

RESOLUTION NO. R-2024- 1499

RESOLUTION APPROVING ZONING APPLICATION DOA-2024-00407
(CONTROL NO. 1997-00056)
a Development Order Amendment
APPLICATION OF The Weinbaum Yeshiva High School, Inc.
BY JMorton Planning & Landscape Architecture, AGENT
(Katz Yeshiva High School)

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 DOA-2024-00407 was presented to the Board of County Commissioners at a public hearing conducted on October 24, 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 a Development Order 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 DOA-2024-00407, the Application of The Weinbaum Yeshiva High School, Inc., by JMorton Planning & Landscape Architecture, Agent, for a Development Order Amendment to modify the Site Plan for a previously approved Private School to add square footage, increase number of students, and to add an access point on 5.90 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 October 24, 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 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 October 24, 2024.

Filed with the Clerk of the Board of County Commissioners on October 24, 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

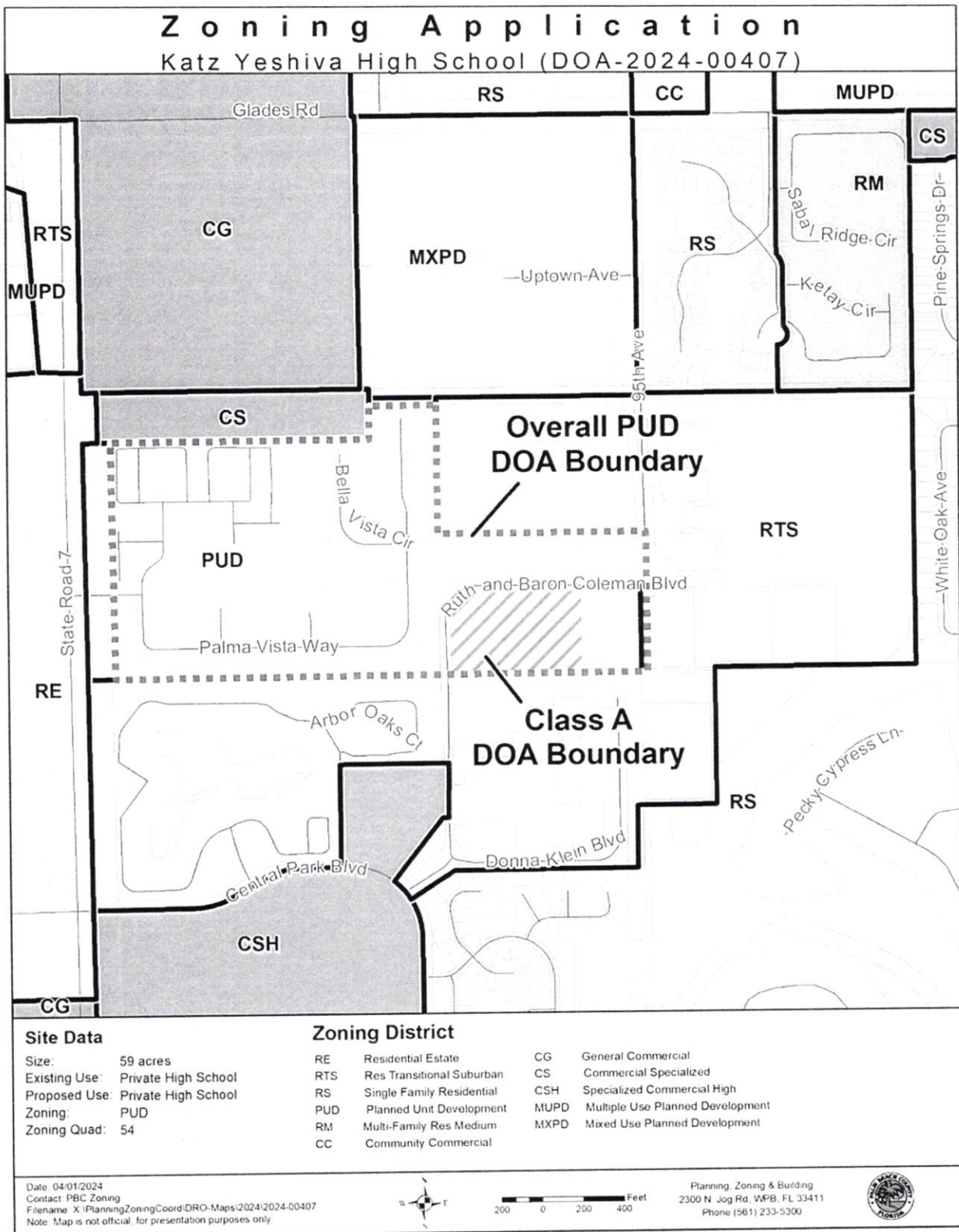
A PORTION OF PARCEL "A", WEINBAUM YESHIVA HIGH SCHOOL ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 124, PAGES 84-87 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE ABOVE MENTIONED PARCEL "A" WEINBAUM YESHIVA HIGH SCHOOL PLAT; THENCE SOUTH 89°59'21" WEST ALONG THE SOUTH BOUNDARY OF SAID PARCEL "A", FOR A DISTANCE OF 291.71 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 89°59'21" WEST ALONG THE SOUTH BOUNDARY OF SAID PARCEL "A", FOR A DISTANCE OF 642.29 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL "A"; THENCE NORTH 00°01'09" WEST ALONG THE WEST BOUNDARY OF SAID PARCEL "A", FOR A DISTANCE OF 278.05 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST; THENCE NORTHERLY AND EASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 127.50 FEET, A CENTRAL ANGLE OF 90°00'49" AND AN ARC LENGTH OF 200.31 FEET TO THE POINT OF TANGENCY, SAID POINT BEING ON THE NORTH BOUNDARY OF SAID PARCEL "A"; THENCE NORTH 89°59'40" EAST ALONG THE NORTH BOUNDARY OF SAID PARCEL "A", FOR A DISTANCE OF 514.82 FEET; THENCE DEPARTING SAID NORTH BOUNDARY OF PARCEL "A" SOUTH 00°00'39" EAST, FOR A DISTANCE OF 405.53 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA. CONTAINING 257,003 SQUARE FEET OR 5.900 ACRES MORE OR LESS.

EXHIBIT B

VICINITY SKETCH



Site Data

Size: 59 acres
 Existing Use: Private High School
 Proposed Use: Private High School
 Zoning: PUD
 Zoning Quad: 54

Zoning District

RE	Residential Estate	CG	General Commercial
RTS	Res Transitional Suburban	CS	Commercial Specialized
RS	Single Family Residential	CSH	Specialized Commercial High
PUD	Planned Unit Development	MUPD	Multiple Use Planned Development
RM	Multi-Family Res Medium	MXPD	Mixed Use Planned Development
CC	Community Commercial		

Date: 04/01/2024
 Contact: PBC Zoning
 Filename: X:\Planning\Zoning\Coord\DR0-Maps\2024\2024-00407
 Note: Map is not official, for presentation purposes only



Planning, Zoning & Building
 2300 N Jog Rd, WPB, FL 33411
 Phone (561) 233-5300



EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment - Private School

ALL PETITIONS

1. Previous ALL PETITIONS Condition 3 of Resolution R-2011-963, Control No.1997-00056, which currently states:

Development of the Private Civic Pod shall be generally consistent with the Preliminary Site Plan dated April 18, 2011, and approved by the Board of County Commissioners. Modification of the site design may be allowed pursuant to conditions of approval or are in accordance with Article 2 of ULDC. Replacement of a use by another use listed as permitted by right or permitted subject to approval by the DRO may be allowed subject to approval by the DRO. All other modifications exceeding those thresholds established by conditions of approval or the ULDC must be approved by the Board of County Commissioners.

Is hereby amended to read:

Development of the Private Civic Pod shall be generally consistent with the Preliminary Site Plan dated August 14, 2024, and approved by the Board of County Commissioners. Modification of the site design may be allowed pursuant to conditions of approval or are in accordance with Article 2 of ULDC. Replacement of a use by another use listed as permitted by right or permitted subject to approval by the DRO may be allowed subject to approval by the DRO. All other modifications exceeding those thresholds established by conditions of approval or the ULDC 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-2011-0963 (Control 1997-056), 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 (ULDC) and the Board of County Commissioners, unless expressly modified. (ONGOING: ZONING - Zoning)

ARCHITECTURAL REVIEW

1. At time of submittal for final Development Review Officer (DRO) approval, the architectural elevations for the school building shall be submitted simultaneously with the Site Plan for final architectural review and approval. Elevations shall be designed to be consistent with Article 5.C of the ULDC. Development shall be consistent with the approved architectural elevations, the DRO approved Site Plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCHITECTURAL REVIEW - Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2011-963, Control No.1997-00056)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the Weinbaum Yeshiva High School site may be issued after December 31, 2032. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to the issuance of the first certificate of occupancy, the Property Owner shall construct left turn lane east approach on Ruth and Baron Coleman Blvd at the secondary faculty entrance. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be

paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Construction of this turn lane shall be completed in conjunction with construction of this secondary entrance. (CO: MONITORING - Engineering)

LANDSCAPE - PERIMETER-ALONG NORTH AND EAST PROPERTY LINES

1. Landscaping and buffering along the 632 and 165 foot portions of the (north property line) subject 4.76 acre parcel (Tract 12), adjacent to the private school and day care of Petition #84-139 and commercial and utility uses of Petition #88-99, shall be upgraded to include:

- a. A minimum fifteen (15) foot wide landscape buffer strip;
- b. One (1) canopy tree planted every twenty (20) feet on center;
- c. One (1) palm or pine tree for each thirty (30) linear feet of frontage, with a maximum of sixty (60) feet between clusters. A group of three or more palm or pine trees may not supersede the requirement for a canopy tree in that location;
- d. A minimum six (6) foot fence, hedge or berm combination which will provide the necessary height and opacity at time of installation. Credit may be given for any existing six (6) foot opaque non-living barrier immediately located along these portions of the property line; and,
- e. Thirty (30) inch high shrub or hedge material as required within the combination above shall be installed spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches. (BLDGPM: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 4 of Resolution R-2011-963, Control No.1997-00056)

LANDSCAPE - PERIMETER-ALONG NORTH PROPERTY LINES

2. Landscaping and buffering along the 330 foot portion of the north property line, adjacent to the LWDD L-46 canal, shall be upgraded to include:

- a. A minimum ten (10) foot wide landscape buffer strip;
- b. One (1) canopy tree planted every twenty (20) feet on center; and,
- c. Thirty (30) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of forty-eight (48) inches. (BLDGPM: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 5 of Resolution R-2011-963, Control No.1997-00056)

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.