

RESOLUTION NO. R-84-1304

RESOLUTION APPROVING ZONING PETITION NO. 84-76, 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 73-2, have been satisfied; and

WHEREAS, Petition No 84-76 was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 29th of June, 1984, and

WHEREAS, THE BOARD OF County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties, 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 The proposal is 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 28th day of June, 1984, that the petition of WELLINGTON MEDICAL CENTER, INC, by William R. Boose, III, Esquire, for the SPECIAL EXCEPTION TO ALLOW A MEDICAL CENTER on the South 330 6 feet of Tract 20, all of Tracts 21 and 28, Block 18, Palm Beach Farms Company Plat No 3, in Section 12, Township 44 South, Range 41 East, as recorded in Plat Book 2, Page 47, together with

The East 255 91 feet of Tract 22 and Tract 27, as recorded in Palm Beach Farms Company Plat No 3, Plat Book 2, Pages 45 through 54, lying North of the North right of way for Forest Hill Boulevard as recorded in Official Record Book 2198, Pages 1200 and 1201, subject to Florida Power and Light Company easement as recorded in Official Record Book 2665, Page 1660. Said property located on the northwest corner of the intersection of Forest Hill Boulevard and U S 441 (S R 7) in an

AR-Agricultural Residential District was approved as advertised, subject to the following conditions.

1 Approval of this Special Exception and the accompanying site plan shall not constitute approval of the expansion of the Wellington Hospital Medical Center that is indicated on the site plan

2. The developer shall relocate and/or preserve existing significant vegetation into the project design. Appropriate measures shall also be taken to protect and individual trees and/or preservation areas during site clearing and construction.

3 The development shall retain 85% of the stormwater runoff generated by a three (3) year storm, per the requirements of the Permit Section, Land Development Division.

4. The petitioner shall convey the ultimate right of way within ninety (90) days of Special Exception approval for the following

- a U S 441 (S R 7), 240 feet west of the west right of way line of the E-1 Canal
- b Forest Hill Boulevard, sixty (60) feet from centerline.

All conveyances must be accepted by Palm Beach County prior to the issuance of a Building permit

5 The petitioner shall convey the ultimate right of way as required by the "Special Intersections" within ninety (90) days of Special Exception approval

- a S.R. 7, 275 feet west of the west right of way line of the L W D D E-1 Canal
- b Forest Hill Boulevard, 64 feet from centerline

All conveyances must be accepted by Palm Beach County prior to the issuance of a Building permit,

6 The Petitioner shall provide the construction plans for an additional three-lane bridge over the L W D D E-1 Canal, per the County Engineer's approval. These plans shall contain, but not be limited to, sidewalks. In addition, construction plans shall be submitted for the following turn lanes at the intersection of S R 7 and Forest Hill Boulevard

- a Dual left turn lane, north approach
- b Dual left turn lane, south approach
- c. Dual left turn lane, east approach
- d Dual left turn lane, west approach
- e Right turn lane, north approach
- f. right turn lane, south approach
- g right turn lane, west approach

These plans shall be completed within twelve (12) months of Special Exception approval, or prior to the issuance of a Certificate of Occupancy, whichever shall first occur.

7 The Petitioner shall construct an additional four-lane bridge over the L W D.D. E-1 Canal on Forest Hill Boulevard, per the County Engineer's approval. This construction shall also include turn lanes at the intersection of S R. 7 and Forest Hill Boulevard, as required in the previous condition as outlined below

- a Dual left turn lane, north approach
- b Dual left turn lane, south approach
- c Dual left turn lane, east approach
- d Dual left turn lane, west approach
- e Right turn lane, north approach
- f Right turn lane, south approach
- g Right turn lane, west approach

84 1304

- h Right turn lane, east approach
i. Signalization upgrading as required by the County Engineer

This construction shall be completed within 24 month of Special Exception approval or prior to the issuance of a Certificate of Occupancy, whichever shall first occur. This petitioner shall also be required to post surety in the form of a clean, Irrevocable Letter of Credit within six (6) months of Special Exception approval. The amount of this Letter of Credit shall be based upon a certified Cost Estimate prepared by the developer's engineer for the required plans and construction for the improvements of Forest Hill Boulevard and S R 7.

8 The developer shall construct at both the project's north and south entrance onto S.R 7.

- a. Left turn lane, south approach
b Right turn lane, north approach
c. ~~Left turn lane, west approach~~
d. Right turn lane, west approach
e Signalization when warranted as determined by the County Engineer

9 The developer shall construct at the project's entrance and Forest Hill Boulevard

- a. Left turn lane, west approach
b Right turn lane, east approach
c Left turn lane, north approach
d Right turn lane, north approach
e Signalization when warranted as determined by the County Engineer

10 Design of the road drainage for S R 7 and Forest Hill Boulevard shall accommodate the runoff from the roads adjacent to this property and shall be subject to all governmental and agency requirements

11 The bridge and the intersection improvements as outlined in Condition Nos 4 and 5 shall be credited toward the Fair Share Impact Fee of \$88,625.00 based upon a certified Cost Estimate prepared by the developer's engineer. However, prior to the letting of the contract for the bridge and intersection improvements, surety must be posted with the County in an amount equivalent to the bridge and intersection improvements costs. Said surety shall be returned to the Developer upon completion of the road and bridge work.

This Fair Share Fee is the amount as it presently exists. If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the fair share fee, this amount shall be credited towards the increased fair share fee.

12 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.

13 Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

Commissioner Bailey moved for approval of the Petition. The motion was seconded by Commissioner Koehler, and, upon being put to a vote, the vote was as follows:

84 1304

BOOK 358 . 478

KEN SPILLIAS, CHAIRMAN	-- ABSENT
DOROTHY H WILKEN, VICE-CHAIRMAN	-- AYE
PEGGY B. EVATT	-- ABSENT
DENNIS P KOEHLER	-- AYE
BILL BAILEY	-- AYE

The foregoing resolution was declared duly passed and adopted
this 11th day of September, 1984, confirming action of the 29th of
June, 1984

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

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

JOHN B. DINKLE, CLERK

R.W. Carls

COUNTY ATTORNEY

BY Darlene Harris

DEPUTY CLERK

FILED THIS _____ DAY OF
SEP 11 1984
AND RECORDED IN RESOLUTION
MINUTE BOOK NO. 358 AT _____
PAC. 476-479 REC. _____
JOHN E. DUNKLE, CLERK
BY Darlene Harris

84 1304

BOOK 58 479