

RESOLUTION NO. R-2020- 0721

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2019-01902  
(CONTROL NO. 2006-00011)  
an Official Zoning Map Amendment  
APPLICATION OF Bethesda Health Inc  
BY Urban Design Kilday Studios, AGENT  
(Bethesda West Hospital)

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/PDD/DOA-2019-01902 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 an Official Zoning Map Amendment;

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/PDD/DOA-2019-01902, the Application of Bethesda Health Inc, by Urban Design Kilday Studios, Agent, for an Official Zoning Map Amendment to rezone from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, 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



The seal is circular with the text "PALM BEACH COUNTY COMMISSIONERS" around the perimeter and a star at the bottom.

EXHIBIT A

LEGAL DESCRIPTION

THAT PART OF TRACT 101, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS IN PLAT BOOK 2, PAGES 45 TO 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 30, TOWNSHIP 45 SOUTH, RANGE 42 EAST, RUN SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 30, 150.0 FEET TO THE CENTERLINE OF BOYNTON WEST ROAD (SR #804); THENCE RUN EASTERLY ALONG THE CENTERLINE OF SAID SR #804, 1019.11 FEET TO A POINT; THENCE RUN NORTHERLY AT AN ANGLE OF 90°00' (TURNED FROM WEST TO NORTH) FROM THE CENTERLINE OF SR #804 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING, RUN EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF SR #804, 208.17 FEET TO A POINT; THENCE NORTHERLY AND AT RIGHT ANGLES TO THE SAID RIGHT-OF-WAY LINE OF SR #804, 200.00 FEET TO A POINT; THENCE WESTERLY, PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF SR #804, 208.17 FEET TO A POINT; THENCE AT AN ANGLE OF 90°00' (TURNED FROM EAST TO SOUTH) WITH THE LAST DESCRIBED COURSE, RUN 200.00 FEET TO THE POINT OF BEGINNING.

AND

THAT PART OF TRACT 101 AND TRACT 102, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS IN PLAT BOOK 2, PAGES 45 TO 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SECTION 30, TOWNSHIP 45 SOUTH, RANGE 42 EAST, RUN SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 30, 150.0 FEET TO THE CENTERLINE OF BOYNTON WEST ROAD (SR #804); THENCE RUN EASTERLY ALONG THE CENTERLINE OF SAID SR #804, 1227.28 FEET TO A POINT; THENCE RUN NORTHERLY AT AN ANGLE OF 90°00' (TURNED FROM WEST TO NORTH) FROM THE CENTER LINE OF SR #804 A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING. FROM THE POINT OF BEGINNING, RUN EASTERLY ALONG THE NORTH RIGHT-OF-WAY LINE OF SR #804, 217.80 FEET TO A POINT; THENCE NORTHERLY AND AT RIGHT ANGLES TO THE SAID RIGHT-OF-WAY LINE OF SR #804, 200.00 FEET TO A POINT, THENCE WESTERLY, PARALLEL TO THE NORTH RIGHT-OF-WAY LINE OF SR #804, 217.80 FEET TO A POINT; THENCE AT AN ANGLE OF 90°00' (TURNED FROM EAST TO SOUTH) WITH THE LAST DESCRIBED COURSE, RUN 200.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT LAND TAKEN BY ORDER OF TAKING RECORDED IN OFFICIAL RECORDS BOOK 10707, PAGE 61, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL NO. 126 STATE ROAD 7 FEE SIMPLE RIGHT OF WAY  
A PORTION OF TRACT 101 AND TRACT 102, BLOCK 51, THE PALM BEACH FARMS CO. PLAT NO, 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 30, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A FOUND PALM BEACH COUNTY BRASS DISC IN CONCRETE MARKING THE NORTHWEST CORNER OF SAID SECTION 30; THENCE NORTH 89° 02' 01" EAST, A DISTANCE OF 1.308 METERS (4.29 FEET) TO A POINT ON

THE BASELINE OF SURVEY FOR STATE ROAD 7 (U.S. 441) AS SHOWN ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 93210-2524, THENCE SOUTH 00° 57' 59" EAST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 44.080 METERS (144.62 FEET) TO A POINT ON THE BASELINE OF SURVEY FOR STATE ROAD 804 (BOYNTON BEACH BOULEVARD) AS SHOWN ON SAID MAP; THENCE NORTH 89° 06' 26" EAST ALONG SAID BASELINE OF SURVEY, A DISTANCE OF 231.542 METERS (759.65 FEET); THENCE NORTH 00° 53' 34" WEST AT A RIGHT ANGLE TO THE LAST DESCRIBED COURSE, A DISTANCE OF 12.192 METERS (40.00) FEET TO A POINT ON THE NORTHERLY EXISTING RIGHT OF WAY LINE FOR STATE ROAD 804 (BOYNTON BEACH BOULEVARD); THENCE NORTH 89° 06' 26" EAST ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE AND A LINE 12.192 METERS (40.00 FEET) NORTHERLY OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 77.607 METERS (254.62 FEET) TO THE POINT OF BEGINNING; THENCE NORTH 00° 53' 34" WEST A DISTANCE OF 11.658 METERS (38.25 FEET); THENCE NORTH 89° 06' 26" EAST A DISTANCE OF 129.839 METERS (425.98 FEET); THENCE SOUTH 00° 53' 34" EAST, A DISTANCE OF 11.658 METERS (38.25 FEET) TO A POINT ON THE NORTHERLY EXISTING RIGHT OF WAY LINE FOR SAID STATE ROAD 804 (BOYNTON BEACH BOULEVARD); THENCE SOUTH 89° 06' 26" WEST ALONG SAID NORTHERLY EXISTING RIGHT OF WAY LINE AND A LINE 12.192 METERS (40.00 FEET) NORTHERLY OF AND PARALLEL WITH SAID BASELINE OF SURVEY, A DISTANCE OF 129.839 METERS (425.98 FEET) TO THE POINT TO BEGINNING.

ALSO DESCRIBED AS

THAT PART OF TRACTS 101 AND 102, BLOCK 51, THE PALM BEACH FARMS COMPANY PLAT NO. 3, AS IN PLAT BOOK 2, PAGES 45 TO 54, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF BETHESDA WEST HOSPITAL MUPD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 113 AT PAGE 73 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE S89°02'44"W ALONG THE SOUTH LINE THEREOF, A DISTANCE OF 965.66 FEET TO A CORNER OF SAID BETHESDA WEST HOSPITAL MUPD AND THE POINT OF BEGINNING; THENCE S00°57'00"E, A DISTANCE OF 22.75 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF BOYNTON BEACH BOULEVARD (STATE ROAD 804), AS RECORDED IN OFFICIAL RECORD BOOK 29632, PAGE 506 OF SAID PUBLIC RECORDS; THENCE S89°02'44"W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 425.97 FEET; THENCE N00°57'00"W, A DISTANCE OF 161.75 FEET TO A CORNER OF SAID BETHESDA WEST HOSPITAL MUPD ; THENCE N89°02'44"E ALONG A BOUNDARY LINE OF SAID BETHESDA WEST HOSPITAL MUPD, A DISTANCE OF 425.97 FEET TO A CORNER OF SAID BETHESDA WEST HOSPITAL MUPD; THENCE S00°57'00"E ALONG A BOUNDARY LINE OF SAID BETHESDA WEST HOSPITAL MUPD, A DISTANCE OF 139.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 68,902 SQUARE FEET/1.5818 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

EXHIBIT B  
VICINITY SKETCH

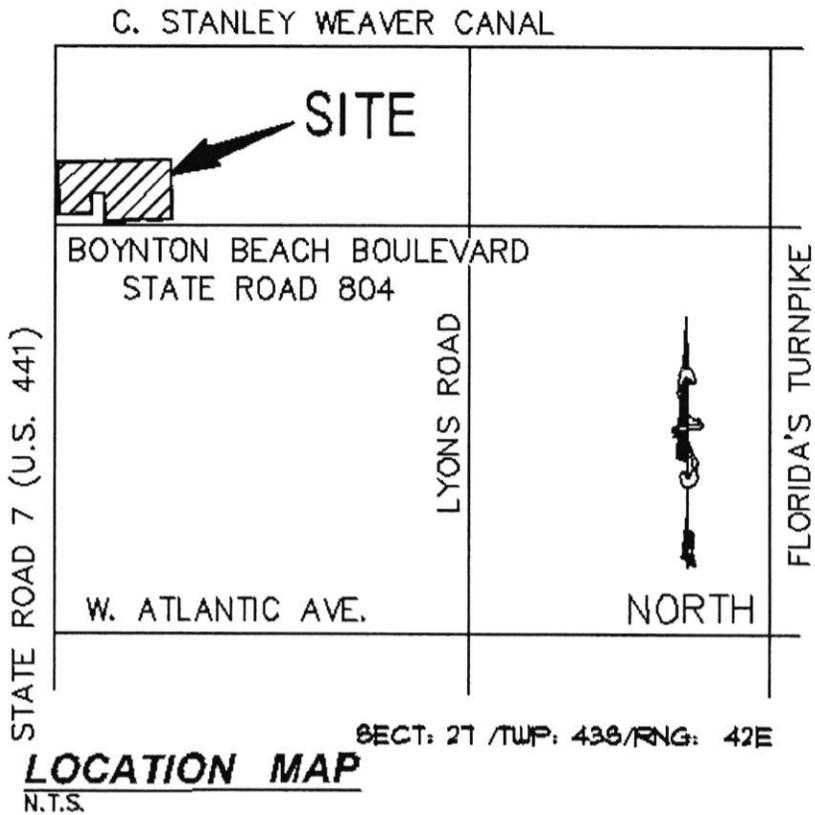


EXHIBIT C

CONDITIONS OF APPROVAL

**DISCLOSURE**

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.