

RESOLUTION NO. R-2024- 0417

RESOLUTION APPROVING ZONING APPLICATION Z/CA-2023-01470  
(CONTROL NO. 2021-00147)  
a Class A Conditional Use  
APPLICATION OF C & M Farm LLC and F & C Farm LLC - Terri Campbell  
BY WGINC, AGENT  
(CMFC Farm)

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 Z/CA-2023-01470 the Application of C & M Farm LLC and F & C Farm LLC - Terri Campbell, by WGINC, Agent to allow a rezoning from Residential Transitional (RT) Zoning District to the Single Family Residential (RS) Zoning District and for two Class A Conditional Uses to allow 33 Zero Lot Line Homes and Workforce Housing density increase greater than 50 percent (13 additional units) on 10.00 acres, were presented to the Board of County Commissioners at a public hearing conducted on April 25, 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) and Article 5.G.1.B.2.e.2)b), Factors for Consideration, for a Class A Conditional Use for Density Bonus pursuant to Article 5.G.1 Workforce Housing Program;

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 Z/CA-2023-01470, the Application of C & M Farm LLC and F & C Farm LLC - Terri Campbell, by WGINC, Agent, for a Class A Conditional Use to allow Workforce Housing density increase greater than 50 percent (13 additional units) on 10.00 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 April 25, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Baxter moved for the approval of the Resolution.

The motion was seconded by Commissioner Bernard 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 April 25, 2024.

Filed with the Clerk of the Board of County Commissioners on April 25, 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

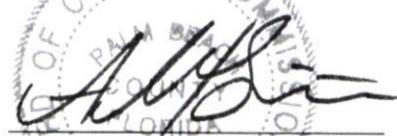
BY:   
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

THE WEST HALF (W 1/2) OF TRACT 26, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 45. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: THE NORTH 20 FEET OF THE SOUTH 45 FEET OF THE EAST 35 FEET OF TRACT 26, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, AND THE WEST 20 FEET OF THE EAST 35 FEET OF THE SOUTH 45 FEET OF TRACT 26, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3 AND THE SOUTH 20 FEET OF THE EAST HALF (E 1/2) OF TRACT 26, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, LESS, AND EXCEPTING THEREFROM THE EAST 35 FEET THEREOF. SUBJECT TO: AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE SOUTH 20 FEET OF THE WEST HALF (W 1/2) OF TRACT 26, BLOCK 28, PALM BEACH FARMS COMPANY, PLAT NO. 3.

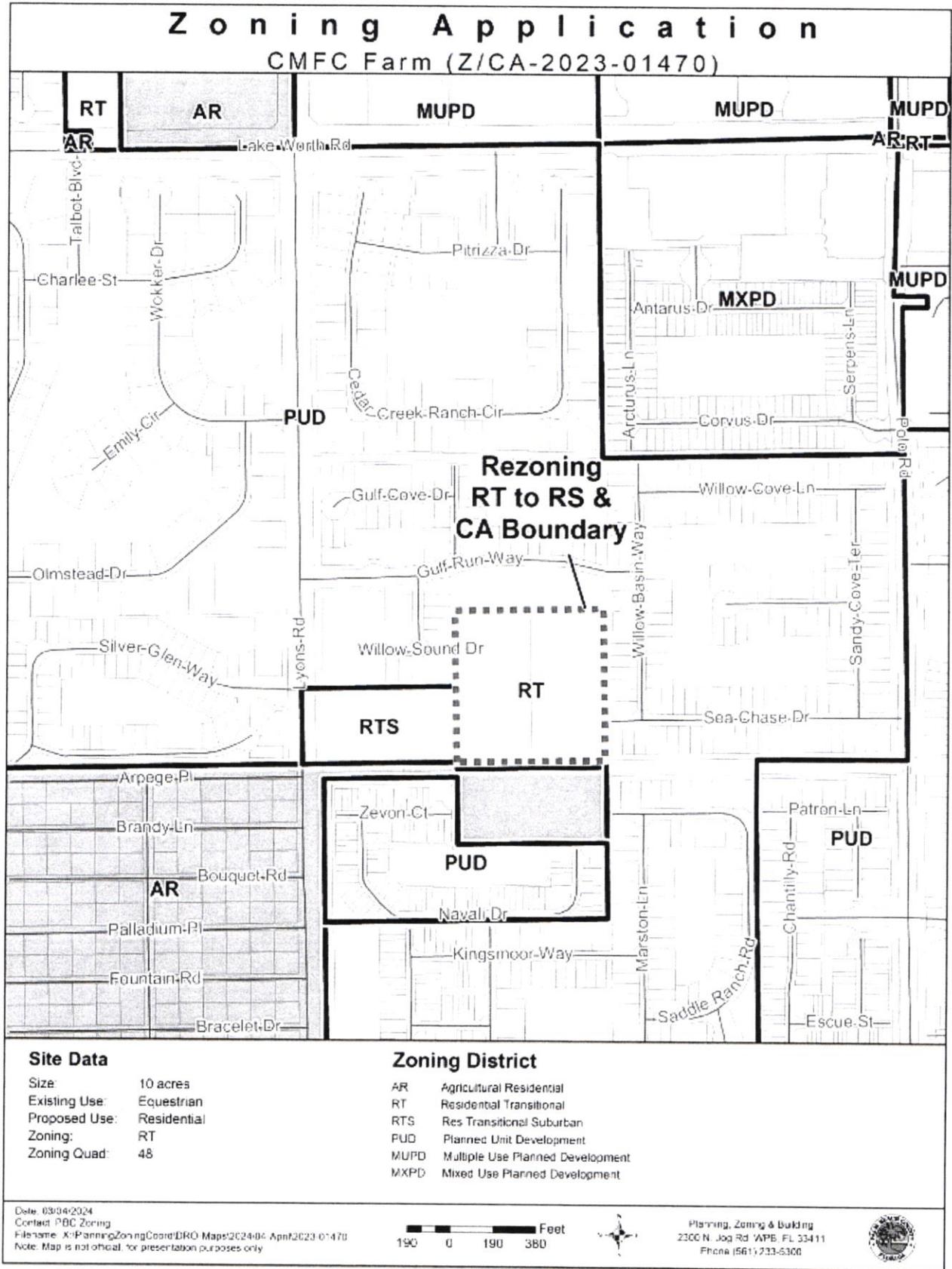
AND

THE EAST ONE-HALF (E 1/2) OF TRACT 26, BLOCK 28, 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.

TOTAL AREA 435514.20 SQ.FT./10 ACRES

EXHIBIT B

VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **Class A Conditional Use Workforce Housing Density Bonus greater than 50 percent**

##### **ALL PETITIONS**

1. The approved Preliminary Subdivision Plan is dated February 23, 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)

##### **PLANNING**

1. The subject Development Order for the 33 Zero Lot Line units with a 4-unit Workforce Housing Program (WHP) obligation was calculated based on analysis dated December 5, 2023 utilizing the Full Incentive Option to be provided onsite as single-family, for sale units. A 67% WHP density bonus or 13 units was utilized. Should a reduction in overall units occur, the WHP obligation may be reduced subject to a new analysis, and the timing mechanisms adjusted administratively as needed. (ONGOING: PLANNING - Planning)

2. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants, in a form acceptable to the Palm Beach County Attorney and provide the Planning Division a copy of the document. (BLDGPM: MONITORING - Planning)

3. Prior to the issuance of fifty percent of the Residential Building Permits (16 units), fifty percent of the WHP units (2 units) must receive Certificates of Occupancy (CO). (BLDGPM: MONITORING - Planning)

4. Prior to the issuance of eighty five percent of the Residential Building Permits (28 units), all 4 of the WHP units must receive Certificates of Occupancy (CO). (BLDGPM: MONITORING - Planning)

5. Prior to the issuance of the first residential Building Permit, the Property Owner shall provide documentation demonstrating compliance with the required design standards including compatible exteriors, size and number of bedrooms per WHP unit, installation of required appliances and the provision of a model. (BLDGPM: MONITORING - Planning)

6. The Developer shall notify the Planning Division and the Department of Housing and Economic Development (DHED) when the project commences sales. (ONGOING: MONITORING - Planning)

##### **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.