

RESOLUTION APPROVING ZONING PETITION 81-219(C), 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. 81-219(C) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on July 24, 1986 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. With site plan modifications, this proposal will be 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 27th day of January, 1987, that: Petition No. 81-219(C), the petition of BETHESDA HEALTHCARE CORPORATION AND LAKE WORTH DRAINAGE DISTRICT By Kieran Kilday, Agent, for a SPECIAL EXCEPTION TO AMEND A PORTION OF THE SITE PLAN FOR A PLANNED OFFICE BUSINESS PARK, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 81-219(B) TO ALLOW A REDESIGN OF THE SITE on a parcel of land lying in Lots A and B of Block 15, and in Lots A and B of Block 14 and a part of an abandoned road Right-of-Way lying between said Lots A

and B of Block 15 and Lots A of B Block 14, all lying and being in the plat of the Palm Beach Farms Company Plat No. 8 of Section 30, Township 45 South, Range 43 East, as recorded in Plat Book 5 at page 73, said parcel being more particularly described as follows: assumed bearing of South 89 degrees 35'43" East, along the North line of said Section 30, a distance of 40.02 feet; thence South 1 degree 55'38" West, along a line 40.0 feet East of, as measured at right angles, and parallel with the West line of said Section 30 a distance of 60.03 feet; thence continue South 1 degree 55'38" West, along said parallel line, a distance of 145.38 feet to an intersection with a line 7.0 feet North of, as measured along a radial line, and concentric with the North Right-of-Way line of State Road 804 (Boynton West Road) as shown in Road Plat Book 2 at page 218; thence Easterly, along said concentric line 7.0 feet North of the North Right-of-Way line of State Road 804, said line being a curve concave to the North and having a radius of 21,425.90 feet, a central angle of 0 degree 55'40" and a chord bearing of South 89 degrees 19'42" East, an arc distance of 346.94 feet to the Point of Beginning; thence continue Easterly, along said concentric line 7.0 feet North of the North Right-of-Way line of State Road 804, said line being a curve concave to the North and having a radius of 21,425.90 feet, a central angle of 0 degree 12'25" and a chord bearing of South 89 degrees 53'44" East, an arc length of 77.39 feet to the end of said curve; thence South 89 degrees 59'57" East, continuing along a line 7.0 feet North of the North Right-of-Way line of State Road 804 a distance of 393.72 feet to an intersection with the East line of the West 185.00 feet, as measured along the South line, of said Lots A and B of Block 14; thence North 1 degree 50'03" East, along said line being 185.00 feet East of and parallel with the West line of said Lots A and B of Block 14, a distance of 149.53 feet to an intersection with line being 60.0 feet South of, as measured at right angles, and parallel

with the North line of Section 30; thence North 89 degrees 59'43" West, along said parallel line, a distance of 470.92 feet; thence South 1 degree 55'38" West, parallel with the said West line of Section 30, a distance of 149.42 feet to the Point of Beginning. Together with: A parcel of land lying in Lot A of Block 15, and in Lot A of Block 14 and a part of road Right-of-Way lying between said Lot A of Block 15 and Lot A of Block 14, all lying and being in the plat of the Palm Beach Farms Company Plat No. 8 of Section 30, Township 45 South, Range 43 East, as recorded in Plat Book 5 at page 73, said parcel being more particularly described as follows: Commencing at the Northwest corner of said Section 30; thence on an assumed bearing of South 89 degrees 59'43" East, along the North line of said Section 30, a distance of 40.02 feet; thence South 1, degree 55'38" West, along a Line 40.0 feet East of, as measured at right angles, and parallel with the West line of said Section 30 a distance of 60.03 feet; thence continue South 1 degree 55'38" West, along said parallel line, a distance of 145.38 feet to an intersection with a line 7.0 feet North of, as measured along a radial line, and concentric with the North Right-of-Way line of State Road 804 (Boynton West Road) as shown in Road Plat Book 2 at page 218; thence Easterly, along said concentric line 7.0 feet North of the North Right-of-Way line of State Road 804, said line being curve concave to the North and having a radius of 21,425.90 feet, a central angle of 1 degree 08'05" and a chord bearing of South 89 degrees 25'54" East, an arc distance of 424.33 feet to the end of said curve; thence South 89 degrees 59'57" East, continuing along a line 7.0 feet North of the North Right-of-Way line of State Road 804 a distance of 393.72 feet to an intersection with the East line of he West 185.00 feet, as measured along the South line of Lots A & B of lock 14; thence North 1 degree 50'03" East, along said line being 185.00 feet East of and parallel with the West line of said Lots A and B of Block 14, a distance of 149.53 feet to an intersection with a line being 60.0 feet South of, as measured at

right angles, and parallel with the said North line of Section 30, said intersection being the Point of Beginning; thence continue North 1 degree 50'03" East, a distance of 12.01 feet to an intersection with a line being 48.0 feet South of, as measured at right angles, and parallel with the said North line of Section 30; thence North 89 degrees 59'43" West, along said parallel line, a distance of 470.89 feet; thence South 1 degree 55'38" West, parallel with the said West line of Section 30, a distance of 12.01 feet to an intersection with the said line being 60.0 feet South of and parallel with the North line of Section 30; thence South 89 degrees 59'43" East, along said parallel line, a distance of 470.92 feet to the Point of Beginning. Said property located on the northeast corner of the intersection of Boynton Beach Boulevard (S.R. 804) and Lawrence Road in an CS-Specialized Commercial District was approved as advertised subject to the following conditions:

1. The developer shall comply with all previous conditions of approval (Petition No. 81-219(B)), unless specifically modified previously or herein.
2. Prior to site plan certification, the site plan shall be amended to reflect the following:
 - a) required number of trees
 - b) one of two alternative landscape strips between project site and abutting residential zone north of site
 - c) required perimeter landscape strip between off-street parking area and abutting right-of-way or obtain Board of Adjustment relief.
 - d) minimum dimensions for interior islands and medians.
3. The Developer shall modify the proposed Site Plan to permit 2-way (minimum 25') access width between the east and west parcel and 15' minimum along the north property line.
4. Condition #10 of Petition No. 81-219(B) which presently states:

"10. The property owner 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. The Fair Share Fee for this project presently is \$12,056 (450 trips X \$26.79 per trip)."

is amended to state:

"10. 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. The Fair Share Fee for this project presently is \$16,101 (601 trips X \$26.79 per trip) (east 1/2 of the project)."

5. Prior to Site Plan certification, the developer shall provide cross access/parking agreements with the bank parcel on the west end of the Site.

Commissioner Owens, moved for approval of the petition. The motion was seconded by Commissioner Adams, and upon being put to a vote, the vote was as follows:

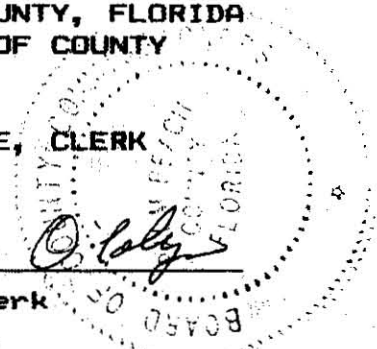
Karen T. Marcus, Member	--	AYE
Jerry L. Owens, Member	--	AYE
Ken Spillias, Member	--	AYE
Dorothy Wilken, Member	--	AYE
Kenneth M. Adams, Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 27th day of January, 1987 confirming action of July 24, 1986.

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O'Leary
Deputy Clerk



APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

[Signature]
County Attorney