

RESOLUTION NO. R-93- 643

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. CR 79-82A/5.2
TO AMEND CONDITIONS OF APPROVAL OF RESOLUTION NO. R-91-248
WHICH APPROVED THE SPECIAL EXCEPTION OF
PATRICIA POLLARD
PETITION NO. 79-82 (A)

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan.

WHEREAS, the notice and hearing requirements as provided for in Section 5.8 of the Palm Beach County Land Development Code have been satisfied; and

WHEREAS, pursuant to Section 5.8, Status Report CR 79-82A/5.2 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on May 27, 1993; and

WHEREAS, the Board of County Commissioners has reviewed Status Report CR 79-82A/5.2 and considered testimony presented by the applicant and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, Section 5.8 of the Palm Beach County Land Development Code authorizes the Board of County Commissioners to add or modify conditions of approval; 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; and
2. The Palm Beach County Engineering Department has determined that additional right-of-way is no longer needed.

WHEREAS, Section 5.3 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. CR 79-82A/5.2, amending Conditions of Approval of Resolution No. R-91-248, the Special Exception of Patricia Pollard, Petition No. 79-82(A), confirmed by the adoption of Resolution R-91-248, which permitted an Adult Congregate Living Facility (ACLF) on land lying in Tract 44, Block 25, The Palm Beach Farms Company Plat No. 3, as in Sections 19 and 30, Township 44 South, Range 42 East as recorded in Plat Book 2, Page 47, being located on the south side of 38th Place South, approximately 0.1 of a mile west of Jubilee Road (Lyons Road) and approximately 0.1 of a mile north of Lake Worth Road (S.R. 802) in the AR-Agricultural Residential Zoning District, is approved, subject to the following conditions:

1. The petitioner shall comply with all previous conditions of approval unless expressly modified herein.
2. Condition number 5 which presently states:

The property owner shall convey for the ultimate right-of-way of the existing 30 feet right-of-way along the project's north property line, an additional 15 feet of right-of-way within 90 days of the approval of the Resolution approving this project or prior to the issuance of the first Building Permit, whichever shall first occur.

Is hereby deleted.

Commissioner Newell moved for approval of the Resolution.

The motion was seconded by Commissioner Foster and, upon being put to a vote, the vote was as follows:

MARY MCCARTY, CHAIR	--	Aye
BURT AARONSON	--	Aye
KEN FOSTER	--	Aye
MAUDE FORD LEE	--	Aye
KAREN T. MARCUS	--	Aye
WARREN H. NEWELL	--	Aye
CAROL ROBERTS	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 27th day of May, 1993.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA BY ITS BOARD OF COUNTY COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Beverly Alter*

BY: *Jinx W. [unclear] DC*

