

RESOLUTION NO. R-2024- 0833

RESOLUTION APPROVING ZONING APPLICATION Z-2024-00162
(CONTROL NO. 2023-00047)
an Official Zoning Map Amendment
APPLICATION OF CH76 Investment LLC
BY PLACE Planning & Design, AGENT
(NorWest Pointe)

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-2024-00162, the Application of CH76 Investment LLC, by PLACE Planning & Design, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Commercial Neighborhood (CN) Zoning District on 0.27 acres and Residential High Density (RH) Zoning District on 0.27 acres to the Residential Multifamily (RM) Zoning District on 0.54 acres was presented to the Board of County Commissioners at a public hearing conducted on July 17, 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.

1. The foregoing recitals are true and correct and are incorporated herein
2. Zoning Application Z-2024-00162, the Application of CH76 Investment LLC, by PLACE Planning & Design, Agent, for an Official Zoning Map Amendment to allow a rezoning from the Commercial Neighborhood (CN) Zoning District on 0.27 acres and Residential High Density (RH) Zoning District on 0.27 acres to

the Residential Multifamily (RM) Zoning District on 0.54 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 July 17, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Marino moved for the approval of the Resolution.

The motion was seconded by Commissioner Weiss 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	- Absent
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 July 17, 2024.

Filed with the Clerk of the Board of County Commissioners on July 24, 2024.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOSEPH ABRUZZO,
CLERK & COMPTROLLER


BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

LOTS 27, 28, 29, AND 30, AND 57, 58, 59 AND 60, BLOCK 26 WEST GATE ESTATES (NORTHERN SECTION), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8, PAGE 38, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA

LESS A PORTION OF LOT 60 DESCRIBED AS FOLLOWS: ALL THAT AREA LYING EXTERNAL TO THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 25.00 FEET; A DELTA OF 89 DEGREES 59' 10" AND AN ARC DISTANCE OF 39.26 FEET, SAID CURVE BEING TANGENT TO THE EAST AND SOUTH BOUNDARY OF SAID LOT 60.

CONTAINING 0.54 ACRE MORE OR LESS

EXHIBIT B
VICINITY SKETCH

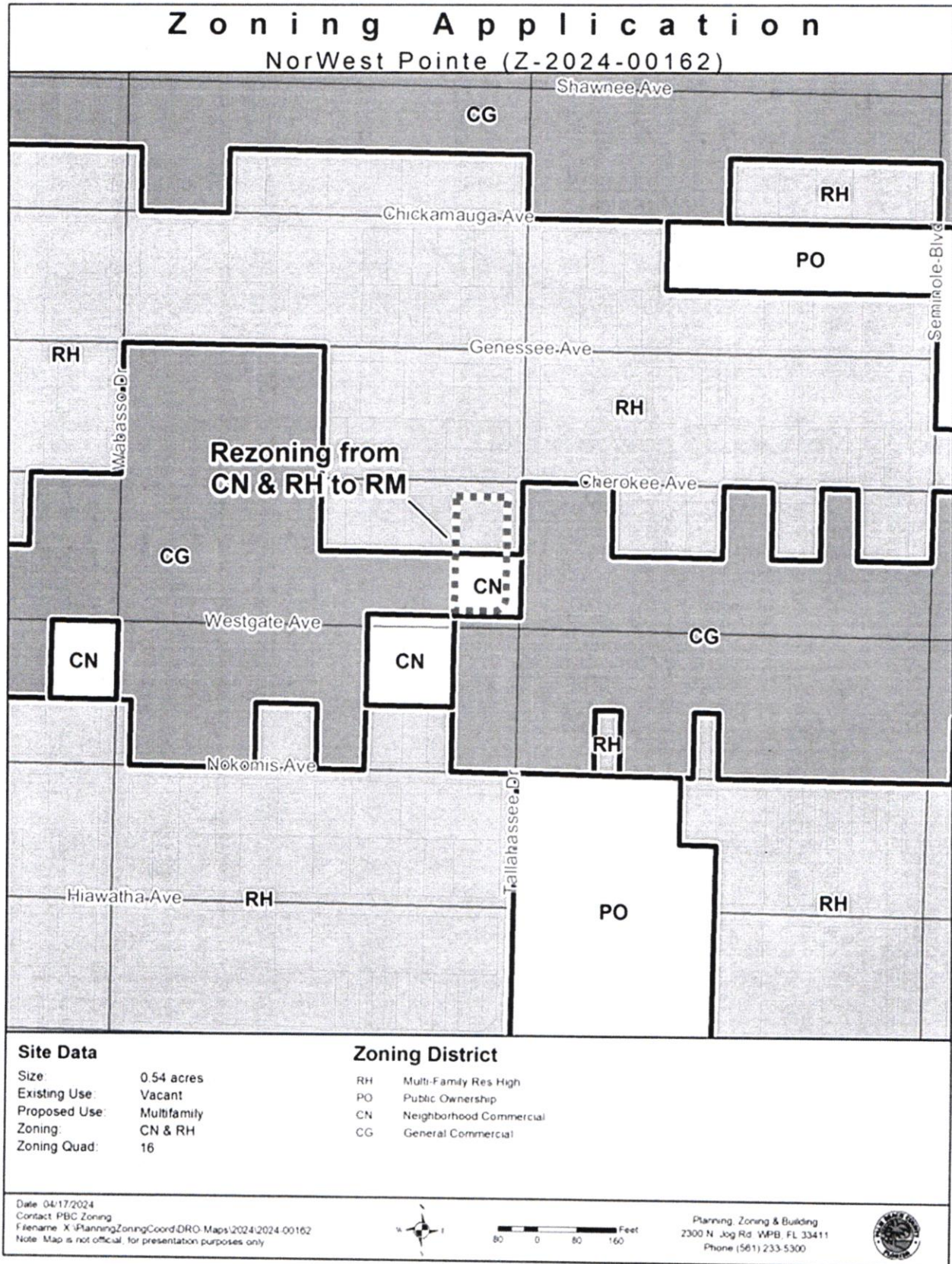


EXHIBIT C

CONDITIONS OF APPROVAL

DISCLOSURE

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