

RESOLUTION NO. R-2024-1506

RESOLUTION APPROVING ZONING APPLICATION ABN/DOA/CA/W-2024-00891
(CONTROL NO. 2001-00005)

a Type 2 Waiver

APPLICATION OF Wellington Regional Medical Center, LLC - Cheryl Ramagano
BY JMorton Planning & Landscape Architecture, AGENT
(Elan Palm Reserve MUPD)

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, Ordinance 2003-067 as amended (ULDC), have been satisfied;

WHEREAS, Zoning Application ABN/DOA/CA/W-2024-00891 was presented to the Board of County Commissioners at a public hearing conducted on October 24, 2024;

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 Type 2 Waiver;

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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application ABN/DOA/CA/W-2024-00891, the Application of Wellington Regional Medical Center, LLC - Cheryl Ramagano, by JMorton Planning & Landscape Architecture, Agent, for a Type 2 Waiver to allow extended hours of operation (24 hour operation) within 250-feet of a parcel of land with a residential FLU designation or use on 31.53 acres, 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 October 24, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and Waiver Request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

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

Commissioner Maria Sachs, Mayor	- Aye
Commissioner Maria G. Marino, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Michael A. Barnett	- Aye
Commissioner Marci Woodward	- Aye
Commissioner Sara Baxter	- Aye
Commissioner Mack Bernard	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 24, 2024.

Filed with the Clerk of the Board of County Commissioners on October 24, 2024

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

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

TRACTS A, B AND L, "ELAN PALM RESERVE, M.U.P.D.", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 134 AT PAGES 110 THROUGH 112 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, ALSO DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT B; THENCE SOUTH $00^{\circ}19'56''$ EAST, ALONG THE EAST LINE OF SAID TRACT B, A DISTANCE OF 655.38 FEET; THENCE SOUTH $89^{\circ}43'18''$ WEST, ALONG THE SOUTH LINE OF SAID TRACT B, DISTANCE OF 298.10 FEET; THENCE SOUTH $00^{\circ}15'47''$ EAST, ALONG THE EAST LINE OF SAID TRACTS B AND A, A DISTANCE OF 559.60 FEET; THENCE SOUTH $89^{\circ}40'51''$ WEST, A DISTANCE OF 484.16 FEET; THENCE SOUTH $57^{\circ}22'12''$ WEST, A DISTANCE OF 18.70 FEET; THENCE SOUTH $89^{\circ}40'51''$ WEST, A DISTANCE OF 24.31 FEET; THENCE NORTH $76^{\circ}49'24''$ WEST, A DISTANCE OF 42.82 FEET; THENCE SOUTH $89^{\circ}40'51''$ WEST, A DISTANCE OF 384.15 FEET; THENCE NORTH $44^{\circ}27'58''$ WEST, A DISTANCE OF 47.65 FEET (THE LAST SIX DESCRIBED COURSES BEING COINCIDENT WITH THE SOUTH LINE OF SAID TRACT A); THENCE NORTH $14^{\circ}43'25''$ EAST, A DISTANCE OF 51.66 FEET TO A POINT ON THE ARC OF A CIRCULAR CURVE TO THE LEFT, AT WHICH THE RADIUS POINT BEARS NORTH $88^{\circ}49'46''$ WEST; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE, HAVING A RADIUS OF 11531.16 FEET AND A CENTRAL ANGLE OF $01^{\circ}21'52''$, A DISTANCE OF 274.63 FEET TO THE POINT OF TANGENCY; THENCE NORTH $00^{\circ}11'38''$ WEST, A DISTANCE OF 131.55 FEET; THENCE NORTH $01^{\circ}28'02''$ WEST, A DISTANCE OF 314.93 FEET; THENCE NORTH $00^{\circ}11'38''$ WEST, A DISTANCE OF 56.10 FEET; THENCE NORTH $32^{\circ}38'27''$ WEST, A DISTANCE OF 22.38 FEET; THENCE NORTH $00^{\circ}11'38''$ WEST, A DISTANCE OF 301.52 FEET; THENCE NORTH $44^{\circ}47'04''$ EAST, A DISTANCE OF 35.34 FEET (THE LAST SEVEN DESCRIBED COURSES BEING COINCIDENT WITH THE WEST LINE OF SAID TRACT A); THENCE NORTH $89^{\circ}45'46''$ EAST, ALONG THE NORTH LINE OF SAID TRACTS A AND B, A DISTANCE OF 589.33 FEET; THENCE NORTH $00^{\circ}15'47''$ WEST, ALONG THE NORTH LINE OF SAID TRACT B, A DISTANCE OF 10.00 FEET; THENCE NORTH $89^{\circ}45'46''$ EAST, ALONG SAID NORTH LINE OF TRACT B, A DISTANCE OF 667.30 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 31.513 ACRES (1,372,713 SQUARE FEET), MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

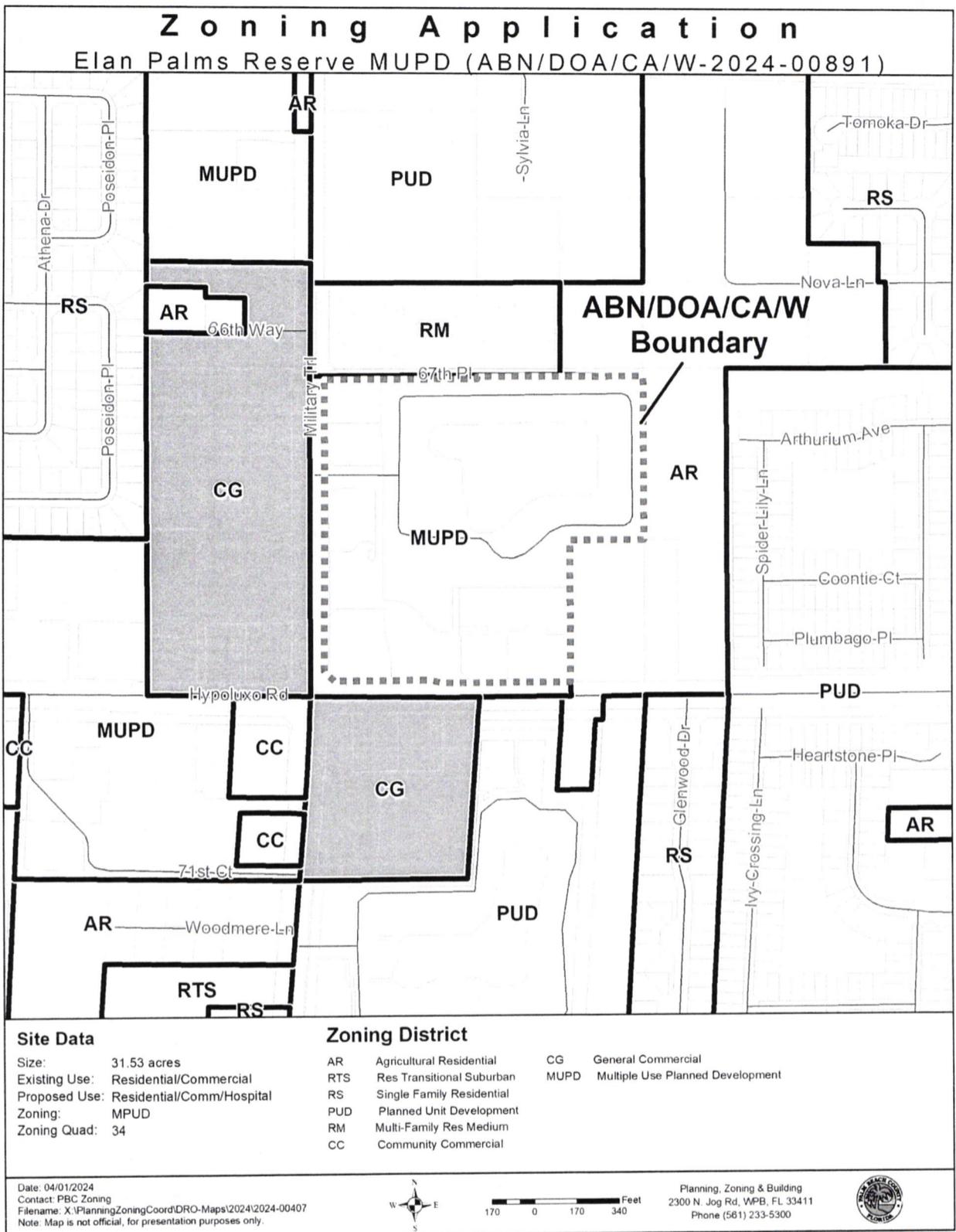


EXHIBIT C

CONDITIONS OF APPROVAL

Type 2 Waiver

ALL PETITIONS

1. The approved Preliminary Site Plan is dated August 14, 2024. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners. (ONGOING: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Board of County Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

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

EXHIBIT D

Type 2 Wavier Chart

ULDC SECTION	REQUIRED	PROPOSED	WAIVER
Article 5, Table 5.E.5.A Hours of Operation	Hours of Operation: Institutional, Public and Civic uses within 250 feet of a parcel of land with a residential FLU designation or use is 6:00 a.m. to 11:00 p.m.	Hours of Operation: Hospital use with 24-hour operation	Extend the hours of operation to 24-hours for the Hospital