

RESOLUTION NO. R-2016- 0416

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA/R-2015-00317
(CONTROL NO. 1987-00032)
a Requested Use
APPLICATION OF Hippocrates Health Institute of FL, Inc
BY Miller Land Planning, AGENT
(Hippocrates PUD/CLF)

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 applications relating to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ZV/PDD/DOA/R-2015-00317 was presented to the Board of County Commissioners at a public hearing conducted on March 24, 2016;

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 recommendation of the Zoning Commission;

WHEREAS, the, Board of County Commissioners pursuant to Article 2 (Development Review Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, THE Board of County Commissioners hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Process) for a Requested Use;

WHEREAS, this approval is subject to Article 2.E (Monitoring), of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.A.1.K.3.b (Action by BCC) of the ULDC 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 ZV/PDD/DOA/R-2015-00317, the Application of Hippocrates Health Institute of FL, Inc, by Miller Land Planning, Agent, for or a Requested Use to allow an Assembly Non-profit Institutional, on a parcel of land generally described as shown on the legal description 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 March 24, 2016, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Burdick moved for the approval of the Resolution.

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

Commissioner Mary Lou Berger, Mayor	- Aye
Commissioner Hal R. Valeche, Vice Mayor	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Shelley Vana	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Melissa McKinlay	- Aye
Commissioner Priscilla A. Taylor	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on March 24, 2016.

Filed with the Clerk of the Board of County Commissioners on April 14th, 2016.

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:



EXHIBIT A

LEGAL DESCRIPTION

PARCEL A

PROPERTY ADDRESS:
1466 Hippocrates Way
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0010

1333 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0030

1341 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-28-52-001-0020

LEGAL DESCRIPTION:
Parcel "A", HIPPOCRATES PUD/CLF, according to the plat thereof, recorded in Plat Book 115, Page 167, Public Records of Palm Beach County, Florida.

TOGETHER WITH;

PARCEL 9

PROPERTY ADDRESS:
1350 Palmdale Court
West Palm Beach, Florida 33411
P.C.N.: 00-42-42-27-05-003-0110

LEGAL DESCRIPTION:
Beginning at a point on the West line, 396.00 feet North of the Southwest corner of the East half of Tract 7, Block 3, THE PALM BEACH FARMS CO. PLAT NO. 3, according 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 2, Page 45, being the POINT OF BEGINNING; thence Northerly on the West line of the East half of Tract 7, a distance of 264.00 feet; thence Easterly on a line parallel to the South line of said East half of Tract 7, a distance of 330.00 feet; thence Southerly on a line parallel to the West line of the East half of Tract 7, a distance of 264.00 feet; thence Westerly on a parallel course to the North line thereof, a distance of 330.00 feet to the POINT OF BEGINNING.
LESS the West 15 feet thereof conveyed to the County of Palm Beach for the Right-of-Way of Palmdale Court as recorded in Official Records Book 2202, Page 872, as corrected in Official records Book 2329, Page 1988, Public Records of Palm Beach County, Florida.

Containing in all, 32.086 Acres, more or less.

EXHIBIT B
VICINITY SKETCH

Location Map

NTS

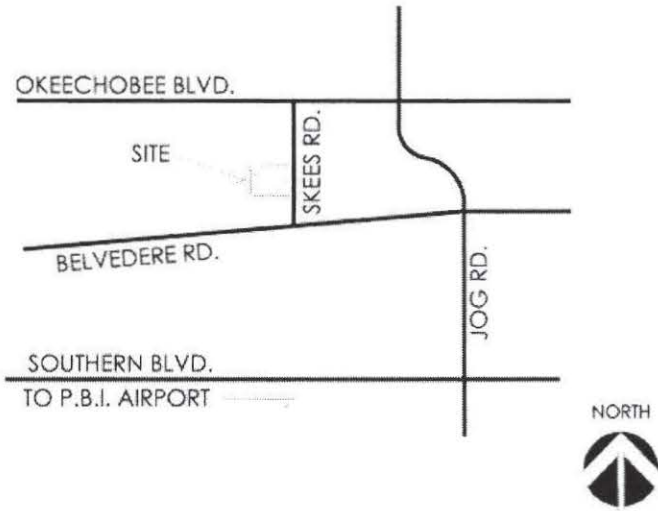


EXHIBIT C
CONDITIONS OF APPROVAL

Requested Use - Non-profit Institutional Assembly

ALL PETITIONS

1. The approved Preliminary Master and Site Plans are dated January 14, 2016; the Preliminary Regulating Plans are dated December 28, 2015; and, the Preliminary Architectural Elevations are dated June 22, 2015. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses and site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Building #44 (Assembly-Non-profit Institutional) shall be submitted for final review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Preliminary Architectural Elevations dated June 22, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (DRO: ZONING - Zoning)

ENGINEERING

1. RESTRICTIONS ON THEATER

Activities at the theater for outside patrons shall be limited during weekdays as follows: Between 10:00 AM and 3:00 PM, and after 7:00 PM. (ONGOING: ENGINEERING - Engineering)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning) (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning) (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.