal would be in harmony and compatible with the present and future development of the area concerned

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 28th day of October, 1982, that Petition No. 82-157 the petition of JEFFERY L. FINE, By Alan J. Ciklin, Attorney, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on the East 1/2 of the Southeast 1/4 of the Northeast 1/4 of the Northeast 1/4, of Section 25, Township 44 South, Range 42 East, less the South 20 feet, the East 25 feet, and the North 395 feet thereof. Said property located on the northwest corner of the intersection of Selberg Lane and Kirk Road in an RM-Residential Multiple Family District (Medium Density), was approved as advertised subject to the following conditions:

1. Developer shall convey to Palm Beach County, within ninety (90) days of approval, the ultimate right of way for Kirk Road, 40 feet from centerline. (Approximately an additional 15 feet of right of way.)
2. Developer shall contribute the sum of Nine Hundred Seventy-Five Dollars (\$975.00) toward the cost of meeting this project's direct and identifiable traffic impact, to be paid at the time of issuance of the Building Permit.

3. Developer shall be limited to one point of access on Kirk Road.
4. Petitioner shall participate in street improvement program for Selberg Lane.
5. The proposed adult congregate living facility shall be limited to health education classes and the treatment of weight loss and shall accommodate a maximum of forty-four guests at a time; the facility shall not provide for the treatment of alcoholics and/or drug users.
6. Developer shall install a six (6) foot high solid, opaque fence and landscaping along the west property line.

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:

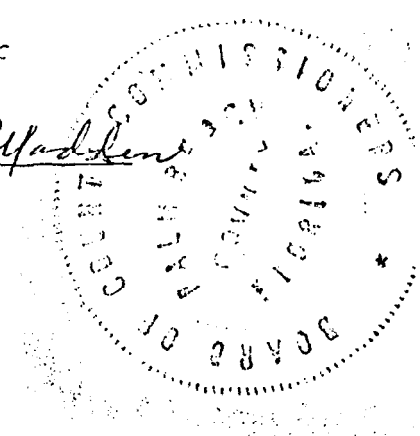
Bill Bailey, Member	Absent
Dennis Koehler, Member	Aye
Peggy B. Evatt, Vice Chairman	- Aye
Frank H. Foster, Member	Aye
Norman R. Gregory, Chairman	Absent

The foregoing resolution was declared duly passed and adopted this 8th , day of February , 1983 , confirming action of 28 October 1982.

PALM BEACH COUNTY, FLORIDA
 BY ITS BOARD OF COUNTY
 COMMISSIONERS

JOHN B. DUNKLE, Cler

By: *Patricia Bluff*
 Deputy Clerk



APPROVE AS TO FORM
 AND LEGAL SUFFICIENCY

John Bartlett
 County Attorney