

RESOLUTION NO. R-2020- 0715

RESOLUTION APPROVING ZONING APPLICATION ZV/CA-2019-00333  
(CONTROL NO. 2005-00327)  
a Class A Conditional Use  
APPLICATION OF Stephanie Dodge  
BY Frogner Consulting, Inc., AGENT  
(Genesis House)

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 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, (ULDC), Ordinance 2003-067, Supplement 26, have been satisfied;

WHEREAS, Zoning Application ZV/CA-2019-00333 was presented to the Board of County Commissioners at a public hearing conducted on June 25, 2020;

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 (Application Processes and 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 Processes) for a Class A Conditional 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.B.6.C (Board Action) 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/CA-2019-00333, the Application of Stephanie Dodge, by Frogner Consulting, Inc., Agent, for a Class A Conditional Use to allow a Nursing or Convalescent Facility, 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 June 25, 2020, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weinroth moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	-	Aye
Commissioner Robert S. Weinroth, Vice Mayor	-	Aye
Commissioner Hal R. Valeche	-	Aye
Commissioner Gregg K. Weiss	-	Aye
Commissioner Mary Lou Berger	-	Aye
Commissioner Melissa McKinlay	-	Aye
Commissioner Mack Bernard	-	Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on June 25, 2020.

Filed with the Clerk of the Board of County Commissioners on June 29th, 2020.

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:


  
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING AND BEING IN SECTION 25, TOWNSHIP 44 SOUTH, RANGE 42 EAST, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE PROCEED N32°35'16"W A DISTANCE OF 829.76 FEET TO A POINT ON THE SOUTHEAST CORNER OF THE FOLLOWING DESCRIBED PARCEL OF LAND, SAID POINT BEING THE POINT OF BEGINNING; THENCE PROCEED N86°56'12"W A DISTANCE OF 201.40 FEET; THENCE N01°28'43"E A DISTANCE OF 634.07 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF MELALEUCA LANE; THENCE ALONG SAID SOUTH RIGHT-OF-WAY LINE S86°56'12"E A DISTANCE OF 201.04 FEET; THENCE S01°28'22"W ALONG THE WESTERLY LINE OF BLOCK 2, SAID PLAT OF KIRKWOOD ESTATES, A DISTANCE OF 634.07 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE NORTH 8.81 FEET THEREOF.

CONTAINING: 125645.38 SQUARE FEET OR 2.884 ACRES