

RESOLUTION NO. R-2018- 1831

RESOLUTION APPROVING ZONING APPLICATION SV/ZV/Z/DOA/CA-2017-01258  
(CONTROL NO. 1995-00003)  
an Official Zoning Map Amendment  
APPLICATION OF West Jupiter Community Group, Inc.  
BY Cotleur & Hearing, Inc., AGENT  
(West Jupiter Community Center)

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 SV/ZV/Z/DOA/CA-2017-01258 was presented to the Board of County Commissioners at a public hearing conducted on November 26, 2018;

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 SV/ZV/Z/DOA/CA-2017-01258, the Application of West Jupiter Community Group, Inc., by Cotleur & Hearing, Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Single Family Residential (RS) 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 November 26, 2018, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Valeche moved for the approval of the Resolution.

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

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

The Mayor thereupon declared that the resolution was duly passed and adopted on November 26, 2018.

Filed with the Clerk of the Board of County Commissioners on December 4th, 2018

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 a double-line border. The outer ring contains the text 'PALM BEACH COUNTY COMMISSIONERS' at the top and 'BOCA RATON' at the bottom, separated by a star. The inner ring contains 'PALM BEACH COUNTY' at the top and 'FLORIDA' at the bottom, also separated by a star.

EXHIBIT A

LEGAL DESCRIPTION

THE WEST 212.71 FEET OF THE EAST 902.37 FEET OF THE SOUTH 10 ACRES, MORE OR LESS, OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA. TOGETHER WITH AN EASEMENT FOR INGRESS OVER THE SOUTH 30 FEET OF THE EAST 689.66 FEET OF SECTION 33.

TOGETHER WITH:

THE SOUTH 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, LESS THE EAST 902.37 FEET AND THE WEST 205 FEET THEREOF, IN SECTION 33, TOWNSHIP 40 SOUTH, RANGE 42 EAST, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA, AND FURTHER LESS THE SOUTH 30 FEET THEREOF CONVEYED BY WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 24157, PAGE 30 AND CORRECTIVE WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 24367, PAGE 1267, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. CONTAINING 3.06 ACRES MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH

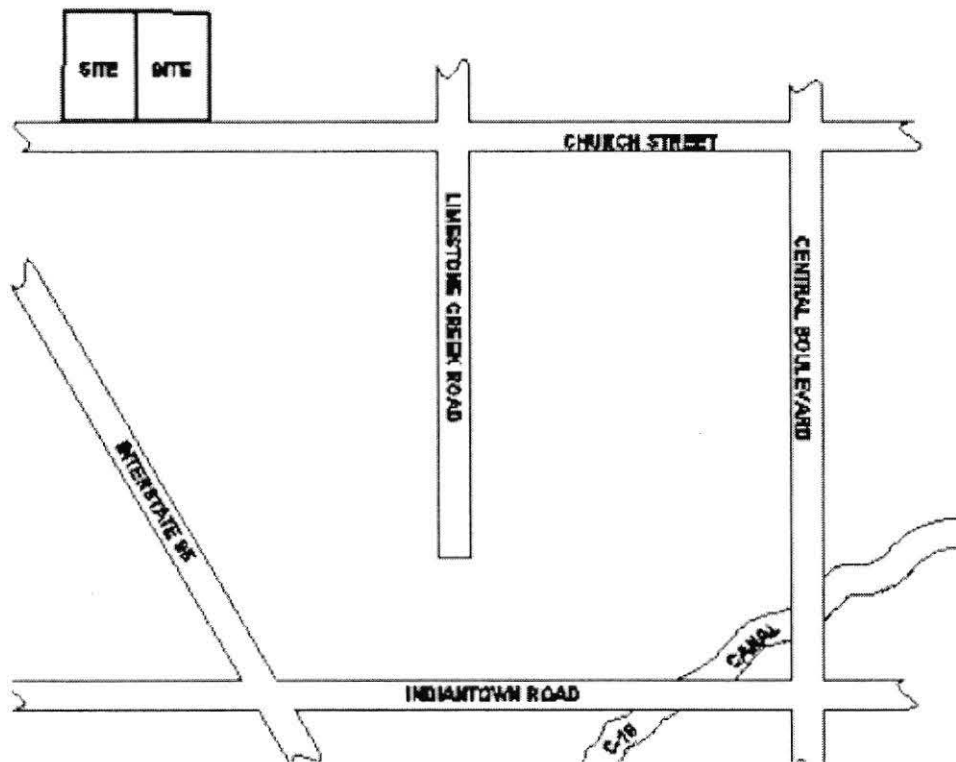


EXHIBIT C

CONDITIONS OF APPROVAL

**DISCLOSURE**

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