

RESOLUTION NO. R-89-952

RESOLUTION APPROVING ZONING PETITION NO. 81-197(A)
SPECIAL EXCEPTION PETITION OF PASCO COMMUNITY HOSPITAL, INC.

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. 81-197(A) was presented to **the** Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on **May 26, 1988**; 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, this approval is subject to Zoning Code Section 402.9 (Mandatory Review of Development Approvals) and other provisions requiring that development commence in a timely manner; 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 local land development regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 81-197(A), the petition of PASCO COMMUNITY HOSPITAL, INC., by John W. Massey, Agent, for a SPECIAL EXCEPTION TO AMEND THE SITE PLAN FOR A HOSPITAL TO INCREASE THE BUILDING SQUARE FOOTAGE, on all of Tracts 13 and 18 and the West 1/2 of Tracts 12 and 19, Model Land Company's Subdivision of Section **20**, Township **44** South, Range 43 East, according to the Plat thereof, recorded in Plat **Book 5**, Page 79, less the North **40.00** feet of Tracts 12 and 13, and less the South 25.00 feet of Tracts 18 and 19, and further less the North 14.00 feet of the South 39.00 feet of Tract 18 and the West 1/2 of Tract 19, located on the north side of Tenth Avenue North, approximately .1 mile east of Congress Avenue (**SR 807**), in a CS-Specialized Commercial Zoning District, was approved as advertised, subject to the following conditions:

1. The developer shall comply with all previous conditions of approval, unless expressly modified herein.
2. Prior to certification, the site plan shall be amended to indicate the following:

- a. Revised tabular information which shall
 - 1) Key each structure on site:
 - 2) Specify the number of stories and overall height of each structure; and
 - 3) Indicate total floor area for each structure
 - b. Access dimensions for all curb cuts.
 - c. Revised landscape tabular which addresses the entire **14.2** acres.
 - d. Required minimum tree count (**247** trees).
 - e. Required right-of-way dimension of **55** feet from centerline of Tenth Avenue North.
 - f. Indicate the parking required and proposed for each structure and corresponding uses.
3. Prior to Site Plan Review Committee certification, the petitioner shall indicate all structures on site with respective square footages. All multiple floor structures shall indicate individual floor areas for each level. The site plan shall meet all of the requirements of Section **401.2** of the Zoning Code and said requirements set forth in the Special Exception Application, pages **8** and **9**.
 4. Prior to Site Plan Review Committee Certification, the petitioner shall submit an as built survey which clearly show all structures on site, including building square footage, height, and appropriate dimensions.
 5. **No** off-premise signs shall be permitted on the site.
 6. All proposed outdoor site lighting used to illuminate the premises shall be low intensity and directed away from adjacent residentially zoned property and shall not exceed twenty (**20**) feet in height.
 7. Because this project is in the C-51 Basin, no site plans shall be approved until a permit **is** obtained from the South Florida Water Management District.
 8. Within **90** days of approval **of** this project, the property owner shall convey **to** Palm Beach County by road right-of-way warranty deed for Tenth Avenue North, 55 feet from centerline free of all encumbrances and encroachments. Petitioner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free **of** all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners"

where appropriate at intersections **as** determined by the County Engineer.

9. 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 **\$16,020.00 (598 trips X \$26.79 per trip)**.
10. In addition the petitioner shall contribute the amount of **\$3,211.00** as established in Article V Section 3 (Insignificant Project Standard) of the Traffic Performance Standards Code. These total funds of **\$19,231.00** shall be paid prior to the issuance of the first Building Permit or prior to whichever shall first occur.
11. If the "Fair Share Contribution for Road Improvements Ordinance" is amended to increase the Fair Share Fee, this additional amount of **\$3,211.00** shall be credited toward the increased Fair Share Fee.
12. The use of proposed addition shall be limited to office use only associated with the Hospital and their related uses or physicians with staff privileges.
13. Generation and disposal of hazardous effluent;; into sanitary sewerage system shall be prohibited unless adequate pretreatment facilities approved by the Florida Department of Environmental Regulation (FDER) and Agency responsible for sewage works are constructed and used by project tenants or owners generating such effluents.
14. Sewer service is available to the property. **Therefore**, no septic tank shall be permitted on the site.
15. Water service is available to the property. **Therefore**, no well shall be permitted on the site to provide potable water.
16. Graphics presented at the Board of County Commissioners public hearing shall be submitted simultaneously with submittal **of** the site plan to Site Plan Review Committee.
17. Failure to comply with the conditions herein may result in the denial or revocation of a building permit; the issuance **of** a stop work order; the denial of a Certificate of Occupancy **on** any building **or** structure; or the denial **or** revocation of any permit or approval for any developer-owner, commercial-owner, lessee, **or** user **of** the subject property. Appeals from such action may be taken to the Palm Beach County Board of Adjustment or as otherwise provided in the Palm Beach County Zoning Code. Violations **of** the conditions herein shall constitute violations of the Palm Beach County

Zoning Code.

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

Carol A. Roberts	--	Aye
Carol J. Elmquist	--	Aye
Karen T. Marcus	--	Aye
Dorothy Wilken	--	Absent
James Watt	--	Absent

The foregoing resolution was declared duly passed and adopted this 23rd day of May, 1989 confirming action of May 26, 1988.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY:


COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:


DEPUTY CLERK

