

RESOLUTION NO. R-87-446

RESOLUTION APPROVING ZONING PETITION 86-130, 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. 86-130 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on October 23, 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 required 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 24th day of March, 1987, that: Petition No. 86-130, the petition of DONALD S. AND JEANETTE PEARCE By Paul Parker, Agent, for a SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITIES on Lot 68, Hypoluxo Ridge, Addition No. 2,

Section 9, Township 45 South, Range 43 East, Plat Book 27, Page 199. Said property located on the southeast corner of the intersection of Mentone Road and Washington Avenue 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. The required ten (10) foot landscape strip between the vehicular use area and the property lines along Washington and Mentone Roads.
  - b. The required one (1) of three (3) alternative perimeter landscape strips separating the special exception use from the surrounding residential properties.
2. The developer shall meet the stormwater retention requirements in effect at the time of the permit application for the applicable drainage district. However, at a minimum the development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one (1) hour storm per requirements of the Permit Section, Land Development Division. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer. In the event that the drainage system is not adequately maintained to the satisfaction of the County Engineer, the matter shall be submitted to the Code Enforcement Board for review and possible citation.
3. Maximum residential occupancy shall be limited to four (4) elderly persons of sixty-five (65) years of age or older.
4. One (1) of two (2) existing kitchen facilities in the subject duplexes shall be removed prior to issuance of a Certificate of Occupancy for an Adult Congregate Living Facility.
5. No commercial signage shall be permitted on site other than that for home occupations.
6. No on-street parking for this facility shall be permitted on Mentone Road or Washington Avenue.

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

Karen T. Marcus	--	AYE
Jerry L. Owens	--	AYE
Ken Spillias	--	ABSENT
Dorothy Wilken	--	AYE
Kenneth M. Adams	--	ABSENT

The foregoing resolution was declared duly passed and adopted this 24th day of March, 1987 confirming action of October 23, 1986.

PALM BEACH COUNTY, FLORIDA  
BY **ITS** BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: *Sina M. Sadding*  
Deputy Clerk

APPROVED **AS** TO FORM  
AND LEGAL SUFFICIENCY

*AM*  
County Attorney