

RESOLUTION NO. R-85-277

RESOLUTION APPROVING ZONING PETITION 83-56(B), Special Exception

WHEREAS, the Board of County Commissioners, as the governing body, 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 Chapter 402.5 of the Palm Beach County Zoning Code Ordinance No. 73-2 have been satisfied; and

WHEREAS, Petition No. 83-56(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 1st of November 1984; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. The proposal is consistent with the requirements of the Comprehensive Plan and Zoning Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, assembled in regular session this the 1st of November 1984, that Petition No. 83-56(B) the petition of RAINBERRY PARK, INC, By Richard Siemens, Agent for a SPECIAL EXCEPTION TO EXPAND AND AMEND THE SITE PLAN FOR A MEDICAL CENTER, INCLUDING A HOSPITAL, OFFICE, LABORATORY AND CLINIC FACILITIES, AND CUSTOMARY RETAIL USES, RESTAURANT AND LOUNGE, AND FINANCIAL USES, INCLUDING ACCESSORY BUILDINGS AND STRUCTURES PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 83-56(A), TO INCLUDE A NURSING AND CONVALESCENT FACILITY on a parcel of land situate in Section 19, Township 47 South, Range 42 East, being a portion of Block 78 of the Palm Beach Farms Company's plat No, 3, as recorded in Plat Book 2, Pages 45 through 54, more particularly described as follows:

Commencing at the Southwest corner of Tract 71, Block 78, of the above referenced Palm Beach Farms Company Plat; thence North 00 degree 53'32" West, along the West perimeter of said Block 78, a distance of 1538.96 feet to the centerline of the proposed loop road and the Point of Beginning.

From the Point of Beginning; thence North 89 degrees 37'02" East, along said proposed centerline, a distance of 415.00 feet to the beginning of a curve, having a radius of 393.81 feet from which a radial line bears North 00 degree 22'58" West; thence Easterly along the arc of said curve, subtending a central angle of 28 degrees 29'44", a distance of 195.86 feet; thence North 61 degrees 07'18" East, continuing along said centerline, a distance of 198.25 feet to the beginning of a curve, having a radius of 393.81 feet from which a radial line bears South 28 degrees 52'42" East, thence Easterly along the arc of said curve, subtending a central angle of 28 degrees 29'44", a distance of 195.86 feet; thence North 89 degrees 37'02" East, a distance of 223.09 feet; thence North 00 degree 22'58" West, departing from said centerline, a distance of 505.65 feet; thence North 89 degrees 37'02" East a distance of 458.56 feet; thence South 00 degree 22'58" East a distance of 272.24 feet; thence South 37 degrees 47'04" West a distance of 392.06 feet to the above referenced proposed centerline and a point on a curve having a radius of 350.00 feet from which a radial line bears South 37 degrees 47'04" West; thence Southerly along the arc of said curve, subtending a central angle of 51 degrees 49'59", a distance of 316.63 feet; thence South 00 degree 22'58" East, a distance of 355.92 feet to the beginning of a curve, having a radius of 362.13 feet from which a radial line bears South 89 degrees 37'02" West, thence Southwesterly along the arc of said curve, subtending a central angle of 45 degrees 00'00", a distance of 284.42 feet; thence South 44 degrees 37'02" West a distance of 178.00 feet to the beginning of a curve, having a radius of 362.13 feet from which a radial line bears North 45 degrees 22'58" West; thence Southwesterly and Westerly along the arc of said curve, subtending a central angle of 45 degrees 00'00", a distance of 284.42 feet; thence South 89 degrees 37'02" West, a distance of 1041.16 feet

to the West line of said Block 78; thence North 00 degree 53'32" West, departing from said proposed centerline and running along said West Block line, a distance of 1003.96 feet to the Point of Beginning. Said property located on the east side of U.S. 441 (S.R.7), approximately .2 miles north of the Broward County Line in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. The developer shall preserve existing significant vegetation wherever possible and shall incorporate said vegetation into the project design. Appropriate measures shall also be taken to protect these preservation areas during site clearing and construction.
2. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (dust particles) from this property do not become a nuisance to neighboring properties.
3. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.
4. The petitioner shall execute and deliver to the Lake Worth Drainage District, a properly drafted and recorded legal document, creating the permanent eighty (80) foot right-of-way for relocated Lateral Canal No. 47.
5. The development shall retain onsite 85% of the stormwater runoff generated by a three (3) year-one hour storm per requirements of the Permit Section, Land Development Division.
6. The Developer shall pay a Fair Share Fee in the amount and manner required by "The Fair Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. Presently, the Fair Share Fee for this project is \$11,663.00.

If the Fair Share Contribution for Road Improvements Ordinance is amended to increase the Fair Share Fee, this additional amount shall be credited toward the increased Fair Share Fee .

7. The petitioner shall expend \$55,000.00 on the landscaping of the median of State Road 7, from Glades Road to the Hillsboro Canal. The landscaping shall include a six-inch non-mountable curb, and be subject to approval of the Department of Transportation.
8. The developer shall comply with all previously imposed conditions of Petition No. 83-56 and Petition No. 83-56(A) .

Commissioner Wilken , moved for approval of the petition.

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

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| Ken Spillias, Chairman | -- | AYE |
| Dorothy Wilkens, Vice Chairman | -- | AYE |
| Peggy Evatt, Member | -- | ABSENT |
| Dennis P. Koehler, Member | -- | AYE |
| Bill Bailey, Member | -- | AYE |

The foregoing resolution was declared duly passed and adopted

this day of
November 1984.

FEB 19 1985

confirming action of the 1st of

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Patricia S. Weaver
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

David Sprague
County Attorney

