

RESOLUTION NO. R-2008- 0272

RESOLUTION APPROVING ZONING APPLICATION PDD2007-877
(CONTROL NO. 2006-011)
OFFICIAL ZONING MAP AMENDMENT
TO A PLANNED DEVELOPMENT DISTRICT (PDD)
APPLICATION OF BETHESDA HEALTHCARE SYSTEM, INC.
BY KILDAY & ASSOCIATES, INC., AGENT
(BETHESDA WEST 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, and the Palm Beach County Unified Land Development Code, as amended, is authorized and empowered to consider applications relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 (Development Review Process) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) have been satisfied; and

WHEREAS, Zoning Application PDD2007-877 was presented to the Board of County Commissioners at a public hearing conducted on February 28, 2008; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant 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 (Monitoring) 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 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 stated purpose and intent and requirements of the Palm Beach County Unified Land Development Code. The rezoning request is also consistent with the requirements of all other applicable local land development regulations.
3. This official zoning map amendment (rezoning) is compatible and 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, orderly and timely development pattern.
6. This official zoning map amendment is consistent with applicable Neighborhood Plans.
7. This official zoning map amendment (rezoning) complies with Article 2.F (Concurrency) of the Palm Beach County Unified Land Development Code.

8. The applicant has demonstrated that there are sufficient changed conditions or circumstances that require an amendment.

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) 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 PDD2007-877, the application of Bethesda Healthcare System. Inc., by Kilday & Associates, Inc., agent, for an Official Zoning Map Amendment to a Planned Development District from the Agricultural Reserve Zoning District to 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 28, 2008, subject to the conditions of approval described in EXHIBIT C of R2007-877.

Commissioner Marcus 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:

Addie L. Greene, Chairperson	¥	Aye
Jeff Koons, Vice Chair	¥	Aye
Karen T. Marcus	¥	Aye
Robert J. Kanjian	¥	Aye
Mary McCarty	¥	Aye
Burt Aaronson	¥	Aye
Jess R. Santamaria	¥	Aye

The Chairperson thereupon declared that the resolution was duly passed and adopted on February 28, 2008.

Filed with the Clerk of the Board of County Commissioners on February 28, 2008.

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

SHARON R. BOCK,
CLERK & COMPTROLLER

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

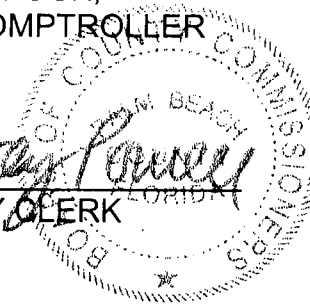


EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN BLOCK 51 OF PALM BEACH FARMS COMPANY PLAT NO. 3 AS SAID PLAT IS RECORDED IN PLAT BOOK 2 AT PAGES 45 THRU 54 INCLUSIVE OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST ½ OF TRACT 98 AND ALL OF TRACT 99, SUBJECT TO LAKE WORTH DRAINAGE DISTRICT RIGHT OF WAY FOR CANAL E-1, IF ANY.

TOGETHER WITH TRACT 101, LESS THE SOUTH 230.0 FEET THEREOF AND LESS THE WEST 258.35 FEET OF SAID TRACT 101 LYING WEST OF THE FOLLOWING DESCRIBED LINE; COMMENCING AT THE NORTHWEST CORNER OF SAID TRACT 101; THENCE N.89°04'52"E., ON AN ASSUMED BEARING, ALONG THE NORTH LINE OF TRACT 101, A DISTANCE OF 258.35 FEET TO THE POINT OF BEGINNING; THENCE S.1°00'49"E., A DISTANCE OF 429.74 FEET TO AN INTERSECTION WITH A LINE 230.0 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES, AND PARALLEL WITH THE SOUTH LINE OF TRACT 101, SAID INTERSECTION BEING THE POINT OF ENDING.

TOGETHER WITH THE WEST ½ OF TRACT 102, LESS THE SOUTH 30.0 FEET THEREOF AND LESS THE NORTH 200.0 FEET OF THE SOUTH 230.0 FEET OF THE WEST 24.34 FEET THEREOF.

ALL LYING AND BEING IN SAID BLOCK 51 OF PALM BEACH FARMS COMPANY PLAT NO. 3.

PARCEL TWO: (PCN:00-42-43-27-05-051-0972)

THE EAST ½ OF TRACT 97 AND THE EAST ½ OF TRACT 102, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45-54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 30.0 FEET OF THE EAST ½ OF TRACT 102.

PARCEL THREE: (PCN: 00-42-43-27-05-51-961, 00-42-43-27-05-051-962, AND 00-42-43-27-05-051-031)

TRACTS 96 AND 103, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE MAP OF PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45-54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE SOUTH 30.0 FEET OF TRACT 103.

PARCEL FOUR: (00-42-43-27-05-051-971)

THE WEST ½ OF TRACT 97 AND THE EAST ½ OF TRACT 98, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES 45 TO 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

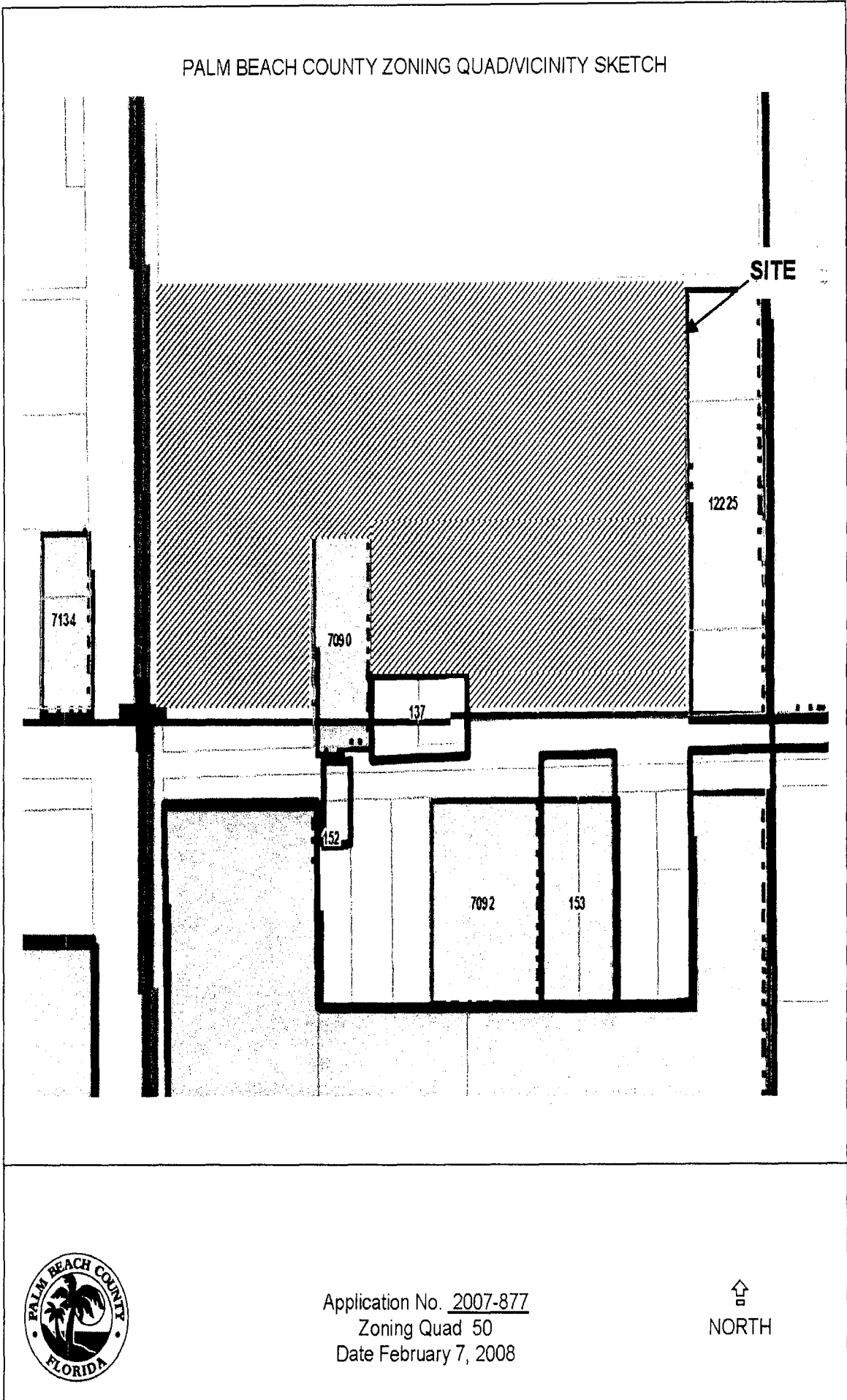
LESS AND EXCEPTING FROM THE ABOVE DESCRIBED PARCELS 1, 2 AND 3 THE PROPERTY DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN O.R. BOOK 13905, PAGE 634, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PARCEL FIVE: (PCN: 00-42-43-27-05-051-1000)

TRACT 100, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3,
ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGES
45 TO 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE
SOUTH 230.0 FEET THEREOF.

TOTAL AREA (PARCELS 1-5) = 58.77 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH



Application No. 2007-877
Zoning Quad 50
Date February 7, 2008

