

RESOLUTION NO. R-99- 970

RESOLUTION APPROVING ZONING PETITION PDD80-174(B)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
PETITION OF TENET HEALTH CARE CORP.
BY SCOTT MOSOLF, AGENT
(DELRAY COMMUNITY HOSPITAL)

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 PDD80-174(B) was presented to the Board of County Commissioners at a public hearing conducted on May 27, 1999; 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) with approved conditions 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) with approved conditions 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) with approved conditions 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) with approved conditions 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 PDD80-174(B), the petition of Tenet Health Care Corp. by Scott Mosolf, agent, for an Official Zoning Map Amendment to a Planned Development District (PDD) to rezone from Special Commercial/Special Exception (CS/SE) to Multiple Use Planned Development (MUPD) 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 27, 1999, subject to the conditions of approval described in EXHIBIT C of DOA80-174(B).

Commissioner Roberts moved for the approval of the Resolution.

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

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

The Chair thereupon declared that the resolution was duly passed and adopted on May 27, 1999.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY: *Richard Allen*
COUNTY ATTORNEY

BY: *Joan Harvey*
DEPUTY CLERK

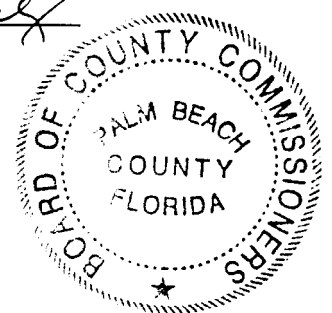


EXHIBIT A
LEGAL DESCRIPTION

A parcel of land situate in Section 26, ~~Township 46~~ South, Range 42 East, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the northeast corner of said Section 26; thence along the North line of said Section 26 North $89^{\circ}56'07''$ West, a distance of 1279.56 feet to the northeast corner of Tract "E" as described in Official Record Book 3442, Page 306, Public Records of Palm Beach County, Florida; thence along the easterly line of said Tract "E" South $45^{\circ}03'53''$ West a distance of 35.38 feet; thence continue along the said easterly line of Tract "E" and along the easterly line of Tract "B" as described in Official Record Book 3441, Page 389, Public Records of Palm Beach County, Florida South $00^{\circ}02'08''$ West a distance of 45.86 feet to a point of curvature of a curve concave to the northwest, having a radius of 199.06 feet; thence continue along said easterly line of Tract "B" and southwesterly along the arc of said curve, through a central angle of $57^{\circ}33'23''$, a distance of 199.97 feet; thence South $57^{\circ}35'31''$ West a distance of 78.60 feet to a point of curvature of a curve concave to the southeast, having a radius of 147.06 feet; thence southwesterly along the arc of said curve, through a central angle of $57^{\circ}31'42''$, a distance of 147.66 feet; thence South $00^{\circ}03'49''$ West a distance of 268.35 feet to the southeast corner of said Tract "B", said corner lying on the northerly line of Tract "G" as described in said Official Record Book 3441, Page 389; thence along the northerly line of said Tract "G" South $89^{\circ}56'07''$ East a distance of 550.39 feet to the northeast corner of the West half of the southwest quarter of the northeast quarter of said Section 26; thence along the East line of the West half of the southwest quarter of the northeast quarter of the northeast quarter of said Section 26 South $00^{\circ}47'39''$ East a distance of 674.28 feet to a point on the South line of the North half of the northeast quarter of said Section 26; thence along said South line South $89^{\circ}52'51''$ West a distance of 1232.53 feet; thence North $00^{\circ}03'53''$ East a distance of 1348.03 feet to a point on the South right-of-way line of Linton Boulevard as described in Official Record Book 78 18, Page 139, Public Records of Palm Beach County, Florida, said point being on a curve concave to the South having a radius of 758 1.44 feet and from which a radial line bears South $01^{\circ}42'54''$ East; thence along said South right-of-way line and easterly along the arc of said curve, through a central angle of $01^{\circ}46'47''$, a distance of 235.48 feet to a point on the aforesaid North line of Section 26; thence along said North line South $89^{\circ}56'07''$ East a distance of 688.17 feet to the POINT OF BEGINNING.

Containing in all 1.338992 square feet or 30.739 acres, more or less.

EXHIBIT A
LEGAL DESCRIPTION

A parcel of land situate in Section 26, Township 46 South. Range 42 East. Palm Beach County, Florida. being more particularly described as follows:

Commencing at the northeast corner of said Section 26; thence along the North line of said Section 26 North 89°56'07" West, a distance of 1967.73 feet to a point on the South right-of-way line of Linton Boulevard as described in Official Record Book 7818, Page 139, Public Records of Palm Beach County, Florida. said point being a point of curvature of a curve concave to the South having a radius of 758 1.44 feet: thence along said South right-of-way line and westerly along the arc of said curve, through a central angle of 01°46'47", a distance of 235.48 feet to a non-tangent line: thence South 00°03'53" West, a distance of 712.34 feet to a point on the South line of the North 715.99 feet of said Section 26 and the POINT OF BEGINNING; thence continue South 00°03'53" West, a distance of 635.69 feet to a point on the South line of the North half of the northeast quarter of said Section 26; thence along said South line South 89°52'51" West. a distance of 369.2 1 feet to a point on the East line of the West 56.10 feet of the northwest quarter of said Section 26; thence along said East line North 00°3 1'11" West. a distance of 636.91 feet to a point on the said South line of the North 715.99 feet of Section 26: thence along said South line South 89°56'07" East, a distance of 375.71 feet to the POINT OF BEGINNING.

Containing in all 236.991 square feet or 5.440 acres, more or less.

EXHIBIT B

VICINITY SKETCH

