

RESOLUTION NO. R-96-642

RESOLUTION APPROVING ZONING PETITION 293-35(A)  
OFFICIAL ZONING MAP AMENDMENT  
TO A PLANNED DEVELOPMENT DISTRICT(PDD)  
PETITION OF HERBERT & HEINZ KAHLERT  
BY KIERAN KILDAY, AGENT  
BETHESDA WEST HEALTH CARE MUPD

**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 293-35(A) was presented to the Board of County Commissioners at a public hearing conducted on May 23, 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 293-35(A), the petition of Herbert & Heinz Kahlert by Kieran Kilday, agent, for an Official Zoning Map Amendment (Z) 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 May 23, 1996.

Commissioner Lee 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	--	Aye
Mary McCarty	--	Absent
Warren Newell	--	Absent
Carol A. Roberts	--	Absent

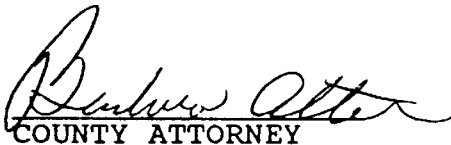
The Chair thereupon declared that the resolution was duly passed and adopted on May 23, 1996.

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

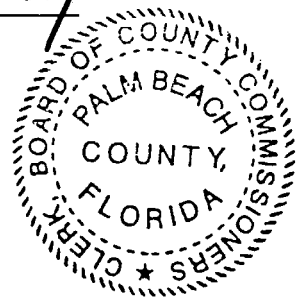


EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

BEING A PORTION OF TRACTS 46 THROUGH 48, A PORTION OF THE 30 FOOT ROADWAY ADJACENT TO THE NORTH LINE OF SAID TRACTS 46 THROUGH 48 AND A PORTION OF TRACT 19 ALL IN BLOCK 55. PALM BEACH FARMS COMPANY PLAT NO. 3. PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS.

BEGINNING AT THE SOUTHWEST CORNER OF THE PLAT OF BETHESDA HEALTH CITY, PLAT BOOK 74, PAGES 198 AND 199, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RUN THENCE SOUTH 89°59'57" WEST, A DISTANCE OF 928.85 FEET TO A POINT ON THE WEST LINE OF SAID BLOCK 55; THENCE NORTH 00°01'32" WEST ALONG SAID WEST LINE OF BLOCK 55, A DISTANCE OF 84.59 FEET; THENCE NORTH 89°59'57" EAST (DEPARTING FROM SAID WEST LINE OF BLOCK 55). A DISTANCE OF 368.88 FEET; THENCE NORTH 00°00'20" WEST. A DISTANCE OF 75.41 FEET; THENCE NORTH 89°59'57" EAST, A DISTANCE OF 460.00 FEET; THENCE NORTH 00°00'20" WEST A DISTANCE OF 559.80 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY (A RADIAL LINE PASSING THROUGH SAID POINT BEARS SOUTH 34°42'31" EAST) HAVING A RADIUS OF 1040.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°57'45", A DISTANCE OF 17.47 FEET TO THE POINT OF TANGENCY; THENCE NORTH 54°19'44" EAST, A DISTANCE OF 68.64 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 960.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°10'17", A DISTANCE OF 36.38 FEET TO A POINT ON THE WEST LINE OF SAID BETHESDA MEDICAL CITY; THENCE SOUTH 00°00'20" EAST ALONG SAID WEST LINE, A DISTANCE OF 790.54 FEET TO THE POINT OF BEGINNING.

CONTAINING IN TOTAL 4.14 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

