

RESOLUTION NO. R-2024- 0591

RESOLUTION APPROVING ZONING APPLICATION ZV/ABN/Z/CA-2023-00669
(CONTROL NO. 1989-00051)
an Official Zoning Map Amendment
APPLICATION OF Union Congregational Church of West Palm Beach FL
BY JMorton Planning & Landscape Architecture, AGENT
(Peace Village)

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 ZV/ABN/Z/CA-2023-00669 the Application of Union Congregational Church of West Palm Beach FL, by JMorton Planning & Landscape Architecture, Agent, for a Type 2 Variance to allow a reduction in the number of parking spaces on 6.48 acres; a Development Order Abandonment to abandon a Special Exception for a Church and Accessory Buildings and Structures on 6.48 acres; a Development Order Abandonment to abandon a Special Exception for a Planned Unit Development on 6.48 acres; an Official Zoning Map Amendment to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Multifamily (RM) Zoning District on 6.48 acres; and a Class A Conditional Use to allow Affordable Housing Density increase greater than 50% (52 additional units) on 6.48 acres was presented to the Board of County Commissioners at a public hearing on May 23, 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 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:

1. The foregoing recitals are true and correct and are incorporated herein
2. Zoning Application ZV/ABN/Z/CA-2023-00669, the Application of Union Congregational Church of West Palm Beach FL, by JMorton Planning & Landscape Architecture, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Multifamily (RM) Zoning District on 6.48 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 May 23, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Weiss 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 May 23, 2024.

Filed with the Clerk of the Board of County Commissioners on May 23, 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 EAST 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 142 FEET AS MEASURED ON THE NORTH LINE OF SAID SECTION 11 OF THE NORTH 562.9 FEET AS MEASURED ALONG THE EAST LINE OF SAID SECTION 11, OF THE EAST 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 42 EAST.

LESS, HOWEVER, THE EAST 40 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 11 FOR RIGHT-OF-WAY FOR HAVERHILL ROAD.

FURTHER LESS AND EXCEPT THOSE LANDS MORE PARTICULARLY DESCRIBED IN THE RIGHT-OF-WAY DEED TO PALM BEACH COUNTY, RECORDED IN OFFICIAL RECORDS BOOK 7245, PAGE 1315 AND CORRECTED IN OFFICIAL RECORDS BOOK 7273, PAGE 1277, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 282,216 SQUARE FEET OR 6.478 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

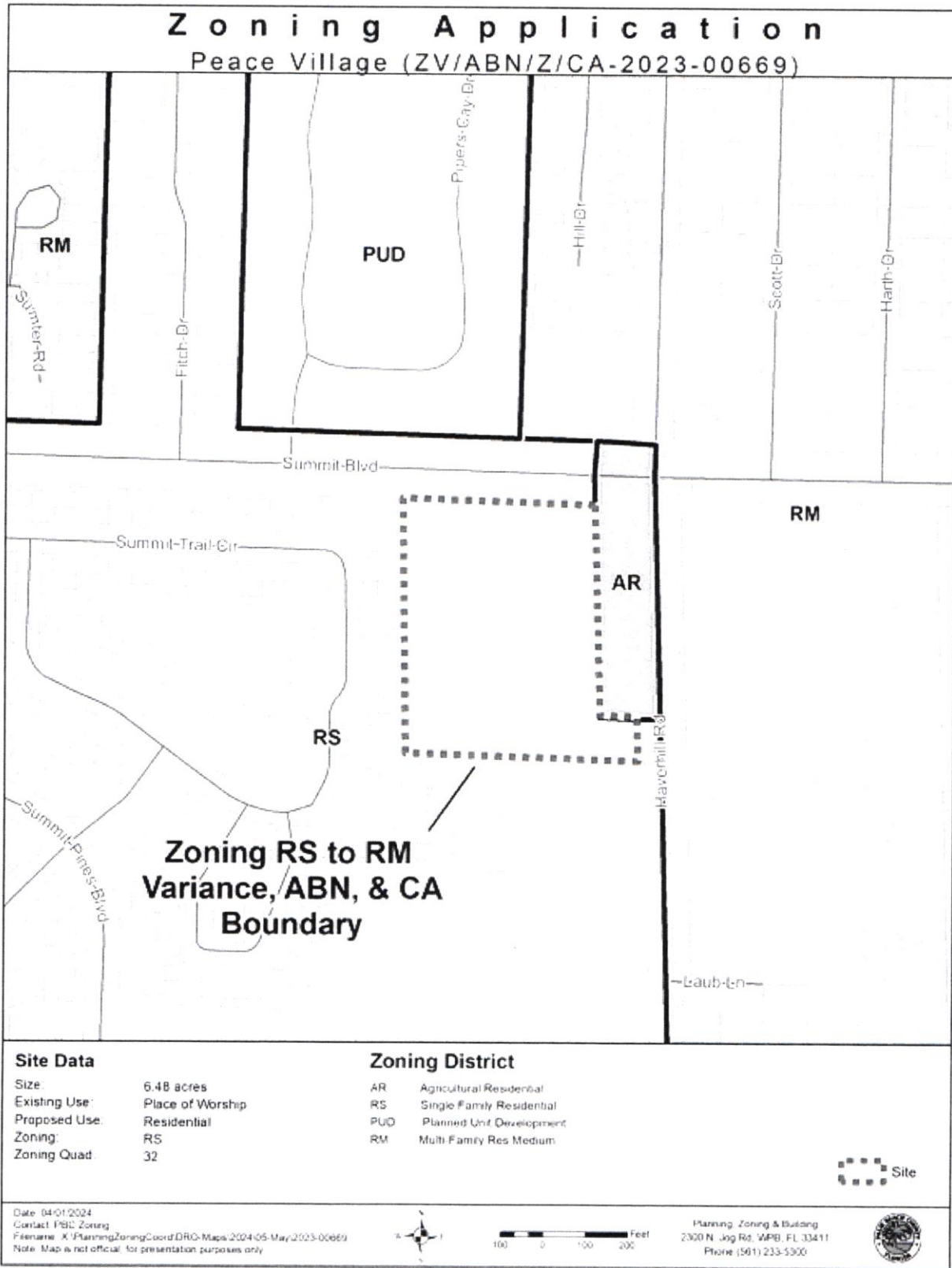


EXHIBIT C

CONDITIONS OF APPROVAL

Official Zoning Map Amendment

DISCLOSURE

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