

RESOLUTION NO. R-2004-2103

RESOLUTION APPROVING REQUESTED USES
PETITION OF THE BOARD OF COUNTY BY
PBC FACILITIES & OPERATIONS, AGENT,

(PALM BEACH COUNTY BIOTECHNOLOGY RESEARCH PARK DRI)
(LOCAL GOVERNMENT – PBC)

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, and the Palm Beach County Unified Land Development Code, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 2 (Development Review Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067), have been satisfied; and

WHEREAS, Palm Beach County has filed a Development of Regional Impact (DRI) Application for Development Approval (ADA) with Palm Beach County, Florida, in accordance with Section 380.06, Florida Statutes, for a 1,919.23 acre parcel of property located approximately one mile north of Northlake Boulevard on the east side of Seminole Pratt-Whitney Road, Palm Beach County, Florida and this approval of requested uses on the site is a necessary local development order to implement the DRI; and

WHEREAS, the County entered into a Memorandum of Agreement with the Florida Office of Tourism, Trade and Economic Development on November 18, 2004 to provide for the expedited permitting review of the DRI and other permits pursuant to Sec. 403.973 , Florida Statutes; and

WHEREAS, this approval is one of the permits that is subject to expedited permitting; and

WHEREAS, Zoning Petition R2004-352 was presented to the Board of County Commissioners at public hearings conducted on September 20, 2004 and October 13, 2004; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by interested parties, the recommendations of the various county review agencies, and the recommendation of the Zoning Commission; and

WHEREAS, this approval is subject to Article 2.E (Compliance with Time Limitations), of the Palm Beach County Unified Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of county Commissioners has considered and approved a resolution approving the requested uses for these properties; and

WHEREAS, the Board of County Commissioners has considered the findings in the staff report and the following findings of fact:

1. These requested uses, with conditions as adopted, are consistent with the Palm Beach County Comprehensive Plan as amended in amendment round 2004-04-ERP.
2. These requested uses, with conditions as adopted, comply with applicable portions of Article 4.B, Supplementary Use Standards.
3. These requested uses, with conditions as adopted, are compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.

4. These requested uses, with conditions as adopted, do not result in adverse effects including visual impact and intensity of the proposed uses on adjacent lands.
5. These requested uses have concurrency determination and comply with Article 2.F (Concurrency) of the Palm Beach County Unified Land Development Code.
6. These requested uses, with conditions as adopted, minimize environmental impacts, including, but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
7. These requested uses, with conditions as adopted, would result in a logical, orderly and timely development pattern.
8. These requested uses, with conditions as adopted, comply with all standards imposed on them by all other applicable provisions of the ULDC for use, layout, function, and general development characteristics.
9. These requested uses are subject to the conditions of approval contained in the zoning resolution adopting PDD2004-352.

WHEREAS, Article 2 of the Palm Beach County Unified Land Development Code 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 Petition R2004-352, the petition of the Palm Beach County Board of County Commissioners for one or more of the following requested uses: 1) college or university; 2) daycare, general; 3) dog daycare; 4) financial institution (2); 5) hospital or medical center; 6) laboratory, research; 7) school, elementary or secondary; and, 8) removal of excess fill (excavation, type II) on a parcel of land legally described in EXHIBIT A, which is generally located as shown in EXHIBIT B, was APPROVED on October 13, 2004, subject to the conditions of approval in EXHIBIT C1.

Commissioner KOONS moved for the approval of the Resolution.

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

Karen T. Marcus, Chair	- AYE
Tony Masilotti, Vice Chairman	- ABSENT
Jeff Koons	- AYE
Warren H. Newell	- AYE
Mary McCarty	- AYE
Burt Aaronson	- ABSENT
Addie L. Greene	- AYE

The Chair thereupon declared that the resolution was duly passed and adopted on October 13, 2004. This zoning resolution shall become effective upon the effective date of the amendments to the Palm Beach County Comprehensive Plan adopted in amendment round 2004-04-ERP.

Filed with the Clerk of the Board of County Commissioners on 22nd day of OCTOBER, 2004.

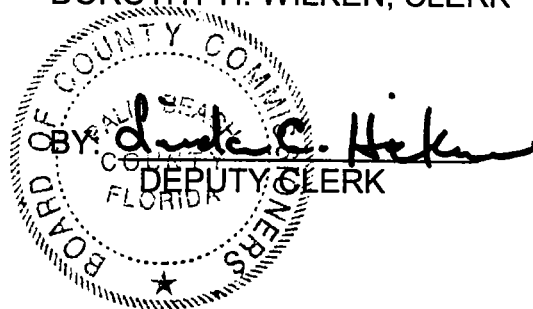
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY



STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on Oct. 13, 2004
DATED at West Palm Beach, FL on 10-22-04.
DOROTHY H. WILKEN, Clerk
By: Dorothy H. Wilken D.C.

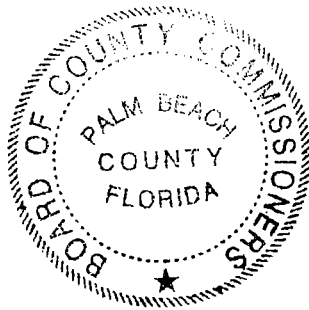


EXHIBIT A
LEGAL DESCRIPTION

THE WEST ½ OF SECTION 5, ALL OF SECTIONS 6 AND 7, AND THE WEST ½ OF SECTION 8, ALL LYING IN TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE RIGHT OF WAY OF THE C-18 CANAL AS RECORDED IN DEED BOOK 1097, PAGE 261, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 1,919.23 ACRES, MORE OR LESS.

BEARINGS BASIS: N89°56'58"E ALONG THE NORTH LINE OF SECTION 6, TOWNSHIP 42 SOUTH, RANGE 41 EAST.

EXHIBIT B
VICINITY SKETCH

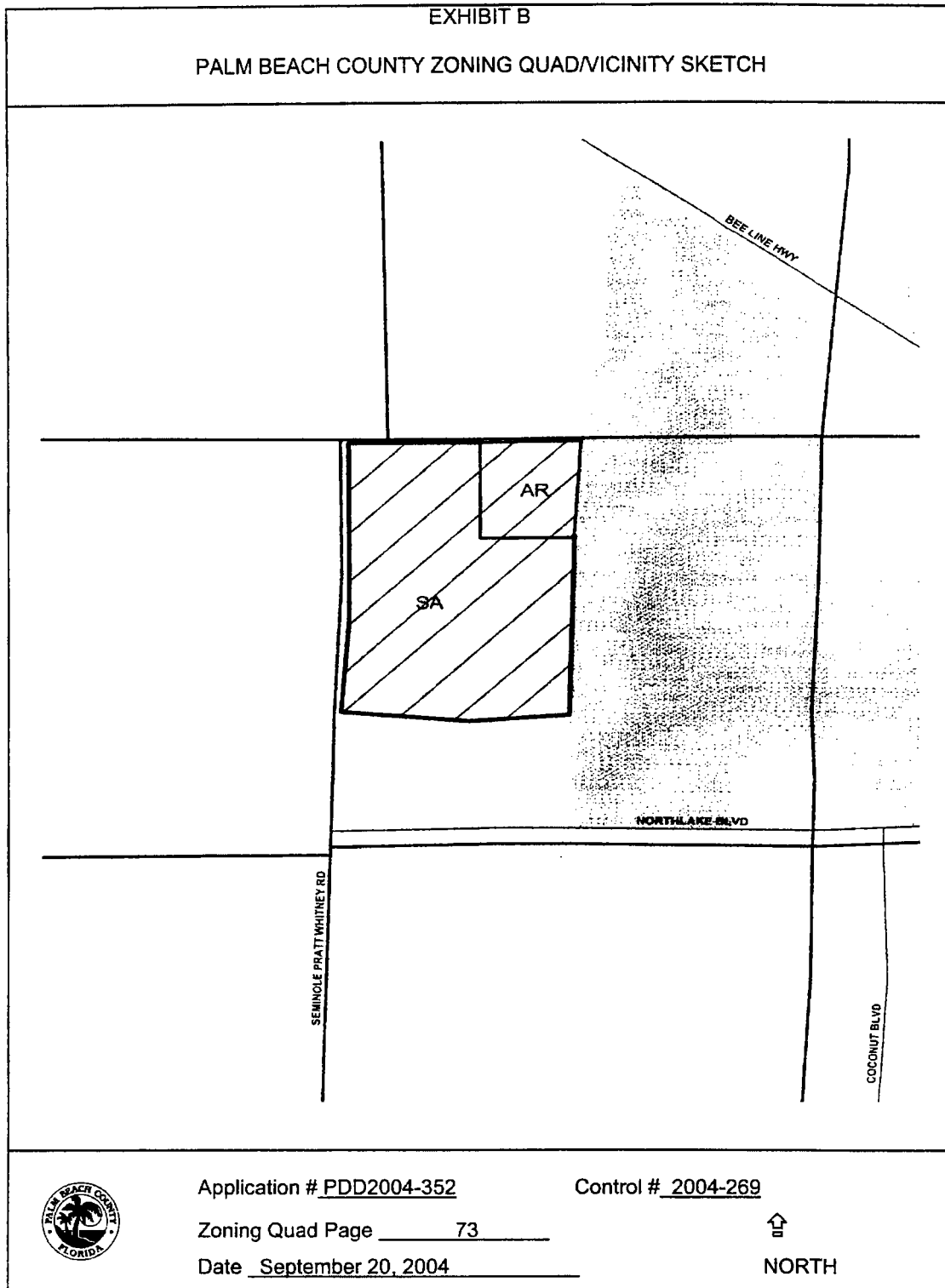


EXHIBIT C
CONDITIONS OF APPROVAL
NONE