

RESOLUTION NO. R-85-1876W

RESOLUTION APPROVING ZONING PETITION 85-103, 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. 85-103 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 23rd August 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 23rd of August 1985, that Petition No. 85-103 the petition of DENNIS LEE By David Flinchum, Agent for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY INCLUDING COMMERCIAL STABLES on a parcel of land in Block "E", Loxahatchee Groves, in Section 28, Township 43 South, Range 41 East, as recorded in Plat Book 12, Page 29, said parcel being more particularly described as follows:

The North 1/2 of the West 1/2 of Tract 3, Block "E" Loxahatchee Groves, according to Plat Book 12, Page 29;

Subject to an easement for drainage and utilities over the East 15.0 feet and the North 15.0 feet thereof. Said property located on the east side of "E" Road approximately .8 mile south of Okeechobee

Boulevard (S.R. 704) in an AR-Agricultural Residential District 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; Tenant density calculations based upon minimum sleeping room size requirements.
2. The combined 10,044.8 square footage of the existing residence and proposed addition shall be the maximum permitted for the A.C.L.F.
3. The garage shall not be used for rental purposes.
4. The stables shall be limited in size to the proposed 2160 square feet of building area, and to the ten (10) existing stalls.
5. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
6. 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.
7. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
8. 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 \$1 ,126.00.
9. 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.
10. 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.
11. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

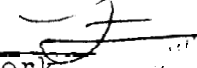
Commissioner **Spillias** , moved for approval of the petition. The motion was seconded by Commissioner **Adams** , and upon being put to a vote, the vote was as follows:

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

The foregoing resolution was declared duly passed and adopted this *19TH* day of *NOVEMBER 1985* confirming action of the 23rd August 1985.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney

