

RESOLUTION NO. R-2025- 0243

RESOLUTION APPROVING ZONING APPLICATION CA-2024-00746  
(CONTROL NO. 1996-30143)  
a Class A Conditional Use  
APPLICATION OF Beverly Rawlings, Rawlings Estates, LLC  
BY Dunay, Miskel and Backman, LLP, WGINC, AGENT  
(Rawlings Estates Subdivision)

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 CA-2024-00746 was presented to the Board of County Commissioners at a public hearing conducted on February 27, 2025;

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 Class A Conditional Use;

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 CA-2024-00746, the Application of Beverly Rawlings, Rawlings Estates, LLC, by Dunay, Miskel and Backman, LLP, WGINC, Agent, for a Class A Conditional Use to allow a Single Family Subdivision; a residential project with more than 50 acres pursuant to the Unified Land Development Code (ULDC), Table 4.A.9.B - Thresholds for Projects Requiring Board of County Commissioners Approval on 104.07 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 February 27, 2025, 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 Weiss and, upon being put to a

vote, the vote was as follows:

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

The Mayor thereupon declared that the resolution was duly passed and adopted on February 27, 2025.

Filed with the Clerk of the Board of County Commissioners on March 6, 2025.

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2024-00010.

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

#### PARCEL 1:

THAT PART OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA (EXCLUDING A 60 FOOT CANAL RIGHT-OF-WAY), DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, RUN NORTH 89°57'05" WEST, 1820.24 FEET ALONG THE SOUTH LINE OF SAID SECTION 15 TO A POINT; THENCE RUN NORTH 364.98 FEET TO THE POINT OF BEGINNING, FROM THE POINT OF BEGINNING, CONTINUE NORTH 837.42 FEET TO A POINT; THENCE RUN SOUTH 89°57'05" EAST, 537.21 FEET TO A POINT; THENCE RUN NORTH 2437.15 FEET TO A POINT; THENCE RUN NORTH 89°04'30" EAST, 1283.20 FEET TO A POINT ON THE EAST LINE OF SECTION 15; THENCE RUN SOUTH ALONG SAID EAST LINE OF SECTION 15, 3296.37 FEET TO A POINT; THENCE RUN NORTH 89°57'05" WEST, 1820.24 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THAT PART THEREOF LYING NORTH OF A STRIP OF LAND 60 FEET IN WIDTH THE CENTERLINE OF WHICH COMMENCES ON THE EAST LINE OF SECTION 15, 1232.4 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION; THENCE RUN WESTERLY, NORTH 89°57'05" WEST PARALLEL TO THE SOUTH LINE OF SECTION 15, A DISTANCE OF 1283.03 FEET TO THE POINT OF TERMINATION.

FURTHER LESS AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL THAT PORTION CONVEYED TO INDIAN TRAIL IMPROVEMENT DISTRICT, AS DESCRIBED IN SPECIAL WARRANTY DEED RECORDED AUGUST 5, 2016 IN OFFICIAL RECORDS BOOK 28486, PAGE 674, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CONTAINING 33.751 ACRES, MORE OR LESS.

#### PARCEL 2:

THAT PART OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA (EXCLUDING A 60 FOOT CANAL RIGHT-OF-WAY), DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 40 EAST, PALM BEACH COUNTY, FLORIDA, RUN NORTH 89°57'05" WEST, 1820.24 FEET ALONG THE SOUTH LINE OF SAID SECTION 15 TO A POINT; THENCE RUN NORTH 364.98 FEET TO THE POINT OF BEGINNING, FROM THE POINT OF BEGINNING CONTINUE NORTH 837.42 FEET TO A POINT; THENCE RUN SOUTH 89°57'05" EAST, 537.21 FEET TO A POINT; THENCE RUN NORTH 2437.15 FEET TO A POINT; THENCE RUN NORTH 89°04'30" EAST, 1283.20 FEET TO A POINT ON THE EAST LINE OF SECTION 15; THENCE RUN SOUTH ALONG SAID EAST LINE OF SECTION 15, 3296.37 FEET TO A POINT; THENCE RUN NORTH 89°57'05" WEST, 1820.24 FEET TO THE POINT OF BEGINNING;

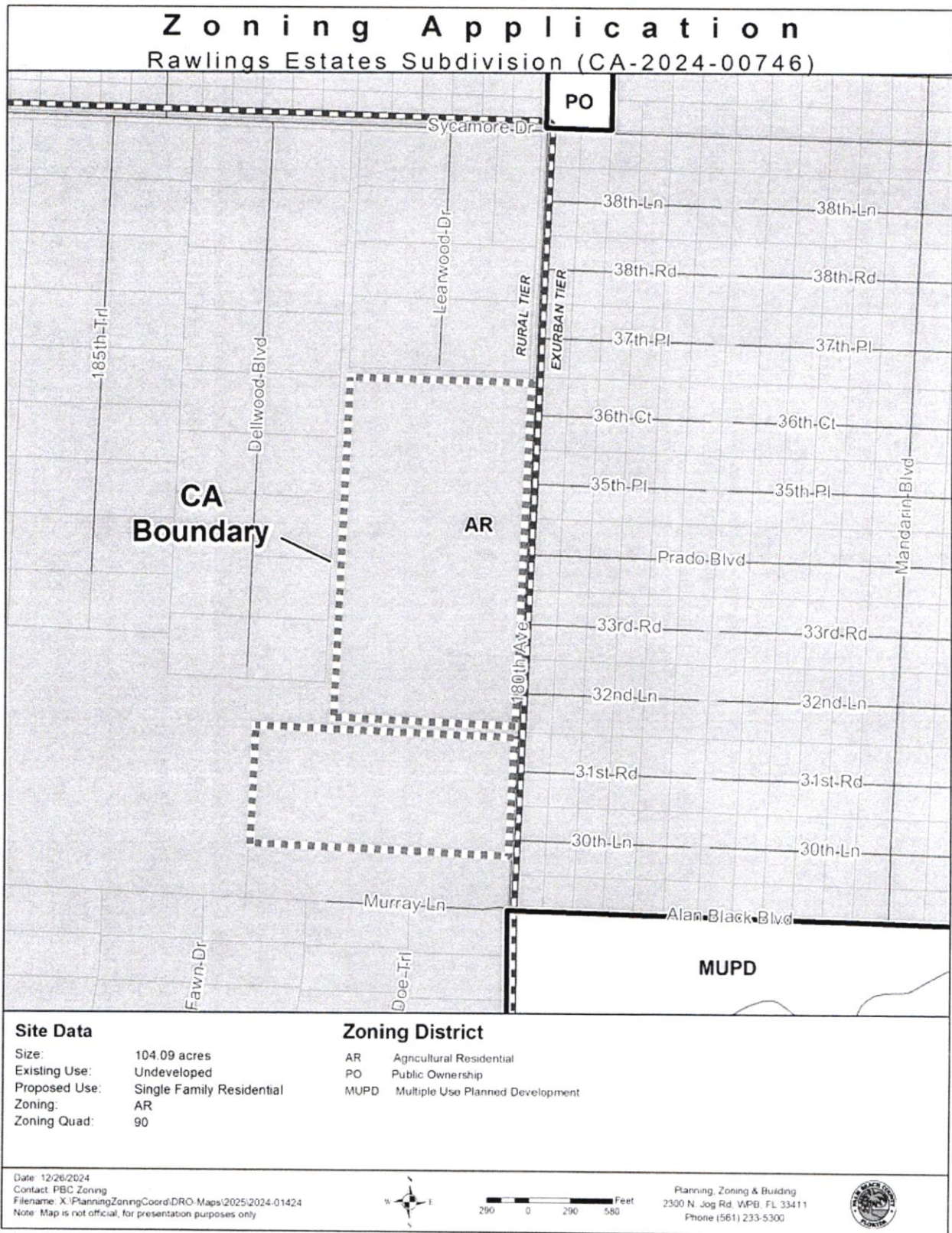
LESS AND EXCEPT THAT PART THEREOF LYING SOUTH OF A STRIP OF LAND 60 FEET IN WIDTH WITH THE CENTERLINE OF WHICH COMMENCES ON THE EAST LINE OF SECTION 15, 1232.4 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION; THENCE RUN WESTERLY, NORTH 89°57'05" WEST PARALLEL TO THE SOUTH LINE OF SECTION 15, A DISTANCE OF 1283.03 FEET TO THE POINT OF TERMINATION.

CONTAINING 70.334 ACRES, MORE OR LESS.

THE COMBINED TOTAL AREA OF PARCELS 1 AND 2, IS 104.086 ACRES, MORE OR LESS.



**EXHIBIT B**  
**VICINITY SKETCH**





## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **Class A Conditional Use**

##### **ALL PETITIONS**

1. The approved Preliminary Subdivision Plan is dated December 12, 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)

##### **ENGINEERING**

1. No Building Permits for the site may be issued after December 31, 2026, or as amended. 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 the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. Prior to issuance of the first building permit, the Property Owner shall plat the subject property in accordance with provisions of Article 11 of the Unified Land Development Code, or as otherwise approved by the County Engineer. The platting of this property may be phased in accordance with a phasing plan acceptable to the Office of the County Engineer and approved by the Development Review Officer. A phase should not be larger than what would reasonably be expected to be completed within the time frame of the posted surety. (BLDGPMT: MONITORING - Engineering)

3. The Property Owner shall provide an acceptable drainage study identifying any historical drainage from offsite parcels, including proposed grading cross sections. The project's stormwater management system shall be designed to address any historical drainage. The Property Owner shall provide drainage easements, as required, to accommodate offsite drainage.

- Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)
- Any required drainage easements shall be dedicated in conjunction with any required lot combination or recorded prior to issuance of the first building permit, whichever shall occur first. (DRO: ENGINEERING - Engineering)

##### **ENVIRONMENTAL**

1. Prior to the final approval by the Development Review Officer, the Applicant shall update the Final Subdivision Plan and Regulating Plan to indicate a 20-foot-wide Tree Preservation Area along 180th Avenue North for the north parcel. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to final approval by the Development Review Officer (DRO), a Tree Preservation Area Management Plan shall be provided to ERM for review and approval for the 20-foot-wide Tree Preservation Area for the northern parcel along 180th Avenue North. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

##### **PLANNING**

1. Per LGA 2024-010, Condition 1: Residential dwelling units shall be limited to a maximum of 54 units with no further density increases permitted through density bonus programs. (ONGOING: PLANNING - Planning)

2. Per LGA 2024-010, Condition 2: The zoning development order shall require a minimum of 10% of the total dwelling units to be provided as offsite workforce housing units, through the Off-site Construction/Exchange Builder Option #1 of the Workforce Housing Program (WHP). The workforce housing units are subject to the applicable requirements of the WHP in Article 5.G.1 of the ULDC. (ONGOING: PLANNING - Planning)

3. The subject Development Order for the 54 for sale units with a 5-unit Workforce Housing Program (WHP) obligation is subject to the conditions within LGA 2024-010. The WHP units will be delivered off-site through the Off-Site Construction/Exchange Builder Option #1 as stipulated by Condition 2 of LGA 2024-010. 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)



4. Should any required WHP units be provided off-site as rentals, the WHP obligation shall be 1.5 times the obligation per ULDC Article 5.G.1.C.4.b. (ONGOING: PLANNING - Planning)

5. The minimum exchange price for the Exchange Builder shall be 80 percent of the applicable in-lieu fee in effect at the time of the Development Order for the subject development, which equates to \$570,532 (5 WHP X \$142,633 for Single Family = \$713,165 total in-lieu fee X 0.80 = \$570,532 total exchange price for Exchange Builder). (ONGOING: PLANNING - Planning)

6. Prior to the issuance of the first residential Building Permit, the Property Owner shall record in the public records of Palm Beach County a Notice of Disposition, in a form acceptable to and approved by the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document, and a copy of the revised site plan shall be provided to the Planning Division. The Site Plan and other appropriate document(s), as determined by the Planning Director or designee, shall be amended to reflect the number of WHP units, including the number in each applicable WHP income category, to be located on the Exchange Project(s). (BLDGPM: MONITORING - Planning)

7. Prior to the issuance of the first residential Building Permit, the Property Owner shall submit all of the required documentation as described in ULDC Art. 5.G.1.C.4.b.2.c.1 demonstrating that an Exchange Builder has been engaged, and has all applicable documentation completed with prior approval by the County Attorney and Planning Division. (BLDGPM: MONITORING - Planning)

8. Per LGA 2024-010 Condition 3, the Zoning Development Order shall provide for a minimum 2.08-acre dedication to the Palm Beach County for a future fire-rescue facility, which shall be conveyed in accordance with and full satisfaction of the applicable Property and Real Estate Management (PREM) conditions of approval therein.(ONGOING: PLANNING - Planning)

#### **PROPERTY & REAL ESTATE MANAGEMENT**

##### **1. Platting & Deed.**

In accordance with Condition 3. of the concurrent Future Land Use (FLU) and Text Amendments (LGA 2024-010), the Property Owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a net 2.08 acre or greater lot (net usable area - including minimum required perimeter landscape buffers), in a location identified on the certified PSBP-1 as lots 52 and 53 and in a final configuration acceptable to Facilities Development & Operations Department (FD&O) prior to the issuance of a Certificate of Occupancy (CO) for the first residential unit. Property Owner to plat and dedicate the lot to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

##### **a) Title**

Property Owner to provide a title policy insuring marketable title to Palm Beach County for the lot and any easements that service the lot as required by the County Attorney's office. All title exception documentation to be provided to County. Policy is subject to Property & Real Estate Management (PREM) and County Attorney's approval. The title policy to be insured to Palm Beach County for a dollar value based on current market appraisal of the proposed lot or the contract purchase price on a per acre basis if the contract purchase was concluded within the previous 24 month period. If an appraisal is required it shall be obtained by the Property Owner. The Property Owner shall release the County from all Declaration of Covenants and Restrictions and restrictive covenants as they may apply to the subdivision and lot.

##### **b) Concurrency**

Property Owner to assign sufficient traffic trip capacity such that the traffic volume associated with a County facility shall be attached to the lot and recorded on the concurrency reservation for the entire subdivision. The Property Owner shall be provided with input as to the size of a structure (and proposed use) which the lot would support and the corresponding amount of trips. If no County use is applied to the lot, Property Owner shall assign sufficient traffic trip capacity equivalent to the number of units the lot would support if it were residential.

##### **c) Taxes**

All ad valorem real estate taxes and assessments for the year of acceptance shall be pro-rated to include the day of acceptance.

##### **d) Lot condition**

Lot to be free and clear of all trash and debris at the time of acceptance of the Statutory Warranty Deed.



e) Retention and Drainage

Property Owner shall provide all retention, detention, and drainage required for any future development of the lot by the County. Property Owner shall specifically address the following issues:

- 1) The discharge of surface water from the lot into the Property Owner's water retention basins.
- 2) An easement across Property Owner's property from the lot to the retention basins, if required.

f) On-Site Inspections

By acceptance of these conditions Property Owner agrees to allow the County to perform any on-site inspections and testing deemed appropriate to support the acquisition of the lot. (CO: MONITORING - Property Real Estate Management)

2. Survey

The Property Owner shall provide the County with a survey certified to Palm Beach County of the lot prior to the issuance of a Building Permit for the first residential unit. Survey shall reflect the boundary and topographical areas of the lot and the surveyor shall use the following criteria:

a) The survey must meet the Standards of Practice set forth by the Florida Board of Professional Surveyors and Mappers in rule 5J-17.050-.052, Florida Administrative Code, pursuant to section 472.027, Florida Statutes and Countywide PPM CW0-058.

b) If this lot is a portion of Palm Beach Farms, sufficient data to make a mathematical overlay should be provided.

c) The survey, conceptual engineering plan or equivalent deemed acceptable to PREM should include a location of any proposed water retention area that will border the lot and the proposed drainage easement area for storm water outfall from the lot to the development's storm water management system.

Survey is also subject to the County's approval of any proposed or existing easements within the lot and all title exceptions are to be shown on the survey. (BUILDING PERMIT: MONITORING - Property Real Estate Management)

3. Environmental Survey

The Property Owner shall provide PREM with an Environmental Assessment certified to Palm Beach County of the lot prior to the issuance of a Building Permit for the first residential unit. The minimum assessment of the property will be a "Phase I Audit". The audit shall describe the environmental conditions of the property and identify the past and current land use. Prior use of the property (Example: Ag Production, golf course, other uses as determined by County) that creates the possibility of soil and groundwater impacts above environmental target clean up levels will require further soil and ground water investigation and testing, unless waived by County at County's sole discretion.

The assessment will include but not be limited to the following:

a) Review of property abstracts for all historical ownership data for evidence of current and past land use of the lot.

b) Review of local, state, and federal regulatory agency's enforcement and permitting records for indication of prior groundwater or soil contamination. Also, a review of the neighboring property that borders the lot will be required. The review shall include, but not be limited to, Palm Beach county Environmental Resources Management Department Records, and Florida Department of Regulation Records.

The assessment shall reflect whether the lot or any bordering property is on the following lists:

- 1) EPA's National Priorities list (NPL)
- 2) Comprehensive Environmental Response compensation and Liability Act system List (CERCLA)
- 3) Hazardous Waste Data Management System List (HWDMS).

c) Review of current and historical aerial photographs of the lot. Provide a recent aerial showing



the lot and surrounding properties.

d) The results of an on-site survey to describe site conditions and to identify potential area of contamination.

e) Review of Wellfield Protection Zone maps to determine if property is located in a Wellfield Zone. (BUILDING PERMIT: MONITORING - Property Real Estate Management)

4. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the subdivision includes the lot for a future fire-rescue facility. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)

5. The Property Owner shall include in homeowners documents as well as all written sales brochures, sales contracts, and related Subdivision Plans and Site Plans a disclosure statement identifying and notifying prospective homeowners that the estimated fire and emergency medical response time to the subdivision is higher than is standard, and estimated at 10 minutes and 30 seconds or greater depending upon time of day and operating conditions, which will continue until such time as a future fire-rescue facility is delivered to serve the subdivision and surrounding service zone. The Property Owner shall submit documentation of compliance with this condition on an annual basis to the Monitoring Section of Planning, Zoning and Building beginning on October 30, 2026 or other date that is mutually agreeable to the Property Owner and FD&O, and then continuing until all residential lots have been sold. (DATE: MONITORING - Property Real Estate Management)

#### **SITE DESIGN**

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Final Subdivision Plan must be amended to indicate the lot for the proposed Civic dedication. (DRO: ZONING - Zoning)

#### **SCHOOL BOARD**

1. The property owner shall post a notice of annual boundary school assignments for students from this development. A sign 11" X 17" shall be posted in a clear and visible location in all sales offices and models with the following:

##### **"NOTICE TO PARENTS OF SCHOOL AGE CHILDREN"**

School age children may not necessarily be assigned to the public school closest to their residences. Students in Palm Beach County are assigned annually to schools under the authority of the School Board and, by direction of the Superintendent, public school attendance zones are subject to change. Please contact the Palm Beach County School District Boundary Office at (561) 434-8100 for the most current school assignment(s). (ONGOING: SCHOOL BOARD - School Board)

2. Prior to the issuance of the first Certificate of Occupancy (CO), the 10' by 15' school bus shelter shall be constructed by the Property Owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use to the shelter. Maintenance of the bus shelter shall be the responsibility of the residential Property Owner. (CO: MONITORING - School Board)

#### **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: ZONING - 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: ZONING - Zoning)

**DISCLOSURE**

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