

**PALM BEACH COUNTY  
PLANNING, ZONING AND BUILDING DEPARTMENT  
ZONING DIVISION**

**Application No.:** DOA-2022-01227  
**Application Name:** Mt. Carmel Missionary Baptist Church  
**Control No./Name:** 1995-00049 (Mt. Carmel Missionary Baptist Church)  
**Applicant:** Mt Carmel Baptist Church  
**Owners:** Mt Carmel Baptist Church  
**Agent:** Gentile Glas Holloway O'Mahoney & Assoc Inc. - Emily O Mahoney, Pat Lentini, and Dan Siemsen  
**Telephone No.:** (561) 575-9557  
**Project Manager:** Larry D'Amato, Site Planner II

**Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan and delete land area for an existing Place of Worship and Cemetery on 5.16 acres

**APPLICATION SUMMARY:** The proposed request is for the Mt. Carmel Missionary Baptist Church Development. The 8.14-acre site was last approved on September 28, 1995 for an Official Zoning Map Amendment to rezone the site from Residential Multi-family (High Density) (RH) to Residential Transitional Urban (RTU) and a Class A Conditional use (CA) to allow a church or place of worship in the RTU Zoning District.  
The request proposes to modify the prior approval in order to delete 2.99 acres that will be added to a concurrent application for the adjacent property to the east. The Preliminary Site Plan indicates a total of 5,176 square feet with 230 seats for the Place of Worship and accessory building (590 sq. ft.), an existing Cemetery and Preserve. There are no proposed changes to the buildings, parking or cemetery. The Plan indicates 85 parking spaces and access remains from Church Street. This request is concurrent with Application DOA-2022-01078, for the adjacent Daycare.

**SITE DATA:**

Location:	North side of Church Street, approximately 0.25 mile west of N. Central Blvd
Property Control Number(s)	00-42-40-34-00-000-7010
Future Land Use Designation:	Medium Residential (MR-5)
Existing Zoning District:	Residential Transitional Urban District (RTU)
Proposed Zoning District:	Residential Single Family (RS)
Existing Acreage:	8.14 acres
New Acreage:	5.157 acres
Tier:	Urban/Suburban
Overlay District:	Jonathan Dickinson State Park Greenline Overlay
Neighborhood Plan:	N/A
CCRT Area:	Limestone Creek
Municipalities within 1 Mile	Jupiter
Future Annexation Area	Jupiter
Commission District	District 01, Commissioner Maria G. Marino

**RECOMMENDATION:** Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

**ACTION BY THE ZONING COMMISSION (ZC):** *Scheduled September 14, 2023*

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received no contacts from the public regarding this application.

**PROJECT HISTORY:** The Site was last approved by the Board of County Commissioners (BCC) on September 28, 1995 for a rezoning from Residential Multi-family (High Density) (RH) Zoning District to the Residential Transitional Urban (RTU) Zoning District (Resolution 1995-1321.11) and a Class A Conditional Use to allow a Church/Place of Worship in the Residential Transitional Urban (RTU) Zoning District (Resolution 1992-1321.12).

**FINDINGS:**

Conditional Uses, Official Zoning Map Amendment to a PDD or TDD and Development Order Amendment:

When considering a Development Order application for a Rezoning to a PDD or a TDD, a Conditional Use, excluding Conditional Use requests for Density Bonus pursuant to Art. 5.G.1, Workforce Housing Program (WHF), or a Development Order Amendment, the BCC and ZC shall utilize the Standards a – h listed in Article 2.B.7.B, Standards. The Standards and Staff Analyses are indicated below. A Conditional Use, Rezoning to PDD or TDD, or Development Order Amendment that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

**a. Consistency with the Plan** – *The proposed use or amendment is consistent with the purposes, goals, objectives and policies of the Plan, including standards for building and structural intensities and densities, and intensities of use.*

○ *Consistency with the Comprehensive Plan:* The proposed amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

○ *Relevant Comprehensive Plan Policies:* Multiple policies in the Plan stipulate the County's role in locating, identifying, and assessing archaeological and historic resources, or cultural resources. The Future Land Use Element (FLUE), County Direction 16, reflects the County's role and reads as follows:

*Historic Preservation.* Preserve and interpret archaeological resources as stewards of the nation's diverse cultural heritage. Retain the local sense of place by preserving and protecting historic places, buildings and structures. Additionally, FLUE Policy 1.2-a #3 also indicates the County shall protect the character of urban and suburban communities by protecting historic and cultural resources.

*Historic Preservation Element (HPE), Policy 1.3-c,* identifies the appropriate procedures for protecting cultural resources from adverse development impacts via development reviews.

Policy 1.3-c: The County shall continue to review all applications for public and private development and redevelopment within its jurisdiction, and evaluate impacts to potential and identified historic and cultural resources in a timely and efficient manner through the development review processes.

The request seeks to reconfigure the previously approved site plan, and decrease land area for 5.157 acres, on the Mount Carmel Missionary Baptist Church and Cemetery site, which is identified in Florida Master Site Files as 8PB15382. Due to the site's history, there is reason to evaluate the site as a potential location of unmarked graves, and of cultural significance within the Limestone Creek community. As such, pursuant to ULDC Article 9.A.1.B.4 and 9.A.1.B.5, and the provisions of Florida Statutes, Chapter 872.05, Offenses Concerning Dead Bodies and Graves, the request is subject to archaeological review.

The Applicant elected to complete a preliminary archaeological survey prior to this application being submitted to the County. County Archaeologist reviewed the Phase 1 Archaeological Survey (dated February 2020), submitted January 23, 2023, which included findings from soil excavations, aerial imagery, modeling, and archival research. The report indicated that no prehistoric or historic cultural resources, as well as any human remains or mortuary material were found in the project area. The report concludes, "*It is recommended that archaeological monitoring be conducted of major ground-disturbing operations during any future construction within the project area due to the potential for isolated unmarked human graves to occur, especially small infant graves.*" The County Archaeologist agrees with the conclusions in the report.

○ *Conditions of Approval:* Given that this request is removing land area from this Place of Worship, no conditions are necessary. However, the expansion of the Tree Top Academy (DOA-2022-1078) will require archaeological monitoring Conditions of Approval.

○ *Intensity:* The maximum Floor Area Ratio (FAR) of 0.45 is allowed for Institutional uses with the Medium Residential, 5 units per acre (MR-5) future land use designation in the Urban Suburban Tier (224,653 surveyed sq. ft. or 5.157 acres x 0.45 maximum FAR = 101,093.85 sq. ft. maximum). The previously approved 5,176 sq. ft. equates to a FAR of approximately 0.01 FAR (5,176 / 354,893 surveyed sq. ft. or 8.147 acres = 0.0145).

○ *Special Overlay District, Neighborhood Plan, Planning Study Area:* The request is located in three special planning areas: Countywide Community Revitalization Team (CCRT) Area #1, Limestone Creek Area, and Jonathan Dickinson State Park Greenline Overlay (JDSPGO) area.

- *CCRT #1 Limestone Creek Area* - The Office of Community Revitalization (OCR) administers CCRT areas. Reflected in correspondence items dated September 21-22, 2022, the OCR determined that a neighborhood meeting was unwarranted. No letters in support or objection have been received to date.

- *JDSPGO Area:* FLUE Objective 5.4. and Objective 5.4.3. identify the JDSPGO area as the Greenline buffer that rings the Jonathan Dickinson State Park and Loxahatchee River, and protects the Park's natural resources from possible detrimental uses and land uses. The request

seeks to maintain the existing future land use designation and delete land area for the adjacent Daycare use, which is not incompatible with the Park or Loxahatchee River.

- **Compatibility:** County Direction #4 establishes that Land Use Compatibility is one of the eighteen directions that are the basis for the Goals, Objectives and Policies of the Comprehensive Plan. The directive reads as follows: *“Land Use Compatibility. Ensure that the densities and intensities of land uses are not in conflict with those of surrounding areas, whether incorporated or unincorporated.”* Several policies within the Plans Future Land Use Element (FLUE) further address compatibility through the ULDC and development review process. FLUE Policy 2.2-c establishes that the ULDC is consistent with the Plan, and that consistency shall ensure compatibility with adjacent future land uses. Further, FLUE Policy 4.3-i indicates (in part) that *“the Development Review process shall also consider the compatibility of the density or intensity of proposed development with adjacent future land uses.”* The Planning Division has reviewed the proposed development application and determined it is compatible with adjacent and surrounding land uses.

**b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.***

○ **Property Development Regulations:** The proposal is in compliance with the required Property Development Regulations for setbacks and lot size, as stated in Table 3.D.1.A Property Development Regulations. The reduction in lot size and area will not create any nonconformities with the existing structures or the cemetery to the new property line. Further, the subject site continues to meet the minimum frontage requirements as outlined in Art. 3. E.1.C.2.a.1., Minimum Frontage.

○ **Place of Worship:** The church and cemetery as an accessory use have been in existence without major alterations since 1902. However, on September 28, 1995 (application Z/CA-1995-0049) the Church received an approval to expand the Church through a Class A Conditional Use. The Staff analysis and Report prepared then recognized the Cemetery as part of the Church therefore considered an accessory use.

○ **Cemetery:** The applicant has provided a Phase 1 Archeological survey. The study mentions that the associated cemetery is the only affiliated African American cemetery in northern Palm Beach County, which was established in 1915 and contains over 500 burials, both marked and unmarked. The center of the Cemetery is said to contain the unmarked burials. The exact location of these unmarked burials on the property is unknown. The cemetery is still active at present. As a conclusion, the report indicates that no prehistoric or historic cultural resources, as well as any human remains or mortuary material were found in the project area. As mentioned above application Z/CA-1995-0049, recognizes the Cemetery as an accessory use to the church.

○ **Parking:** The site plan depicts 85 existing parking spaces, including four handicap spaces, of which 77 spaces are required.

○ **Landscaping and Buffering:** Table 7.C.2.A and Table 7.C.2.C regulates the required buffer width and Incompatibility Buffers. The Preliminary Site Plan indicates the existing previously approved landscape buffers along the West and South property lines, as 10' foot landscape buffers. No changes to these buffers are proposed. The Preliminary Site Plan indicates a proposed 8' foot compatibility buffer along the North and East property lines. These buffers will meet the ULDC requirements as indicated in Article 7.

**c. Compatibility with Surrounding Uses – *The proposed use or amendment is compatible and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.***

The properties to the north, south, and west are residentially zoned areas. To the east, is the Tree Top Academy day care (Unincorporated County) and the Limestone Creek Elementary School in the Town of Jupiter. The proposed modification to decrease the acreage is consistent with the uses, and does not create compatibility issues for the surrounding properties. The land area is being bought by the adjacent property to the east.

**d. Design Minimizes Adverse Impact – *The design of the proposed use minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.***

The proposed amendment seeks to delete 2.99 acres along the east property line. The deletion of the land has no adverse impact or effects, including visual impact and intensity on adjacent lands. The development is keeping the previously approved building setbacks, easements and uses. The existing square footage and building coverage is not being changed. The buffer on the east property line will be an 8' foot compatibility buffer and will be approved to meet the ULDC requirements in Article 7.

**e. Design Minimizes Environmental Impact** – *The proposed use and design minimizes environmental impacts, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.*

○ *Vegetation Protection:* As indicated on the Final Site Plan, an upland preserve is required, as pursuant to the ULDC, Article 14.C.7.C.5. The upland preserve is labelled as a conservation area on the final site plan and contains approximately 1.28 acres of land. The portion of land to be annexed/transferred to Treetop Academy of Jupiter, LLC contains significant vegetation and protection and mitigation efforts will be regulated through the Tree Top Academy application (DOA-2022-01078) and the associated PNV application. The Mt. Carmel Baptist Church application will not require a Vegetation Bond or a PNV application. A Preserve Management Plan will be reviewed and approved by ERM Staff during the off-the-board application to establish the protective measures and land management practices for the preserve area. The associated conservation easement will be required to be recorded prior to Technical Compliance, as outlined in the ULDC. Article 14.C.7.C.5.

○ *Wellfield Protection Zone:* This property is located within Wellfield Protection Zone 4.

○ *Irrigation Conservation Concerns And Surface Water:* All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. Any non-stormwater discharge or the maintenance or use of a connection that results in a non-stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

○ *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

**f. Development Patterns** – *The proposed use or amendment will result in a logical, orderly and timely development pattern.*

The properties surrounding the site are predominantly dedicated to residential areas. Considering the recent and future residential growth in the area, the proposed deletion of land area, that will be sold to the development to the east, Tree Top Academy (Application DOA-2022-1078), aligns with logical and orderly development patterns. It takes into account the surrounding proposed and existing development and trends and ensures that they will not be adversely affected. The project's deletion of the land area and implementation, will serve to expand the existing Day Care. This will contribute to the overall harmony and consistency in the evolving neighborhood landscape.

**g. Adequate Public Facilities** – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The Property Owner shall plat the property prior to the issuance of the building permit.

The Property Owner shall submit a drainage study that identifies historical flows that currently enter the site prior to the Final Site Plan approved by the DRO.

DRAINAGE DISTRICT:

The subject development is located within the boundaries of the Northern Palm Beach County Improvement District. The Applicant's Engineer states (Exhibit E), "*Legal, positive outfall is currently provided by both Church Street (southern portion of the site drains into the swale along the north side of Church St) which borders the southern property line and an existing onsite ditch which drains east to Tree Top Academy. A public drainage easement will be required of Tree Top Academy which will provide continued legal, positive outfall for this parcel. Tree Top Academy has a 24 inch culvert located near the center of the property. This pipe travels east through Limestone Creek Elementary School and outfalls into The Shores lake system. The Shores drainage system has several control structures with outfall to the C-18 canal. ...*

*There are no proposed improvements to the property. The church intends to sell undeveloped land to the adjacent property owner. There are no anticipated impacts to current levels of service as this property is undeveloped and non-contributory to the existing site drainage system.*

*Any improvements, if required, will comply with the required levels of service for pavement, perimeter and building floor elevations."* Prior to the issuance of any building permits, the Applicant must obtain approval and any applicable permits from the District.

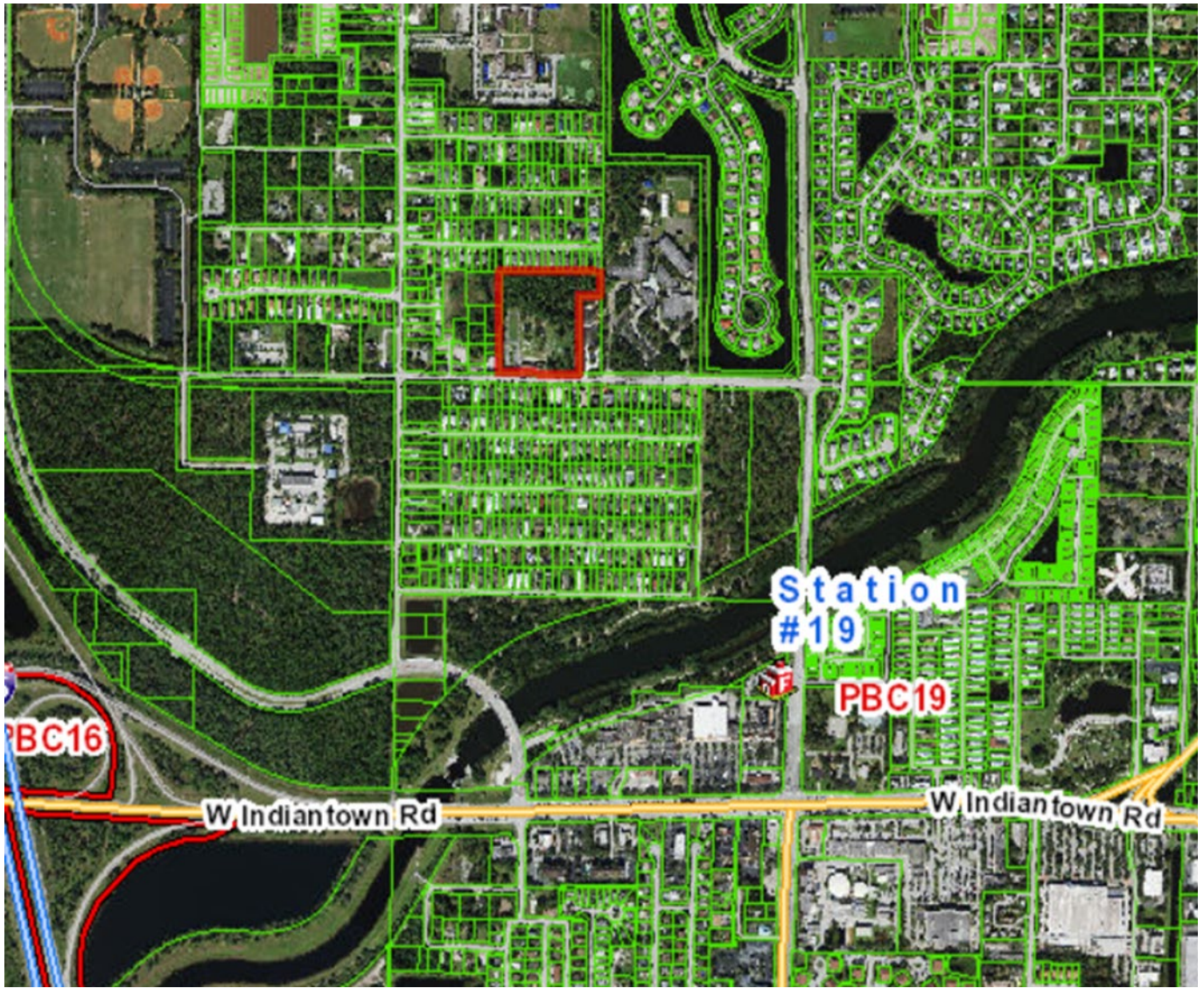


PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

FIRE PROTECTION:

The Palm Beach County Fire Department has no comments



SCHOOL IMPACTS:

The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION:

Non-residential project therefore, Park and Recreation ULDC requirements do not apply.

- h. **Changed Conditions or Circumstances** – *There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the amendment.*

The Applicant requests a DOA, to delete land area and give it to the adjacent property to the East, as they intend to improve Tree Top Academy, by providing more space for needed care in the surrounding area. The deletion and further addition and expansion of the Tree Top Academy will serve the surrounding residential and working communities effectively. The Staff is in agreement with the Applicant's proposal with the deletion of land area.

**CONCLUSION:** Staff has evaluated the standards listed under Article 2.B and has determined that there is a balance between the need for change and the potential impacts and the deletion of land area will not be of any harm. Staff finds that the requests meets the Development Order Amendment Standards and is recommending approval of the request, subject to Conditions of Approval as indicated in Exhibit C.

## CONDITIONS OF APPROVAL

### EXHIBIT C

#### Development Order Amendment

##### ALL PETITIONS

1. The approved Preliminary Site Plan is dated July 6, 2023. 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)

2. All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-1995-1321-12 (Control 1995-49), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners or unless expressly modified. (ONGOING: MONITORING - Zoning)

##### ANNEXATION

1. The Property Owner shall voluntarily annex into the Town of Jupiter at such time the subject property becomes contiguous to the Town of Jupiter or is the subject of an annexation proposal by the Town of Jupiter. (ONGOING: ZONING - Zoning) (Previous ANNEXATION Condition 1 of Resolution R-1995-1321-12, Control No.1995-00049)

##### BUILDING AND SITE DESIGN

1. The church shall be limited to a maximum of 230 seats. (ONGOING: ZONING - Zoning) (Previous BUILDING AND SITE DESIGN Condition 1 of Resolution R-1995-1321-12, Control No.1995-00049)

##### ENGINEERING

1. 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, Zoning Petition Number 95-49, to be paid at the time of issuance of the Building Permit presently is \$275.00 (5 additional trips X \$55.00 per trip) (BLDGPM: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 1 of Resolution R-1995-1321-12, Control No.1995-00049)

2. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPM: MONITORING - Engineering)

3. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)

b. Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (DRO: ENGINEERING - Engineering)

##### ZONING - LANDSCAPING

1. A ten (10) foot wide landscape buffer shall be installed along the west 530 feet of south property line (adjacent to Church Street). The buffer shall consist of the following:

a. trees planted a minimum of thirty (30) feet on center; and

b. hedge material a minimum of twenty-four (24) inches in height at time of planting. (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 1 of Resolution R-1995-1321-12, Control No.1995-00049)

2. A ten (10) foot wide landscape buffer shall be installed along the south 300 feet of the west property line (adjacent to the grassed parking area). The buffer shall consist of the following:

a. trees planted a minimum of twenty (20) feet on center; and

b. hedge material a minimum of twenty-four (24) inches in height at time of planting. (ONGOING: ZONING - Zoning) (Previous ZONING - LANDSCAPING Condition 2 of Resolution R-1995-1321-12, Control No.1995-00049)

##### 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.

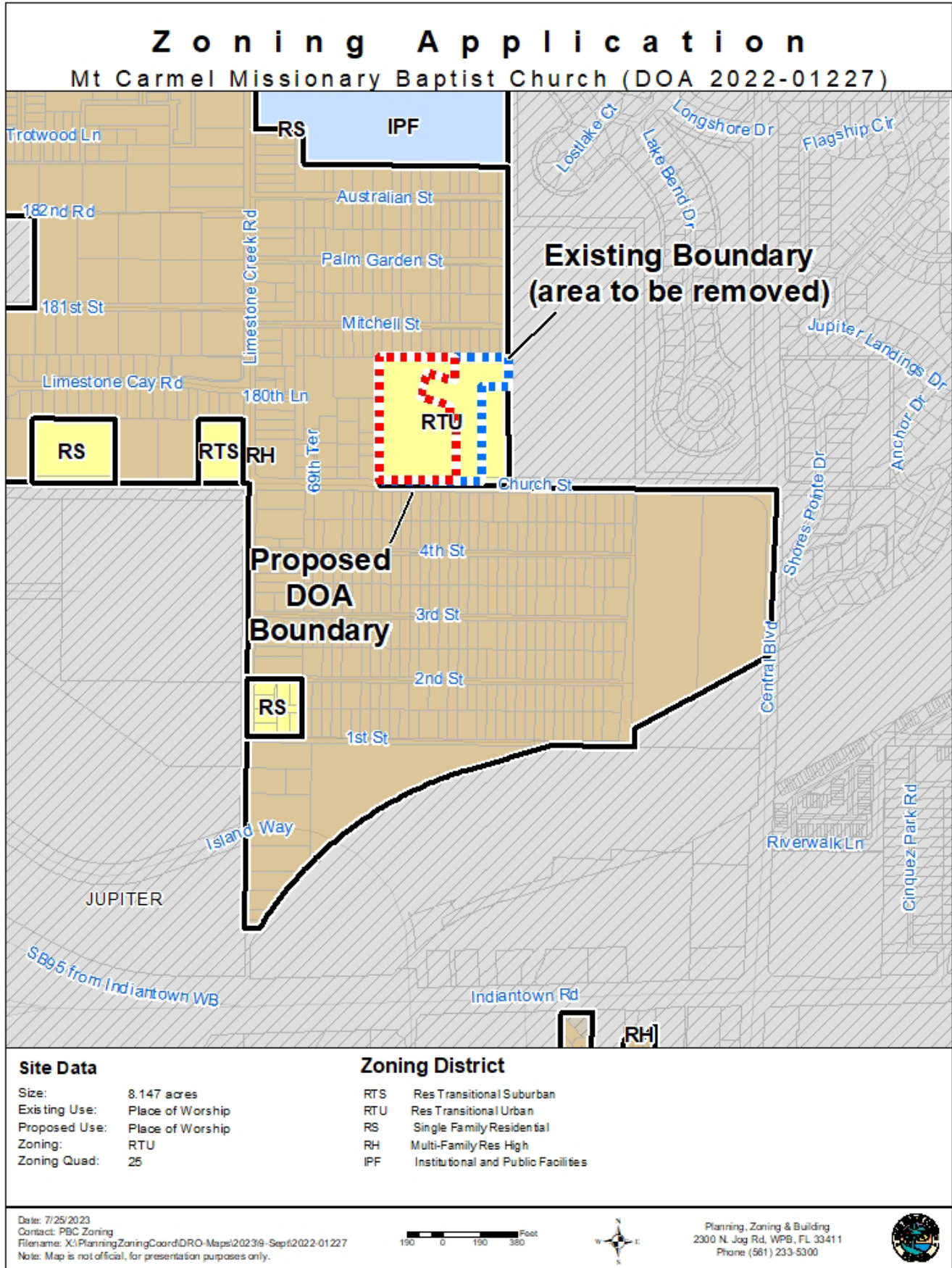


### Figure 1 - Land Use Map

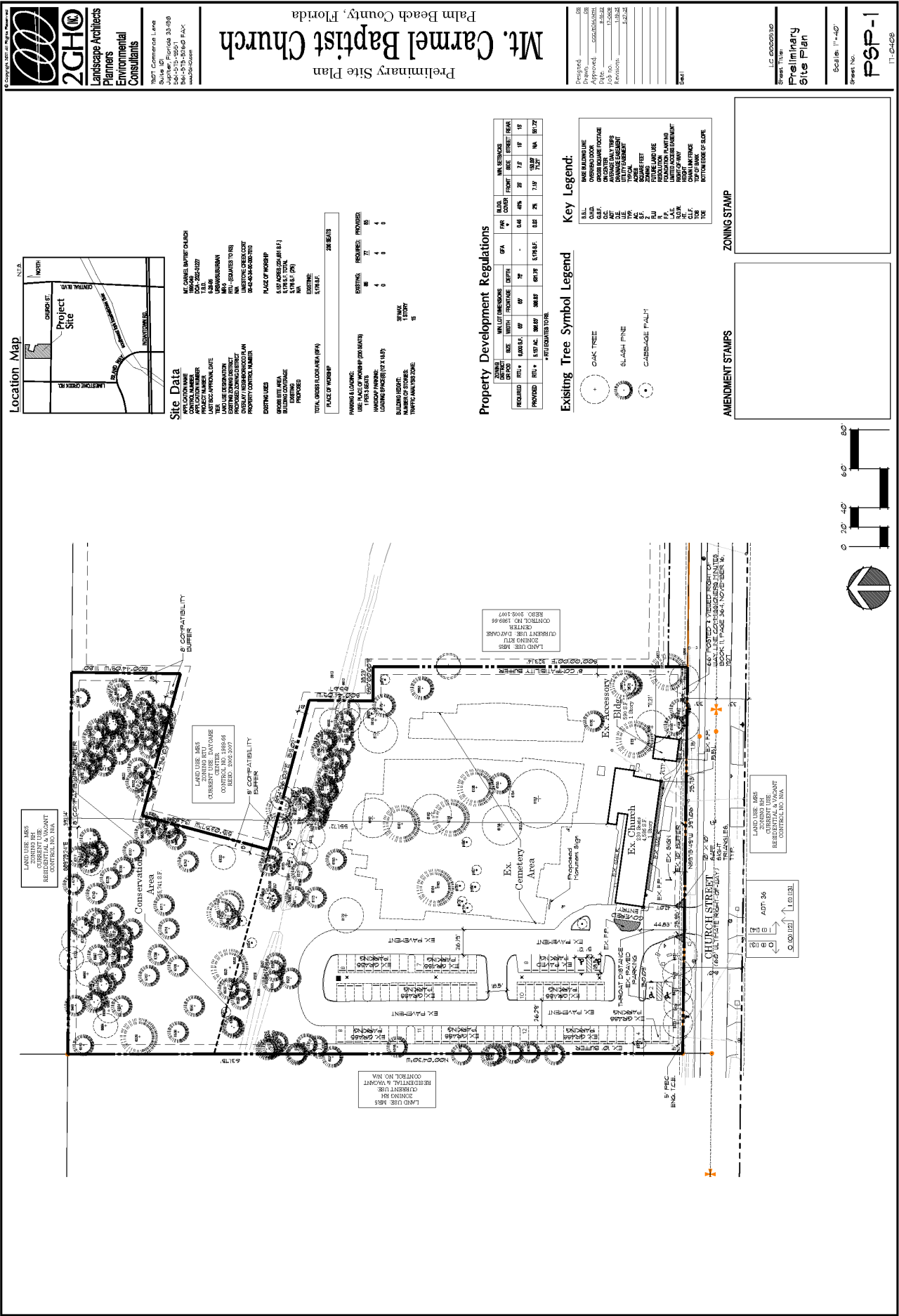




Figure 2 - Zoning Map



**Figure 3 – Preliminary Site Plan** dated July 6, 2023



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Mt. Carmel Missionary Baptist Church





Zoning Commission  
Application No. DOA-2022-01227



Exhibit D – Disclosure of Ownership

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA  
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Charles Pittman, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [ ] individual or [x] President [position - e.g., president, partner, trustee] of MOUNT CARMEL MISSIONARY BAPTIST CHURCH OF JUPITER, INC., A FLORIDA NOT FOR PROFIT CORPORATION [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- 2. Affiant's address is: 6823 Church Street Jupiter FL 33458
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Charles Pittman  
Charles Pittman, Affiant  
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA  
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1<sup>st</sup> day of March, 2023 by Jennifer Rivera (name of person acknowledging). He/she is personally known to me or has produced FL Drivers License (type of identification) as identification and did/did not take an oath (circle correct response). P355-150-30-406-0

Jennifer Rivera  
(Name - type, stamp or print clearly)

Jennifer Rivera  
(Signature)

My Commission Expires on: 8/4/2026

NOTARY'S SEAL OR STAMP



**EXHIBIT "A"**

**PROPERTY**

LEGAL DESCRIPTION - EXISTING MOUNT CARMEL MISSIONARY BAPTIST CHURCH  
BOUNDARY  
(O.R.B. 841, PG. 843)

THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION  
34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. LESS  
AND EXCEPT THE SOUTH 30 FEET THEREOF, ALSO LESS AND EXCEPT THE  
FOLLOWING DESCRIBED PARCEL OF LAND:

BEING A PART OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST,  
PALM BEACH COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE SOUTH  
89°15'51" EAST, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF  
1198.51 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH  
89°15'51" EAST, A DISTANCE OF 140.0 FEET; THENCE NORTH 00°10'03" WEST,  
A DISTANCE OF 517.00 FEET; THENCE NORTH 89°15'51" WEST, A DISTANCE OF  
140.00 FEET; THENCE SOUTH 00°10'03" EAST, A DISTANCE OF 517.00 FEET TO  
THE POINT OF BEGINNING, LESS THE SOUTH 50.0 FEET THEREOF FOR ROAD  
RIGHT OF WAY.

CONTAINING 354,893 SQUARE FEET OR 8.147 ACRES, MORE OR LESS.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
MOUNT CARMEL MISSIONARY BAPTIST CHURCH OF JUPITER, INC., A FLORIDA NOT FOR PROFIT CORPORATION	6823 Church Street Jupiter FL 33458



August 16, 2022  
Revised: October 31, 2022

Re: Drainage Report for Mt. Carmel Baptist Church  
6823 Church Street, Jupiter, Florida 33458  
PCN: 00-42-40-34-00-000-7030 / Section 24, Township 45S, Range 41E

1. SITE DESCRIPTION

The project site currently consists of approximately 8.15 acres and is generally located on the north side of Church Street between Limestone Creek Road and Central Boulevard in unincorporated Palm Beach County. The site proposes to sell a portion of its north and eastland to Tree Top Academy. The dedicated land is presently undeveloped and drains towards the Mt. Carmel property.

The net area is estimated at ±5.24 acres. The decrease in land area does not negatively affect the property drainage system as runoff presently sheet flows into the Church Street right-of-way and the conveyance ditch to the north. As the dedicated land is higher and flows onto the Mt. Carmel property, a reduction in tributary area and runoff is realized by removing the dedicated land from the Mt. Carmel property limits.

2. LEGAL, POSITIVE OUTFALL

Legal, positive outfall is currently provided by both Church Street (southern portion of the site drains into the swale along the north side of Church St) which borders the southern property line and an existing onsite ditch which drains east to Tree Top Academy. A public drainage easement will be required of Tree Top Academy which will provide continued legal, positive outfall for this parcel. Tree Top Academy has a 24 inch culvert located near the center of the property. This pipe travels east through Limestone Creek Elementary School and outfalls into The Shores lake system. The Shores drainage system has several control structures with outfall to the C-18 canal.

3. BASIN / ALLOWABLE DISCHARGE / MINIMUM FINISHED FLOOR

The property is located within the SFWMD's C-18 Drainage Basin with a maximum allowable discharge of 41.6 cubic feet per second per square mile (CSM) for the 25-year, 3-day design storm. There is no specified finished floor elevation.

4. FEMA / FLOOD DESIGNATION

The property appears to lie in Zone X with no stated minimum finished floor elevation requirement.

5. MINIMUM LEVELS OF SERVICE

There are no proposed improvements for the church property. Should any be proposed, the minimum required levels of service include:

- 1. The parking lot elevations at or above the projected 5-year, 1-day storm event;
- 2. The perimeter elevations at or above the projected 25-year, 3-day storm event; and
- 3. The finished floors elevations at or above the projected 100-year, 3-day storm event.

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1400 Centrepark Blvd., Suite 905 • West Palm Beach, FL 33401 • T: 561.659.5760 • [www.civil-design.com](http://www.civil-design.com)



6. SYSTEM DESIGN

There are no proposed improvements to the property. The church intends to sell undeveloped land to the adjacent property owner. There are no anticipated impacts to current levels of service as this property is undeveloped and non-contributory to the existing site drainage system.

Any improvements, if required, will comply with the required levels of service for pavement, perimeter and building floor elevations.

ADJACENT PARCELS & OFF-SITE FLOWS

a. **NORTH**

The property is bounded to the north by the existing Palm Gardens subdivision which is part of Basin C of the Limestone Creek drainage basin. These properties drain to Mitchell Street which has a stormwater conveyance system. Mitchell Street drains to Limestone Creek Road which has its own stormwater management system before discharge to the C-18 canal.

b. **SOUTH**

The property is bounded to the south by Church Street. Church Street drains to both Central Boulevard and Limestone Creek Road which both have stormwater management systems before discharging to the C-18 canal.

c. **EAST**

The property is bounded to the east by Tree Top Academy. The Tree Top Academy presently drains to both Church Street and into The Shores lake system via Limestone Creek Elementary School before discharging into the C-18 canal.

d. **WEST**

The property to the west is an existing residence which presently drains to Church Street. The properties further north along the western boundary are presently designed as a subdivision with outfall to 180<sup>th</sup> Lane North. 180<sup>th</sup> Lane North drains to Limestone Creek Road which has its own stormwater management system before discharge to the C-18 canal.

Thomas J  
Trompeter  
Civil Design, Inc.  
1400 Centrepark Blvd., Suite 905  
West Palm Beach, FL 33401  
(561) 659-5760  
Registry No. 9664

Digitally signed by  
Thomas J Trompeter  
Date: 2022.10.31  
15:48:35 -04'00'



THIS ITEM HAS BEEN DIGITALLY SIGNED AND SEALED BY T. JEFF TROMPETER, P.E. ON THE DATE ADJACENT TO THE SEAL.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.



UTILITIES DEPARTMENT

August 2, 2022

Jeff Trompeter, P.E.  
Civil Design, Inc.  
1400 Centrepark Boulevard, Suite 905  
West Palm Beach, Fl, 22401

Re: Tree Top Academy – 6769 Church Street

Dear Mr. Trompeter:

Please let this letter serve to confirm that the Town of Jupiter Utilities Department will serve potable water to the proposed project site of Tree Top Academy located at 6769 Church Strteet.

Should you any further questions or require additional information, please feel free to contact me at (561) 741-2702 or [johnng@jupiter.fl.us](mailto:johnng@jupiter.fl.us)

Sincerely,

John Gaddis  
Utility Services Manager

cc: David Brown



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458      TEL: (561) 747-5700      FAX: (561) 747-9929

D. Albrey Arrington, Ph.D.    EXECUTIVE DIRECTOR      [loxahatcheeriver.org](http://loxahatcheeriver.org)

August 4, 2022

Treetop Academy of Jupiter LLC  
6769 Church Street  
Jupiter, FL 33458

Email: [jtrompeter@civil-design.com](mailto:jtrompeter@civil-design.com)

Re:    Treetop Academy  
Parcel No. 00424034000007010  
Sewer Availability

To Whom It May Concern:

This letter is provided in response to a recent request by Jeff Trompeter, P.E., of Civil Design, Inc., concerning sanitary sewer service availability for the subject property.

Please be advised that, as of this date, sanitary sewer service can be made available to the subject property upon payment of certain costs and installation and/or modification of infrastructure in accordance with the District Rules. Copies of District Rules Chapter 31-10 are available for your review on our web site at [www.loxahatcheeriver.org](http://www.loxahatcheeriver.org).

Consistent with District policy, the Developer will be responsible for all costs associated with connecting to the existing wastewater system of the District.

Should you require additional information on this matter, please contact the District Engineering Department at (561) 747-5700 Ext. 4052.

Very truly yours,

A handwritten signature in black ink, appearing to read "K.D.", is written over a faint background map of the Loxahatchee River area.

Kris Dean, P.E.  
Deputy Executive Director/Director of Engineering Services

Cc:    Jeff Trompeter, P.E.

[M:\ENGINEER\FORMS\SEWER AVAILABILITY LETTERS\ Treetop Academy of Jupiter LLC\\_20220802\\_Sewer Availability Letter.docx](#)

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