

**RESOLUTION NO. R-84-509**

**RESOLUTION APPROVING ZONING PETITION 83-160, 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. 83-160 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on 22nd December 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 uses are consistent with the requirements of the Comprehensive Plan.**
- 2. With minor modification to the proposed site plan, these uses can be accommodated to the subject site in conformity with all property development regulations.**

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this 22nd day December 1983, that Petition No. 83-160 the petition of GENE MOORE, TRUSTEE By Daniel J. O'Brien, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY INCLUDING AN ON-SITE WATER AND SEWAGE TREATMENT PLANT on the North 1/2 of the West 1/4 of the Northwest 1/4 of the Northeast 1/4 of Section 7, Township 45 South, Range 43 East, Less the North 108 feet thereof. Said property located on the on the south side of Hypoluxo Road, approximately .4 miles west of Congress Avenue in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:**

- 1. The development shall retain on-site 65% of the stormwater runoff generated by a three (3) year storm per requirements of the Permit Section, Land Development Division.**

2. The developer shall reconstruct, concurrent with onsite paving and drainage improvements pursuant to a Paving and Drainage Permit issued from the Office of the County Engineer, the existing bridge across the Lake Worth Drainage District L-18 Canal to provide for a left turn lane, south approach and right turn lane, south approach (one approach lane plus two departure lanes).
3. The developer shall contribute Three Thousand Six Hundred Thirty-Eight Dollars (\$3,638.00) toward the cost of meeting this project's direct and identifiable impact, to be paid at the rate of \$38 per bed at the time of the issuance of the building permit.
4. 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.
5. The developer shall take necessary measures during the development of this property to prevent pollutant runoff to neighboring and nearby surface waters.
6. Within 90 days of notification by the Health Department that connection to public water or sewer systems is available, any development on this site shall connect to those public systems and any temporary on-site facilities shall be removed.
7. Prior to site plan certification, the proposed site plan shall be amended to reflect the following:
  - a) reduction in lot coverage and bed count to 10% and one bed per 1,800 square-feet of lot area.
  - b) provision of a passenger drop-off area
  - c) minimum 50 foot side setback for the treatment plant enclosure
  - d) preservation of significant existing native vegetation
8. This facility shall be used only to house senior citizens and not for the treatment of substance abuse patients.

Commissioner Koehler, 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:

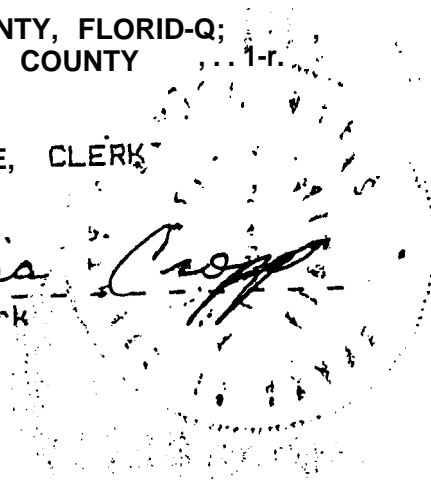
Peggy E. Evatt, Chairman	--	ABSENT
Ken Spillias, Vice Chairman	--	ABSENT
Dennis P. Koehler, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Bill Bailey, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 17th day of April, 1984, confirming action of 22nd December 1983.

PALM BEACH COUNTY, FLORIDA-Q;  
BY ITS BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Lisa Croff  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

John B. Dunkle -----  
County Attorney