

RESOLUTION NO. R- 86-489

RESOLUTION APPROVING ZONING PETITION 85-169, 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. 85-169 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 3rd January 1986; 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. With minor site plan modifications, this proposal will be 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 3rd of January 1986, that petition No. 85-169 the petition of PAUL S. GRAVENHURST AND MAURICE FOX By Kenneth H. Kruger, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY on a parcel of land situate in Section 26, Township 46 South, Range 42 East, being more particularly described as follows:

The East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 26,

together with:

The West 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 of said Section 26. Said property located on the south side of Linton Boulevard, approximately 0.6 mile west of Military Trail (S.R. 809) in an AK-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:
 - a) Twenty-five (25) feet of backup distance for all 90 degree parking stalls.
 - b) 10-12 foot canopy trees planted a maximum 30 feet on center along the south property line and a 10-12 foot canopy trees planted 30 feet on center, and an 18" hedge planted 24" on center along the north property line and east property line where parking is planned along the perimeter of the property.
2. 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.
3. 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.
4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
5. The petitioner shall convey to the Lake Worth Drainage District the North 75.00 feet of the subject property for the required right-of-way for Lateral Canal No. 36, by Quit Claim Deed or an Easement Deed in the form provided by said District, within ninety (90) days of adoption of the resolution by the Board of County Commissioners.
6. This development shall retain onsite the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended.
7. The property owner shall construct a left turn lane, east approach and a right turn lane, west approach on Linton Boulevard at the project's entrance road concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer.
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 \$9,377.00 (350 trips x \$26.79 per trip).
9. The property owner shall obtain an onsite Drainage Permit from the Palm Beach County Engineering Department Permit section prior to the application of a Building Permit.
10. The property owner shall obtain a Turnout Permit from the Palm Beach County Engineering Department, Permit Section for access onto Linton Boulevard.
11. The property owner shall plat the subject parcel per the County Engineers Approval.
12. The petitioner shall present a notarized Affidavit of Disclosure at the Zoning Authority meeting.

Cornmissioner Owens , moved for approval of the petition. The motion was seconded by Commissioner Marcus , 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 8th day of April, 1986 confirming action of the 3rd January 1986.

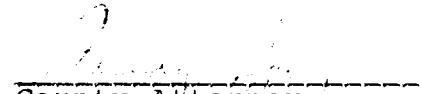
PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLEK

BY: 
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney