

RESOLUTION NO. R-85-1448

RESOLUTION APPROVING ZONING PETITION 85-85, 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. 85-85 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 25th July 1985; 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. This proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 25th of July 1985, that Petition No. 85-85 the petition of JAMES KING By David Flinchum, Agent for a SPECIAL EXCEPTION TO ALLOW AN ADULT' CONGREGATE LIVING FACILITY on Lots 14, 15, 16, and 17, all in Block 1, Anna Johns Estates, in Section 13, Township 44 South, Range 42 East, as recorded in Plat Book 23, Page 219. Said property located on the south side of Purdy Lane, approximately 400 feet east of Military Trail (S.R. 809) in an RM-Residential Multiple Family District (Medium Density) was approved as advertised subject to the following conditions:

1) Prior to site plan certification the site plan shall be revised to reflect the following:

a) Minimum sleeping room floor area calculations.

2) The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the

Permit Section, Land Development Division.

- 3) The property owner shall convey for the ultimate right of way of Purdy Lane, 40 feet from centerline within 90 days of adoption of the Resolution by the Board of County Commissioners; conveyance must be accepted by Palm Beach County prior to issuance of first Building Permit.
- 4) The property owner shall pay a Fair Share Fee in the amount and manner required by the " Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. The Fair Share Fee for this project presently is presently be \$80 per bed.
- 5) The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department, Permit Section, prior to the issuance of a Building Permit.
- 6) The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section, for access onto Purdy Lane.
- 7) Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
- 8) Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
- 9) The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.
- 10) Occupancy shall be limited to 15 tenant residents, and only persons fifty-five (55) years of age and over shall be accommodated. No more than eight (8) residents may keep cars at this site.

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

Ken Adams, Chairman	--	AYE
Karen T. Marcus, Vice Chairman	--	AYE
Kenneth Spillias, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Dorothy Wilken, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 17 day of September confirming action of the 25th July 1985.

PALM BEACH COUNTY, FLORIDA  
 BY ITS BOARD OF COUNTY  
 COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jean Gray Ellington  
 Deputy Clerk

APPROVED AS TO FORM  
 AND LEGAL SUFFICIENCY

Michael J. Jones  
 County Attorney