

RESOLUTION NO. R-2006- 0290

RESOLUTION APPROVING ZONING APPLICATION R2005-1471  
(CONTROL NO. 2005-510)  
REQUESTED USE  
APPLICATION OF LAUTH PROPERTY GROUP, LLC  
BY RUDEN, MCCLOSKEY, AGENT  
(SELECT MEDICAL)

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 Board of County Commissioners, pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), as amended, is authorized and empowered to consider, approve, approve with conditions or deny Requested Uses; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, Zoning Application R2005-01471 was presented to the Board of County Commissioners at a public hearing conducted on February 23, 2006; 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 recommendations of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations) of the Palm Beach County Unified Land Development Code (ULDC) and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. This Requested Use is consistent with the Palm Beach County Comprehensive Plan.
2. This Requested Use complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Unified Land Development Code.
3. This Requested Use is consistent with the requirements of the Palm Beach County Unified Land Development Code.
4. This Requested Use, with conditions as adopted, is compatible as defined in the Palm Beach County Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Requested Use, with conditions as adopted, complies with standards imposed on it by all other applicable provisions of the Palm Beach County Unified Land Development Code for use, layout, function, and general development characteristics.
6. This Requested Use meets applicable local land development regulations.

7. This Requested Use, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Requested Use has a concurrency determination and complies with Article 2.F, Concurrency of the ULDC.
9. This Requested Use, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Requested Use, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 2 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 Application R2005-1471, the application of Lauth Property Group, LLC, by Ruden, McClosky, agent, for a Requested Use to allow a hospital or medical center in the Multiple Use Planned Development Zoning District on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on February 23, 2006, subject to the conditions of approval described in EXHIBIT C of PDD2005-1471, attached hereto and made a part hereof.

Commissioner Marcus moved for the approval of the Resolution.

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

Tony Masilotti, Chairman	-	Aye
Addie L. Greene, Vice Chairperson	-	Aye
Karen T. Marcus	-	Aye
Jeff Koons	-	Absent
Warren H. Newell	-	Abstained
Mary McCarty	-	Aye
Burt Aaronson	-	Absent

The Chairman thereupon declared that the resolution was duly passed and adopted on February 23, 2006.

Filed with the Clerk of the Board of County Commissioners on 10th day of March, 2006.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

BY:   
COUNTY ATTORNEY

SHARON R. BOCK,  
CLERK & COMPTROLLER

BY:   
DEPUTY CLERK

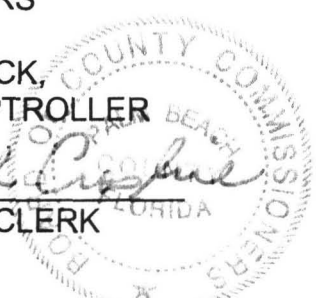


EXHIBIT A

LEGAL DESCRIPTION

LOTS B, C, D AND THE WEST 150 FEET OF LOT E, TRACT 66, PALM BEACH FARMS COMPANY PLAT #7, AS RECORDED IN PLAT BOOK 5, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT IN FAVOR OF P.B.J.C. DORMS, INC., FOR SANITARY SEWERAGE PURPOSES OVER THE SOUTH 10 FEET OF THE WEST 150 FEET OF LOT E; THE WEST 40 FEET OF LOT E AND THE WEST 40 FEET OF THE SOUTH 70 FEET OF LOT D; SAID EASEMENT FOR SANITARY SEWERAGE PURPOSES SHALL TERMINATE WHEN BUILDINGS ARE CONNECTED TO PUBLIC UTILITY SYSTEMS;

ALSO SUBJECT TO AN EASEMENT OVER THE EAST 50 FEET OF LOT D IN FAVOR OF P.B.J.C. DORMS, INC. FOR WATER SUPPLY WELL AND TO USE A TENNIS COURT, SAID EASEMENT FOR WATER SUPPLY WELL AND TO USE A TENNIS COURT SHALL TERMINATE WHEN BUILDINGS ARE CONNECTED TO PUBLIC UTILITY SYSTEMS;

AND LESS THE PORTION OF LOT B PURCHASED BY PALM BEACH COUNTY FOR THE RIGHT-OF-WAY OF THE PROPOSED EXTENSION OF 6TH AVENUE SOUTH, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE FOLLOWING DESCRIBED LAND SITUATE, LYING AND BEING IN THE COUNTY OF PALM BEACH, STATE OF FLORIDA, TO-WIT: A STRIP OF LAND 106 FEET IN WIDTH FOR ROAD RIGHT-OF-WAY PURPOSES LYING 53 FEET EACH SIDE OF, MEASURED AT RIGHT ANGLES TO THE FOLLOWING DESCRIBED CENTERLINE RUNNING THROUGH LOT B, BLOCK 66, ACCORDING TO THE PLAT OF PALM BEACH FARMS COMPANY PLAT #7 AS RECORDED IN PLAT BOOK 5, AT PAGE 72, PALM BEACH COUNTY PUBLIC RECORDS, SAID CENTERLINE MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MELALEUCA LANE AND THE CENTERLINE OF DAVID ROAD AS LAID OUT AND IN USE IN PALM BEACH FARMS COMPANY PLAT #7 OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST; THENCE RUN SOUTH 86 DEGREES, 57 MINUTES, 10 SECONDS EAST ALONG SAID CENTERLINE OF MELALEUCA LANE A DISTANCE 288.72 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE NORTH HAVING A CENTRAL ANGLE OF 47 DEGREES, 09 MINUTES, 38 SECONDS LT AND A RADIUS OF 818.51 FEET, RUN ALONG THE ARC OF SAID CURVE A DISTANCE OF 673.72 FEET TO THE END OF SAID CURVE; THENCE, RUN NORTH 45 DEGREES, 53 MINUTES, 12 SECONDS EAST A DISTANCE OF 962.72 FEET TO A POINT, SAID POINT BEING THE BEGINNING OF A CURVE CONCAVE TO THE SOUTH HAVING A CENTRAL ANGLE OF 47 DEGREES, 00 MINUTES 00 SECONDS AND A RADIUS OF 818.51 FEET, RUN ALONG THE ARC OF SAID CURVE 671.43 FEET TO THE END OF SAID CURVE; THENCE, RUN SOUTH 87 DEGREES, 06 MINUTES, 48 SECONDS EAST A DISTANCE OF 500.00 FEET TO A POINT IN THE EAST LINE OF SAID SECTION 30, SAID POINT BEING 129.00 FEET SOUTH OF THE NORTHEAST CORNER OF SAID SECTION 30, AND THE END OF THE HEREIN DESCRIBED CENTERLINE.

AND LESS THE EAST 50 FEET OF THE SOUTH 102.29 FEET OF LOT D, TRACT 66, PALM BEACH FARMS COMPANY PLAT #7, AS RECORDED IN PLAT BOOK 5, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

TOGETHER WITH:

THAT PORTION OF LOTS B AND C LYING SOUTHEASTERLY OF 6TH AVENUE SOUTH EXTENSION, BLOCK 67, AND ALL OF LOTS D AND E, BLOCK 67, AND ALL OF THAT PORTION OF LOTS C AND D LYING SOUTHEASTERLY OF 6TH AVENUE SOUTH EXTENSION, BLOCK 68, PALM BEACH FARMS CO. PLAT NO. 7, OF SECTION 30, 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 72

TOGETHER WITH THE FOLLOWING TWO PARCELS OF LAND::

BEING THE EAST HALF OF THAT PORTION OF THE PLATTED 30-FOOT ROADWAY LYING BETWEEN THE WEST LINE OF TRACTS B,C,D, AND E, BLOCK 66, AND THE EAST LINE OF TRACTS B,C,D, AND E, BLOCK 67, PALM BEACH FARMS CO. PLAT NO. 7 AS RECORDED IN PLAT BOOK 5, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF THE WEST EXTENSION OF 6TH AVENUE SOUTH.

AND

BEING THE WEST HALF OF THAT PORTION OF THE PLATTED 30-FOOT ROADWAY LYING BETWEEN THE WEST LINE OF TRACTS B,C,D, AND E, BLOCK 66, AND THE EAST LINE OF TRACTS B,C,D, AND E, BLOCK 67, PALM BEACH FARMS CO. PLAT NO. 7 AS RECORDED IN PLAT BOOK 5, PAGE 72, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PORTION LYING SOUTHERLY OF THE SOUTH RIGHT-OF-WAY LINE OF THE WEST EXTENSION OF 6TH AVENUE SOUTH.

LESS AND EXCEPT THE FOLLOWING PARCELS OF LAND FOR ADDITIONAL RIGHT-OF-WAY FOR MELALEUCA LANE AS DESCRIBED IN O.R.B. 7100, PG. 1193 AND OTHER RECORDED INSTRUMENTS

RIGHT-OF-WAY AQUISITION PARCEL 127- THAT PORTION OF TRACT B BLOCK 66 OF THE PALM BEACH FARMS CO. PLAT NO. 7 AS RECORDED IN PLAT BOOK 5, AT PAGE 72 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT BRASS DISC AT THE NORTHEAST CORNER OF THE SOUTHEAST  $\frac{1}{4}$  OF SAID SECTION 30; THENCE SOUTH  $01^{\circ}24'23''$  WEST ALONG THE EAST LINE OF SAID SOUTHEAST  $\frac{1}{4}$ , A DISTANCE OF 129.00 FEET TO A POINT OF INTERSECTION WITH THE BASE LINE OF SURVEY, OF 6TH AVENUE SOUTH EXTENSION; THENCE NORTH  $87^{\circ}30'45''$  WEST ALONG SAID BASE LINE OF SURVEY, A DISTANCE OF 331.73 FEET, THENCE SOUTH  $02^{\circ}09'13''$  WEST AS MEASURED AT RIGHT ANGLES TO SAID BASE LINE OF SURVEY, DISTANCE OF 53.00 FEET TO THE EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF SAID 6TH AVENUE SOUTH EXTENSION, AND TO THE POINT OF BEGINNING; THENCE SOUTH  $01^{\circ}24'36''$  WEST ALONG SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, ALSO BEING THE EAST LINE OF SAID TRACT B, A DISTANCE OF 13.00 FEET; THENCE NORTH  $07^{\circ}30'45''$  WEST, DEPARTING SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, PARALLEL WITH AND 13.00 FEET SOUTH OF SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 169.48 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 791.00 FEET; THENCE WESTERLY AND SOUTHEASTERLY A DISTANCE OF 148.79 FEET ALONG THE ARC OF SAID CURVE. THROUGH A CENTRAL ANGLE OF  $10^{\circ}46'39''$  TO THE WEST LINE OF SAID TRACT B, SAID WEST LINE ALSO BEING THE EASTERLY RIGHT-OF-WAY LINE OF A 30.00 FEET WIDE ROAD AS SHOWN ON SAID PALM BEACH FARMS CO. PLAT NO. 7; THENCE NORTH  $01^{\circ}24'52''$  EAST ALONG SAID WEST LINE OF TRACT B, A DISTANCE OF 12.29 FEET TO SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH EXTENSION AND TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 765.51 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH  $09^{\circ}04'41''$  WEST; THENCE NORTHEASTERLY AND EASTERLY ALONG SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE AT A DISTANCE OF 150.07 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF  $11^{\circ}13'56''$  TO A POINT OF TANGENCY; THENCE SOUTH  $87^{\circ}50'45''$  EAST CONTINUING ALONG SAID EXISTING SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 168.72 FEET TO THE POINT OF BEGINNING.



CONTAINING 4088 SQUARE FEET MORE OR LESS.

RIGHT-OF-WAY AQUISITION PARCEL 128-THAT PORTION OF TRACTS B AND C BLOCK 67 OF THE PALM BEACH FARMS CO. PLAT NO. 7 AS RECORDED IN PLAT BOOK 5 AT PAGE 72 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. LYING IN THE SOUTHEAST ¼ OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT BRASS DISC AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SAID SECTION 30; THENCE SOUTH 01°24'23" WEST ALONG THE EAST LINE OF SAID SOUTHEAST 1/4, A DISTANCE OF 129.00 FEET TO A POINT OF INTERSECTION WITH THE BASE LINE OF SURVEY OF 6TH AVENUE SOUTH EXTENSION; THENCE NORTH 87°50'35" WEST ALONG SAID BASE LINE OF SURVEY, A DISTANCE OF 500.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 818.51 FEET; THENCE SOUTHEASTERLY 181.21 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID BASE LINE OF SURVEY OF 6TH AVENUE SOUTH EXTENSION. THROUGH A CENTRAL ANGLE OF 12°41'04" TO AN INTERSECTION WITH NORTHERLY PROJECTION OF THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF A 30.00 FEET WIDE ROAD BETWEEN BLOCK 66 AND 67 AS SHOWN ON SAID PALM BEACH FARMS CO. PLAT NO. 7; THENCE SOUTH 01°24'32" WEST ALONG SAID NORTHERLY PROJECTION, A DISTANCE OF 34.26 FEET TO A POINT OF INTERSECTION OF THE EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF SAID 6TH AVENUE SOUTH EXTENSION AS REPORTED IN OFFICIAL RECORDS BOOK 1918 AT PAGES 753 AND 754 AND IN PLAT BOOK 4 AT PAGES 61 THROUGH 63 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, WITH THE EXISTING WESTERLY RIGHT-OF-WAY LINE OF SAID 30.00 FEET WIDE ROAD, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 01°24'32" WEST ALONG SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 12.02 FEET TO A POINT IN A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 791.00 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 10°30'11" WEST; THENCE SOUTHWESTERLY, DEPARTING SAID EXISTING WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 353.48 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 25°36'13" TO THE WEST LINE OF SAID TRACT C; THENCE NORTH 01°25'09" EAST ALONG SAID WEST LINE A DISTANCE OF 4.59 FEET TO SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH EXTENSION, AND TO A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 765.31 FEET, A RADIAL LINE TO SAID POINT BEARS NORTH 38°03'21" WEST; THENCE NORTHEASTERLY A DISTANCE OF 356.98 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 26°43'08" TO THE POINT OF BEGINNING.

CONTAINING 2930 SQUARE FEET MORE OR LESS.

RIGHT-OF-WAY AQUISITION PARCEL 129- THOSE PORTIONS OF TRACT C AND D BLOCK 68 OF THE PALM BEACH FARMS CO. PLAT NO. 7 AS RECORDED IN PLAT BOOK 5 AT PAGE 72 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN THE SOUTHEAST ¼ OF SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT BRASS DISC AT THE NORTHEAST CORNER OF THE SOUTHEAST ¼ OF SAID SECTION 30; THENCE SOUTH 01°24'23" WEST ALONG THE EAST LINE OF SAID SOUTHEAST ¼, A DISTANCE OF 129.00 FEET TO A POINT OF INTERSECTION WITH A BASE LINE OF SURVEY OF 6TH AVENUE SOUTH EXTENSION; THENCE NORTH 87°50'45" WEST ALONG SAID BASE LINE OF SURVEY A DISTANCE OF 500.00 FEET TO THE BEGINNING OF A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 818.51 FEET; THENCE WESTERLY AND SOUTHEASTERLY A DISTANCE OF 671.43 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID BASE LINE OF SURVEY, THROUGH A CENTRAL ANGLE OF 47°00'00" TO A POINT OF TANGENCY; THENCE SOUTH 44°50'45" EAST ALONG A LINE RADIAL TO THE LAST DESCRIBED CURVE, A DISTANCE OF 53.00 FEET TO A POINT ON THE EXISTING SOUTHEASTERLY

RIGHT-OF-WAY LINE OF SAID 6TH AVENUE SOUTH EXTENSION AS RECORDED IN OFFICIAL RECORDS BOOK 1916 AT PAGES 753 THROUGH 754 AND IN PLAT BOOK 4 AT PAGES 61 THROUGH 63 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE SOUTH 45°09'15" WEST ALONG SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 28.26 FEET TO A POINT OF CUSP WITH A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 791.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH 44°50'45" WEST; THENCE NORTHEASTERLY, A DISTANCE OF 116.01 FEET ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°24'12" TO THE EAST LINE OF SAID TRACTS C AND D; THENCE NORTH 01°23'09" EAST ALONG SAID EAST LINE, A DISTANCE OF 4.59 FEET TO SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE OF 6TH AVENUE SOUTH EXTENSION AND A POINT ON A CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 765.51 FEET AND TO WHICH POINT A RADIAL LINE BEARS NORTH 38°05'22" WEST; THENCE SOUTHEASTERLY A DISTANCE OF 90.27 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID EXISTING SOUTHEASTERLY RIGHT-OF-WAY LINE, THROUGH A CENTRAL ANGLE OF 06°45'23" TO THE POINT OF BEGINNING.  
CONTAINING 190.00 SQUARE FEET MORE OF LESS.

TOTAL AREA=6.503 ACRES

EXHIBIT B  
VICINITY SKETCH

