

RESOLUTION NO. R-2025- 0116

RESOLUTION REVOKING RESOLUTION R-2022-01407
(CONTROL NUMBER 1973-00216)
AFFIRMING THE ABANDONMENT
OF ZONING APPLICATION ABN/EAC-2024-01447

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related 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 SE-1973-216 was presented to the Board of County Commissioners at a public hearing on November 29, 1973; Zoning Application SE-1973-216(A) was presented to the Board of County Commissioners at a public hearing on July 27, 1989; Zoning Application DOA-1973-216(B) was presented to the Board of County Commissioners at a public hearing on July 25, 2002; and Zoning Application ABN/DOA/CA-2022-00187 was presented to the Board of County Commissioners at a public hearing on November 22, 2022;

WHEREAS, Resolution R-1973-816 was adopted by the Board of County Commissioners on December 18, 1973; Resolution R-1990-058 was adopted by the Board of County Commissioners on January 2, 1990; R-2002-1237 was adopted by the Board of County Commissioners on July 25, 2002; and R-2022-1407 was adopted by the Board of County Commissioners on November 22, 2022;

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

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 Abandonment;

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 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 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. Resolution R-1973-816, approving a Special Exception to allow a Church and Accessory Facilities; Resolution R-1990-058, approving a Special Exception to amend the Site Plan for a Church and Accessory Facilities to 1) increase the square footage for the Church and Accessory Buildings and Structures; and 2) permit an Education Institution (maximum 60, k-12 students - petition 73-216); Resolution R-2002-1237, approving a Development Order Amendment to reconfigure site plan and add square footage; and Resolution R-2022-1407, approving a Development Order Amendment to modify and delete Conditions of Approval; to reconfigure the Site Plan; and to add, delete, and modify uses, on a parcel of land generally described as shown on the legal description in Exhibit A, attached hereto and made a part hereof, are hereby revoked.

Commissioner Baxter moved for the approval of the Resolution.

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

Commissioner Maria G. Marino, Mayor
Commissioner Sara Baxter, Vice Mayor
Commissioner Gregg K. Weiss
Commissioner Joel G. Flores
Commissioner Marci Woodward
Commissioner Maria Sachs
Commissioner Bobby Powell Jr

- Aye
- Aye
- Absent
- Aye
- Aye
- Aye
- Absent

The Mayor thereupon declared that the resolution was duly passed and adopted on January 30, 2025.

Filed with the Clerk of the Board of County Commissioners on January 30, 2025

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

BY:


COUNTY ATTORNEY

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTIONS

R-1973-816 LEGAL DESCRIPTION

the South 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 1, Township 45 South, Range 42 East, less the East 39.34 feet of the South 116 feet thereof; and the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 excepting therefrom the South 220 feet and the right-of-way of Military Trail (S. R. 809); also a right-of-way for ingress and egress over the North 30 feet of the South 3.50 feet of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 all in Section 1, Township 45 South, Range 42 East.

R-1990-0058 – LEGAL DESCRIPTION

the South 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northwest 1/4 of Section 1, Township 45 South, Range 42 East, less the East 39.34 feet of the South 116.00 feet thereof; and the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 excepting therefrom the South 220.00 feet and the right of way of Military Trail (SR 809); also a right-of-way for ingress and egress over the North 30.00 feet of the South 150.00 feet of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of the Northwest 1/4 all in Section 1, Township 45 South, Range 42 East, being located on the west side of Military Trail (SR 809), approximately .75 mile north of Hypoluxo Road,

R-2002-1237 – LEGAL DESCRIPTION

The South half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the East 41.25 feet of the South 116 feet thereof;

AND the South half of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, excepting therefrom the South 220 feet and the right of way for Military Trail;

AND the North 38 feet of the South 154 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

AND the North 66 feet of the South 220 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

AND the East 285.00 feet of the South 116.00 feet of the Northeast quarter of the Northeast quarter of the Northwest quarter of Section 1, Township 45 South, Range 42 East, Palm Beach County, Florida, LESS the right of way for Military Trail;

AND the West % of the North % of the North % of the Northeast % of the Northwest % of Section 1, Township 45 South, Range 42 East, less the East 98 feet thereof, and less that portion as described in Chancery Case 407 as recorded by Lake Worth Drainage District in Official Record Book 6495, page 195 of the public records of Palm Beach County, Florida; said lands situated, lying and being in Palm Beach County, Florida.

SUBJECT TO easements, reservations, restrictions and rights of way of record, if any.

Containing: 13.581 Acres, more or less

R-2022-1407 - LEGAL DESCRIPTION

PARCEL 1

THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA LESS THE EAST 41.25 FEET OF THE SOUTH 116 FEET THEREOF; AND:

PARCEL 2

THE SOUTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA,

EXCEPTING THEREFROM THE SOUTH 220 FEET AND THE RIGHT OF WAY FOR MILITARY TRAIL; AND:

PARCEL 3

THE NORTH 38 FEET OF THE SOUTH 154 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT OF WAY FOR MILITARY TRAIL; AND:

PARCEL 4

THE NORTH 66 FEET OF THE SOUTH 220 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT OF WAY FOR MILITARY TRAIL; AND:

PARCEL 5

THE EAST 285.00 FEET OF THE SOUTH 116.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE RIGHT OF WAY FOR MILITARY TRAIL; AND:

PARCEL 6

THE WEST HALF OF THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 45 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE EAST 98 FEET THEREOF, AND LESS THE NORTH 52.14 FEET FOR LAKE WORTH DRAINAGE DISTRICT CANAL L-16 PURSUANT TO THE CHANCERY CASE NO. 407 AS RECORDED IN OFFICIAL RECORDS BOOK 6495, PAGE 761, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SUBJECT TO EASEMENTS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

ALSO KNOWN AS:

ALL OF THE PLAT OF JOURNEY CHURCH RECORDED IN PLAT BOOK 137, PAGES 66 THROUGH 67, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING: 13.581 ACRES, MORE OR LESS.