

RESOLUTION NO. R-96-253

RESOLUTION APPROVING ZONING PETITION
295-95

OFFICIAL ZONING MAP AMENDMENT (REZONING)
PETITION OF AMERICAN MED CARE CENTERS P.A. (CONTRACT PURCHASERS)
BY CARL P. CHRISTOFF, AGENT
CHRISTOFF REZONING

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 Unified Land Development Code (Ordinance 92-20), have been satisfied; and

WHEREAS, Zoning Petition Z95-95 was presented to the Board of County Commissioners at a public hearing conducted on January 25, 1996; 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 Unified Land Development Code;
3. This official zoning map amendment (rezoning) is compatible with surrounding uses and zones, as defined in the Palm Beach County Unified 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 Unified 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 Unified 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 Z95-95, the petition of American Med Care Centers P.A. (contract purchasers), by Carl P. Christoff, agent, for an OFFICIAL ZONING MAP AMENDMENT (REZONING) from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) 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 January 25, 1996, subject to the voluntary commitments described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Roberts 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:

Ken Foster, Chair	--	Aye
Burt Aaronson	--	Aye
Maude Ford Lee	--	Aye
Karen T. Marcus	--	Absent
Mary McCarty	--	Aye
Warren Newell	--	Aye
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted on February 22, 1996.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK

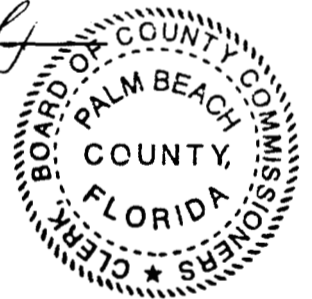


EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

PARCEL 1:

STARTING AT A POINT IN THE EAST RIGHT-OF-WAY LINE OF CONGRESS AVENUE, 110 FEET NORTH OF THE SOUTH LINE OF TRACT 15, MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 5, PAGE 79; THENCE EAST PARALLEL WITH THE SOUTH LINE OF TRACT 15, A DISTANCE OF 312 FEET; THENCE SOUTH ALONG THE EAST LINE OF TRACT 15, A DISTANCE OF 78 FEET; THENCE WEST PARALLEL TO THE SOUTH LINE OF TRACT 15, A DISTANCE OF 312 FEET; THENCE NORTH, 78 FEET TO THE POINT OF BEGINNING LESS THEREFROM THAT PORTION LYING WITHIN 50 FEET EAST OF THE WEST LINE OF SAID SECTION 20, BEING RIGHT-OF-WAY OF CONGRESS AVENUE (STATE ROAD 807).

PARCEL 2:

THE SOUTH ONE-HALF (S 1/2) OF ALL THAT PART OF TRACT 15 OF MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST, AS PER PLAT RECORDED IN PLAT BOOK 5, PAGE 79, IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF CONGRESS AVENUE (WHICH SAID EAST LINE OF CONGRESS AVENUE IS PARALLEL TO AND 18 FEET EAST OF THE WEST LINE OF SAID TRACT 15) 756.9 FEET NORTH OF THE POINT WHERE THE EAST LINE OF CONGRESS AVENUE INTERSECTS THE NORTH LINE OF TENTH AVENUE (WHICH SAID NORTH LINE OF TENTH AVENUE IS PARALLEL TO AND 10 FEET NORTH OF THE SOUTH LINE OF TRACT 16 OF SAID MODEL LAND COMPANY'S SUBDIVISION OF SECTION 20, TOWNSHIP 44 SOUTH, RANGE 43 EAST), AND RUNNING THENCE NORTH ALONG THE EAST LINE OF CONGRESS AVENUE, A DISTANCE OF 110 FEET; THENCE RUNNING PARALLEL TO THE SAID NORTH LINE OF TENTH AVENUE, A DISTANCE OF 312 FEET; THENCE SOUTH ALONG THE EAST LINE OF SAID TRACT 15, A DISTANCE OF 110 FEET; THENCE WEST A DISTANCE OF 312 FEET TO THE POINT OF BEGINNING. LESS THEREFROM THAT PORTION LYING WITHIN 50 FEET EAST OF THE WEST LINE OF SAID SECTION 20, BEING RIGHT-OF-WAY OF CONGRESS AVENUE (STATE ROAD 807).

CONTAINING IN ALL, 0.90 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

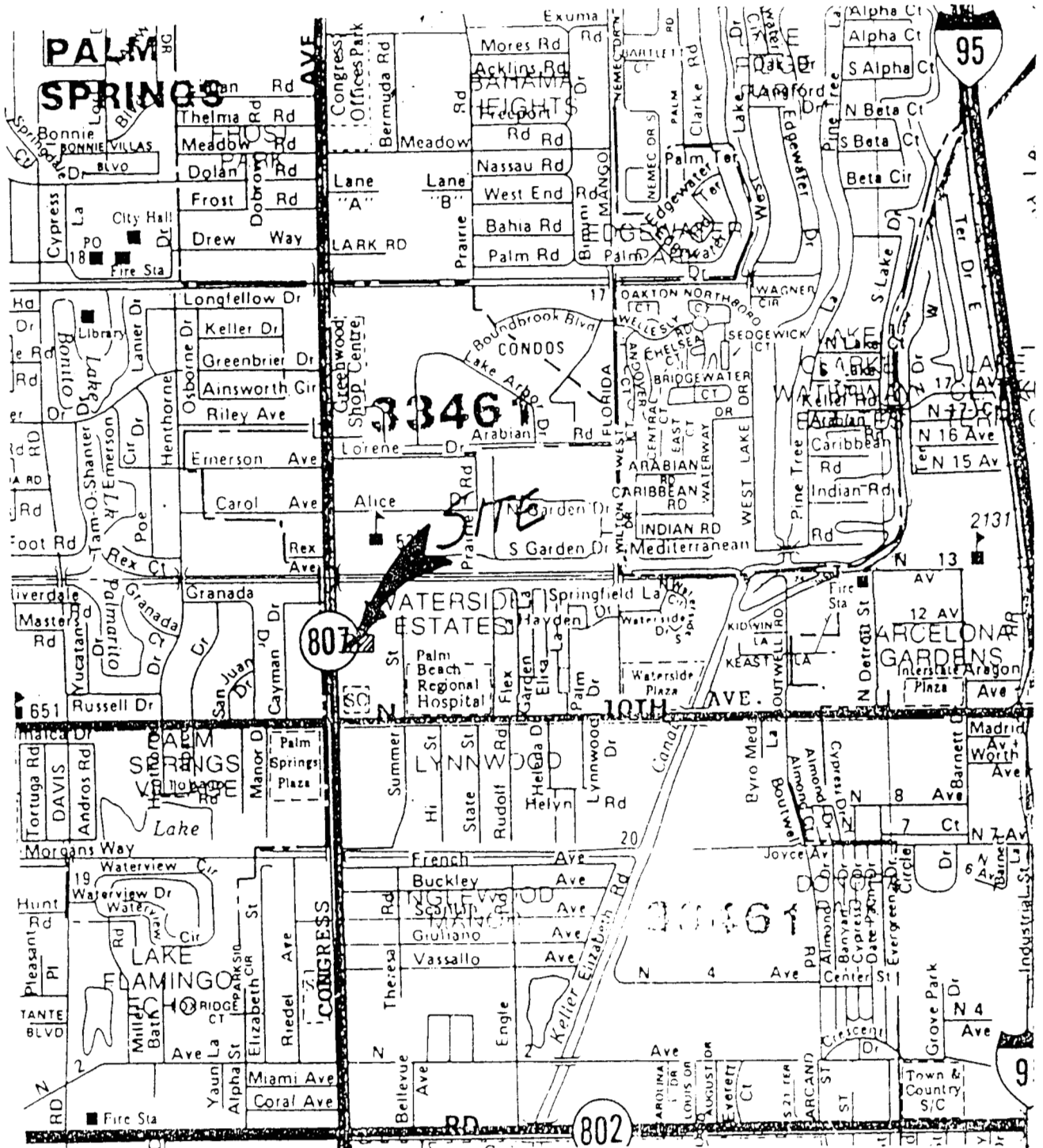


EXHIBIT C

VOLUNTARY COMMITMENTS

A. LANDSCAPING ALONG WEST PROPERTY LINE (ADJACENT TO CONGRESS AVENUE)

1. Landscaping and buffering along the west property line shall be upgraded to include:
 - a) One (1) canopy tree planted every twenty (20) feet on center.
 - b) One (1) palm tree or pine tree for each twenty (20) linear feet of frontage, with a maximum spacing of sixty (60) feet on center. A group of three or more palm and/or pine trees may supersede the requirement for a canopy tree in that location.
 - c) Thirty (30) inch high shrub or hedge material, or decorative plant material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches. (CO: LANDSCAPE-Zoning)

B. SIGNS

1. Freestanding point of purchase signs on site shall be limited as follows:
 - a. Maximum sign height, measured from finished grade to highest point - ten (10) feet;
 - b. Maximum sign face area per side - 100 square feet;
 - c. Maximum number of signs - one (1); and
 - d. Style - monument style only. (CO: BUILDING-Zoning)

C. HEALTH

1. Generation and disposal of any hazardous effluent into sanitary sewage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Protection and the agency responsible for sewage works are constructed and used by project tenants or owners generating such effluent. (Ongoing: Health/Code Enforcement)

E. ENGINEERING

1. The Developer shall provide discharge control and treatment for the stormwater runoff in accordance with all applicable agency requirements in effect at the time of the permit application. In the event that the subject site abuts a Department of Transportation maintained roadway, concurrent approval from the Florida Department of Transportation will also be required. The drainage system shall be maintained in an acceptable condition 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 referred to the Code Enforcement Board for enforcement (BLDG PERMIT: BLDG -Eng).