

RESOLUTION NO. R- 83-1043

RESOLUTION APPROVING ZONING PETITION 83-23, 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 Ordinance NO. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-23 was presented *to* the **Board of** County Commissioners of Palm Beach County at its public hearing conducted on 24th March 1983; 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 proposed Special Exception is consistent with the Comprehensive Plan including all Mandatory Performance Standards.
2. The proposed Nursing Home can be accommodated to the subject site while meeting all property development regulations.
3. The proposed development will be compatible with the future development of this area.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 24th day of March, 1983, that Petition No. 83-23 the petition of EDWARD J. HEALEY, TRUSTEE, by Kevin McGinley, Agent, for a SPECIAL EXCEPTION TO ALLOW NURSING AND CONVALESCENT FACILITIES, on property beginning at the Northwest corner of Cinquez Park, 2nd Addition in Section 3, Township 41 South, Range 42 East, as recorded in Plat Book 21, Page 20, thence Westerly, along the North line of said Cinquez Park, 2nd Addition, a distance of 654.63 feet to the West line of the East 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 3, Township 41 South, Range 42 East; thence Northerly, along said West line, a distance of 332.90 feet to a line parallel to and 332.76 feet Northerly of, as measured at right angles, said North line of Cinquez Park, 2nd Addition; thence Easterly, along said parallel line, a distance of 654.83 feet to said East line

of Section 3; thence Southerly, along said East line, a distance of 332.91 feet to the Point of Beginning. Subject to an easement for road purposes over and across the Easterly 30 feet thereof. Said property located on the west side of Thelma Avenue, approximately .2 miles north of Indiantown Road (S.R. 706) in an RH-Residential Multiple Family District (High Density), was approved as advertised subject to the following conditions:

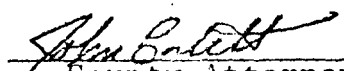
1. The developer shall take precautions to insure the preservation of existing significant vegetation on the subject property and shall designate those areas not to be disturbed during site clearing on the final site plan.
2. The development must retain on-site 85% of the storm-water runoff generated by the three (3) year storm per the requirements of the County Engineer's Land Development Division Permit Section.
3. The developer shall take reasonable precautions during the development of this property to insure that fugitive particulates (dust particles) from this project do not become a nuisance to neighboring properties.
4. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
5. The developer shall construct Yancy Avenue from the existing southerly paved terminus, north to the project's entrance, concurrent with on-site paving and drainage improvements. Plans for the construction shall be included in the application for a Paving and Drainage Permit to be approved by the Office of the County Engineer.
6. The developer shall contribute Four Thousand Four Hundred and Forty Dollars (\$4,440.00) toward the cost of meeting this project's direct and identifiable impact, calculated at the rate of Thirty-Seven Dollars (\$37.00) per bed at the time of issuance of building permits.

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

Peggy E. Evatt, Chairman	- ABSENT
Ken Spillias, Vice Chairman	- AYE
Dennis P. Koehler, Member	- ABSENT
Dorothy Wilken, Member	- AYE
Bill Bailey, Member	- AYE

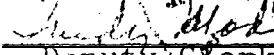
The foregoing resolution was declared duly passed and adopted this 13th day of September, 1983, confirming action of 24th March 1983.

APPROVE AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: 
Deputy Clerk

