

RESOLUTION NO. R-88- 1539

RESOLUTION APPROVING ZONING PETITION NO. 84-152(B)
SPECIAL EXCEPTION PETITION OF FRED FRANKEL

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. 84-152(B) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on August 27, 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 84-152(B), the petition of FRED FRANKEL, for a SPECIAL EXCEPTION TO AMEND THE MASTER PLAN PREVIOUSLY APPROVED FOR A PLANNED UNIT DEVELOPMENT, INCLUDING A CHILD DAY CARE CENTER, UNDER ZONING PETITION NO. 84-152(A) ON MARCH 27, 1987 TO INCLUDE AN ADULT CONGREGATE LIVING FACILITY on a parcel of land including all of Tract 62, Boca Del Mar No. 7, in Section 27, Township 47 South, Range 42 East, as recorded in Plat Book 30, Pages 210 through 217, located on the West side of Camino Del Mar, approximately .5 mile South of Palmetto Park Road in an AR-Agricultural Residential Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions

of approval unless expressly modified herein.

2. Prior to certification of the site plan for this parcel, the site plan should indicate the following:
 - a. Corrected parking data
 - b. Required handicap parking
3. Since sewer service is available to the property, septic tank shall not be approved for use on said property.
4. Since water service is available to the property, a potable water well shall not be approved for use on said property.
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 the first one inch of the stormwater runoff per Palm Beach County Subdivision and Platting Ordinance 73-4, as amended. The drainage system shall be maintained in an acceptable condition as approved by the County Engineer.
6. The property owner shall construct a left turn lane, south approach and a right turn lane, north approach on Camino Del Mar at the project's entrance concurrent with onsite paving and drainage improvements.
7. 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 \$91,975.00 a) 1,078 trips X \$80.40 per trips for the proposed garden apartments and b) 198 trips X \$26.79 per trip for the proposed ACLF.

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

Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Aye
Kenneth M. Adams	--	Aye

The foregoing resolution was declared duly passed and adopted this 27th day of September, 1988 confirming action of August 27, 1987.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY


BY:


COUNTY ATTORNEY

FALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

