

RESOLUTION NO. R-87-908

RESOLUTION APPROVING ZONING PETITION 86-148: 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 Nu. 73-2 have been satisfied; and

WHEREAS, Petition No. 86-148 was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on January 5, 1987; 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:

- I. With required site plan modifications, this proposal will be consistent with the requirements of the Comprehensive Plan and local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 86-148, the petition of **JAN COHN, TRUSTEE,** By Michael A. Lampert, Esquire, for a **SPECIAL EXCEPTION TO ALLOW AN ADULT CONGREGATE LIVING FACILITY** on Lot 5 I and 2, Block 2, Tall Pines, as in Section 19, Township 44 South, Range 43 East, as recorded in Plat Book 13, Page 41. Said property located on the southeast corner of "A" Street and First Avenue in an RM-Multiple Family Residential Zoning

District (Medium Density) wa5 approved as advertised, subject to the following conditions:

1. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a) The required landscape strip along the entire eastern property line.
 - b) The required tree spacing.
 - c) No parking stalls within the twenty (20) foot backup distance.
- e. No outpatient treatment shall be permitted on the site.
3. Maximum number of residents shall be restricted to seven (7) plus one (1) staff member.
4. The property owner shall participate in any street improvement program for "A" Street by Palm Beach County and shall dedicate at no cost to the County an additional right-of-way required under the street improvement program.
5. The developer shall retain the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. However, at a minimum, this 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. 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 as determined by the County Engineer this matter will be reviewed by the Code Enforcement Board for enforcement.
6. One of the three (3) alternative perimeter landscape strip5 shall be provided along the entire west, south, and east property lines, respecting safe corner areas.
7. Use of the facility shall be limited to that of a maternity home.

Commissioner Wilken , 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:

Carol A. Roberts -- Absent
Jerry L. Owens -- Aye
Karen T. Marcus -- Aye
Dorothy Wilken -- Aye
Kenneth M. Adams -- Aye

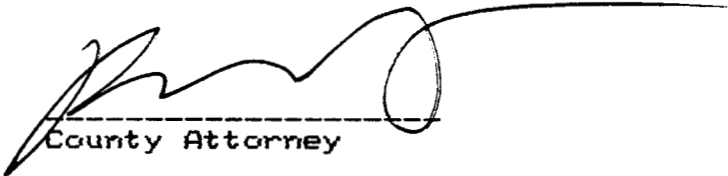
The foregoing resolution was declared duly passed and adopted this 23rd day of June, 1987 confirming action of January 5, 1987.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Jina M. Eldridge
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


County Attorney