

RESOLUTION NO. R- 86-629

RESOLUTION APPROVING ZONING PETITION 84-76(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. 84-76(B) was presented to the Board of County Commissioners of Palm Beach County at its public hearing conducted on the 27th February 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. This 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 27th of February 1986, that Petition No. petition of WELLINGTON HOSPITAL MEDICAL CENTER, INC., By William R. Boose, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A MEDICAL CENTER, PREVIOUSLY APPROVED UNDER ZONING PETITION NO. 84-76 TO INCLUDE A COMMERCIAL RADIO TOWER AND HELIPAD on the South 330.6 feet of Tract **20** and all of Tracts 21 and 28, less the South 33 feet thereof, Block 10, Palm Beach Farms Company Plat No. 3, according to the Plat thereof, recorded in Plat book 2, Pages 45 through 54, less the following :

A parcel of land lying in Section 12, Township 44 South, Range 41 East, and being part of Tract 28, Block 18, of the Palm Beach Farms Company Plat No. 3, recorded in Plat **Book** 2, Pages 45 through 54

inclusive, and more particularly described as follows:

Commencing at the Southeast corner of said Section 12, thence North 88 degrees 45'35" West (for convenience all bearings shown herein are referred to an assumed meridian) along the South line of said Section 12, a distance of 70.69 feet to a point on the West Right-of-Way Line of State Road No. 7; thence North 0 degree 28'31" East along said Right-of-Way line, a distance of 33.00 feet to the Point Of Beginning of the hereinafter described parcel; thence North 88 degrees 45'35" West along a line parallel to and 33 feet North of the South line of Section 12, a distance of 629.02 feet; thence North 02 degrees 17'29" West, a distance of 55.58 feet to the beginning of a curve concave to the Northeast having a radius of 5669.58 feet and a central angle of 05 degrees 44'43" and whose tangent at this point bears South 03 degrees 00'52" East; thence Southeasterly and Easterly along the arc of said curve, a distance of 568.51 feet; thence South 88 degrees 45'35" East along a line parallel and 60 feet North of the South line of said Section 12, a distance of 64.52 feet to the West Right-of-way line of State Road No. 7; thence South 00 degree 28'31" West along said Right-of-way line, a distance of 27.00 feet to the Point of Beginning.

Together with:

The East 255.91 feet of Tracts 22 and 27, Block 18, of the Palm Beach Farms Company, Plat No. 3, according to the Plat thereof; as recorded in Plat Book 2, Pages 45 through 54, lying North of the North right-of-way for Forest Hi 11 Boulevard. Together With :

a Florida Power and Light Easement over a 12 foot strip of land in Section 12, Township 44 South, Range 41 East, being a portion of Tract 28, Block 18, of the Palm Beach Farms Company Plat No. 3 as recorded in Plat Book 2, Pages 45 through 54 inclusive, the centerline of said 12 foot easement being more particularly described as follows :

Commence at the Southeast corner of said Section 12, thence along the East line of said Section 12, North 01 degree 33'42" East for 576.47 feet; thence North 86 degrees 08'52" West, to a point-of-intersection with the existing Westerly right-of-way of State Road #7 (U.S. 441),

a distance of 255.34 feet; thence South 03 degrees 51'08" West along said right-of-way line a distance of 2.20 feet and the Point-of-Beginning of the herein described centerline; thence North 87 degrees 11'58" West for 71.97 feet to a point-of-curvature of a curve to the left; thence along the arc of said curve, being concave to the South, having a radius of 252.34 feet, a central angle of 17 degrees 00'35", and an arc distance of 74.91 feet, to a point-of-reverse curvature with a curve to the right; thence along the arc of said curve to the right, being concave to the North, having a radius of 139.52 feet, a central angle of 47 degrees 24'24", and an arc distance of 115.44 feet to a point-of-intersection with a non-tangent line, a radial line at said point bearing South 33 degrees 11'52" West; thence along said non-tangent line, South 51 degrees 35'35" West for 20.52 feet to the point-of-termination of said centerline.

Less The Following For Road Right-Of-Way:

A portion of land lying within Tract 20 and the East 255.91 feet of Tract 27, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Page 47, Palm Beach County, Florida, being more particularly described as follows:

Beginning at the point of intersection with a point 276.00 feet West of the East line of Section 12, Township 44 South, Range 41 East and the North right-of-way line of the existing 120 foot right-of-way of Forest Hill Boulevard; thence westerly along said North right-of-way line, along a curve concave to the North, having a radius of 5669.58 feet, through an angle of 05 degrees 28'36", an arc distance of 541.92 feet to the point-of-tangency; thence North 80 degrees 50'44" West, a distance of 158.43 feet; thence South 02 degrees 09'23" East, a distance of 400.07 feet to a point 4.00 feet North of said North right-of-way of Forest Hill boulevard said point lies on a curve concave to the North with a radial bearing of North 06 degrees 42'40" East; thence Easterly along said curve, having a radius of 5665.58 feet, through an angle of 03 degrees 02'00", an arc distance of 299.94 feet; thence South 83 degrees 51'08" West, a distance of 4.00 feet to the Point-of-Beginning.

Less The Following For Road Right-of-way

A portion of land lying within the South 330.6 feet of Tract 20, half of Tract 21 and Tract 28 of Block 18, Palm Beach Farms Company Plat No. 3, as recorded in Plat Book 2, Page 47, Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of Section 12, Township 44 South, Range 41 East, Palm Beach County, Florida; thence North 01 degree 33'42" East, along the East line of said Section 12, a distance of 1661.58 feet; thence South 86 degrees 58'04" West, a distance of 68.01 feet to the existing Westerly right-of-way of U.S. Highway No. 441 (S.R. #7) and the Point-of-Beginning; thence continue South 86 degrees 58'04" West, along the North property line of the said South 330.6 feet of Tract 20, a distance of 172.24 feet to a point 240 feet West of the East line of said Section 12; thence South 01 degree 33'42" West, along a line parallel to the said East section line, a distance of 685.61 feet; thence South 63 degrees 61'08" West, a distance of 900.72 feet to a point on the Northerly right-of-way of the existing 120 foot right-of-way of Forest Hill Boulevard,, said point lies 276 feet West of the East line of said Section 12; thence Easterly along said North right-of-way of Forest Hill Boulevard along a curve concave to the North having a radius of 5669.58 feet through an angle of 01 degree 25'21" an arc distance of 140.77 feet to the Point-of-Tangency of said curve; thence South 07 degrees 44'41" East, a distance of 64.69 feet to the existing Westerly right-of-way of said U.S. Highway No. 441 (S.R. #7); thence North 01 degree 39'24" East, along said Westerly right-of-way, a distance of 1597.64 feet to the Point-of-Beginning. Said property located on the northwest corner of the intersection of Forest Hill Boulevard and U.S. 441 (S.R. 7) in an AR-Agricultural Residential District was approved as advertised subject to the following conditions:

1. Prior to site plan Certification, the site plan shall be amended to reflect adequate safety barriers (curbing, berming, and/or landscaping) between the heliport and the existing parking lot.
2. Prior to site plan certification:
  - a) An airspace analysis conducted by the Federal Aviation Administration (F.A.A.) shall be submitted to the Zoning Division.
  - b) A preliminary Airport License Report by the Florida Department of

Transportation shall be submitted to the Zoning Division.

c) Evidence that the radio tower does not encroach into or through the established approach plane for the heliport as determined in the airspace analysis shall be submitted to the Zoning Division.

3. Reasonable precautions shall be exercised during site development to insure that unconfined particulates (aust particles) from this property do not become a nuisance to neighboriny properties.

4. Reasonable measures shall be employed during site development to insure that no pollutants from this property shall enter adjacent or nearby surface waters.

5. The location of the heliport shall be subject to Federal Aviation Administration (F.A.A.) and Florida Department of Transportation (D.O.T.) approval.

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

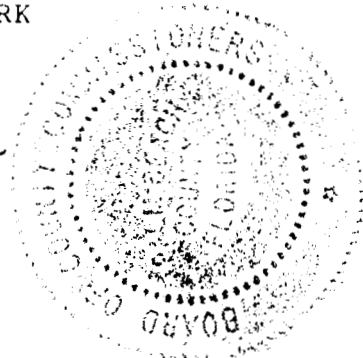
Karen T. Marcus , Chairman	--	AYE
Jerry Owens, Vice Chairman	--	AYE
Dorothy Wilken, Member	--	ABSENT
Kenneth Spillias , Member	--	AYE
Kenneth Adams , Member	--	AYE

The foregoing resolution was declared duly passed and adopted this 13th day of May, 1986 confirming action of the 27th February 1986.

PALM BEACH COUNTY , FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY: Barbara O. Polyn  
Deputy Clerk



APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

Frank J. Meyer  
County Attorney