

RESOLUTION NO. R-93- 1541

RESOLUTION APPROVING ZONING PETITION PDD93-35  
OFFICIAL ZONING MAP AMENDMENT (REZONING)  
PETITION OF BETHESDA HEALTH CARE CORPORATION

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, 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 Article 5 (Development Review Procedures) of the Palm Beach County Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition PDD93-35 was presented to the Board of County Commissioners at a public hearing conducted on December 6, 1993; and,

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This official zoning map amendment (rezoning) is consistent with the Palm Beach County Comprehensive Plan;
2. This official zoning map amendment (rezoning) is consistent with the requirements of the Palm Beach County Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Land Development Code, is generally consistent with existing uses and zones surrounding the subject land, and is the appropriate zoning district for the land;
4. This official zoning map amendment (rezoning) does not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
5. This official zoning map amendment (rezoning) will result in a logical and orderly development pattern;
6. This official zoning map amendment (rezoning) complies with Article 11, (Adequate Public Facilities) of the Palm Beach County Land Development Code, Ordinance 92-20; and,
7. This official zoning map amendment (rezoning) is consistent with the requirements of all other applicable local land development regulations.

WHEREAS, Article 5, Section 5.3.D.9 (Action by Board of County Commissioners) 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 Zoning Petition PDD93-35, the petition of Bethesda Health Care Corporation for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the AGRICULTURAL RESIDENTIAL (AR) ZONING DISTRICT to the MULTIPLE USE PLANNED DEVELOPMENT (MUPD) ZONING DISTRICT on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as indicated on a vicinity sketch attached as EXHIBIT B, attached hereto and made a part hereof, was approved on December 6, 1993, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster moved for the approval of the Resolution.

The motion was seconded by Commissioner Aaronson 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 Newell	--	Absent
Carol A. Roberts	--	Absent

The Chair thereupon declared that the resolution was duly passed and adopted this 6th day of December, 1993.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Robert J. Altman*  
COUNTY ATTORNEY

BY: *Jina M. Blair*  
DEPUTY CLERK

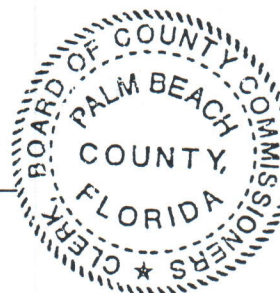




EXHIBIT A

LEGAL DESCRIPTION

ALL OF TRACTS 42 THROUGH 45, INCLUSIVE, TOGETHER WITH PORTIONS OF TRACTS 19 THROUGH 24, INCLUSIVE, AND PORTIONS OF TRACTS 41 AND 46, ALL IN BLOCK 55, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2 PAGES 45 THROUGH 54, INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID TRACT 41; THENCE SOUTH 89°59'57" WEST ALONG THE SOUTHERLY BOUNDARY OF TRACT 41, A DISTANCE OF 25.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°59'57" WEST ALONG THE SOUTHERLY BOUNDARY OF TRACTS 41 THROUGH 46, INCLUSIVE, A DISTANCE OF 1686.25 FEET; THENCE NORTH 00°00'20" WEST A DISTANCE OF 850.00 FEET; THENCE NORTH 79°24'42" EAST A DISTANCE OF 544.26 FEET; THENCE NORTH 89°59'57" EAST A DISTANCE OF 1151.25 FEET TO A POINT LYING ON THE WEST RIGHT-OF-WAY LINE OF HAGEN ROAD AS RECORDED IN DEED BOOK 1135, PAGE 98, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY; THENCE SOUTH 00°00'20" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 950.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 36.161 ACRES

*Blayney*

EXHIBIT B  
VICINITY SKETCH

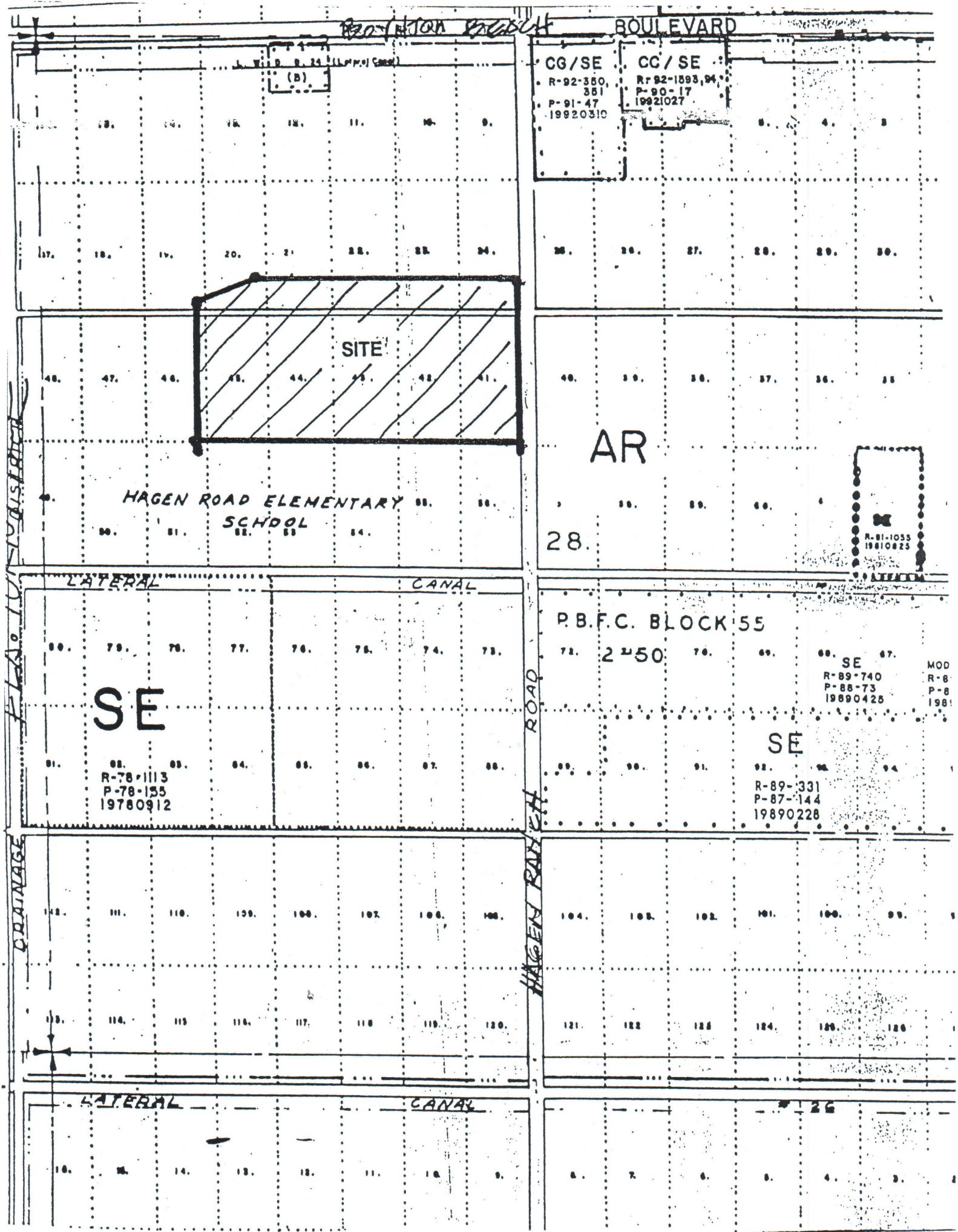




EXHIBIT C

CONDITIONS OF APPROVAL

A. SITE DESIGN

1. Street lights a maximum of twenty (20) feet in height, measured from average finished grade to highest point, shall be installed, ~~maintained and~~ operated by the property owner along all entry roads. (ZONING/ENGINEERING)
2. Street trees shall be planted no more than fifty (50) feet on center along both sides of all entry roads that are interior to the MUPD, subject to approval by the County Engineer. All required landscaping shall be installed prior to release of the performance bond or issuance of a certificate of completion, whichever occurs first, for the road intended to be landscaped. (ENGINEERING)
3. All utilities shall be underground pursuant to Article 6.8.23.d(5) of the Palm Beach County Unified Land Development Code. (ZONING/ENGINEERING)

B. HEALTH

1. Sewer service is available to the property. Therefore, no septic tank shall be permitted on this site. All existing onsite sewage disposal systems must be abandoned in accordance with Chapter 10D-6, FAC., and Palm Beach County ECR-I. (HEALTH)
2. Water service is available to the property. Therefore, no well shall be permitted on the site to provide potable water. All existing onsite potable water supply systems must be abandoned in accordance with Palm Beach County ECR-II. (HEALTH)

C. IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner. (UTILITIES)

D. SIGNS

1. To ensure consistency with the proposed development, entry or project identification signs shall be limited as follows:
  - a. Point of purchase sign:
    - (1) Maximum sign height, measured from finished grade to highest point - ten (10) feet;
    - (2) Maximum total sign face area per side - 100 square feet;