

RESOLUTION NO. R-2025- 0859

RESOLUTION APPROVING ZONING APPLICATION DOA-2025-00310
 (CONTROL NO. 1974-00083)
 a Development Order Amendment
 APPLICATION OF Covenant Centre, Inc.
 BY Cotleur & Hearing, Inc., AGENT
 (Covenant Church)

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-2025-00310 was presented to the Board of County Commissioners at a public hearing conducted on June 18, 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 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-2025-00310, the Application of Covenant Centre, Inc., by Cotleur & Hearing, Inc., Agent, for a Development Order Amendment to modify a previously approved Class A Conditional Uses to delete a use (Place of Worship) and amend Conditions of Approval for a General Day Care on 4.08 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 June 18, 2025, 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 G. Marino, Mayor	- Aye
Commissioner Sara Baxter, Vice Mayor	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Joel G. Flores	- Aye
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 June 18, 2025.

Filed with the Clerk of the Board of County Commissioners on June 18, 2025.

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

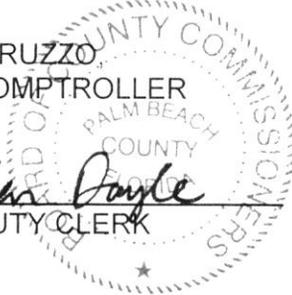


EXHIBIT A

LEGAL DESCRIPTION

THE SOUTH FORTY FEET (40') OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (LESS THE EAST TWENTY FEET (20') THEREOF FOR RIGHT-OF-WAY) AND THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (LESS THE SOUTH FORTY FEET (40') THEREOF AND LESS THE EAST TWENTY FEET (20') THEREOF, FOR RIGHT-OF-WAY), ALL BEING IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST; AND LESS AND EXCEPTING THERE FROM THAT PORTION CONVEYED TO THE STATE OF FLORIDA FOR THE RIGHT-OF-WAY OF STATE ROAD 9 (I-95) BY DEED RECORDED MARCH 25, 1995, IN OFFICIAL RECORDS BOOK 1178, PAGE 193, AND LESS THE EAST 30 FEET LESS THE EXISTING 20 FEET RIGHT OF WAY ON ROAN LANE AS DESCRIBED IN THAT RIGHT OF WAY DEED RECORDED IN OFFICIAL RECORD BOOK 2359 AT PAGE 1215, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$; THENCE AN ASSUMED BEARING OF DUE SOUTH (S01°45'28"W, MEASURED) ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ A DISTANCE OF 290.98 FEET; THENCE SOUTH 89°46'14" WEST (N88°28'18"W MEASURED), A DISTANCE OF 60 FEET; THENCE DUE NORTH (N01°45'28"E MEASURED) A DISTANCE OF 75.98 FEET (75.96 MEASURED); THENCE SOUTH 89°44'27" WEST (N88°30'05"W MEASURED), A DISTANCE OF 19.67 FEET; THENCE NORTH 8°35'14" WEST (N06°49'46"W MEASURED), A DISTANCE OF 257.70 FEET; THENCE NORTH 89°44'27" EAST (S88°30'32"E MEASURED), A DISTANCE OF 118.15 FEET; THENCE DUE SOUTH (S01°45'28"W MEASURED) 40' TO THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 18, TOWNSHIP 42 SOUTH, RANGE 43 EAST.

ALSO KNOWN AS:

ALL OF PLAT "COVENANT CENTRE", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGES 23 AND 24, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS CONTAINING 177,554 SQUARE FEET, 4.076 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

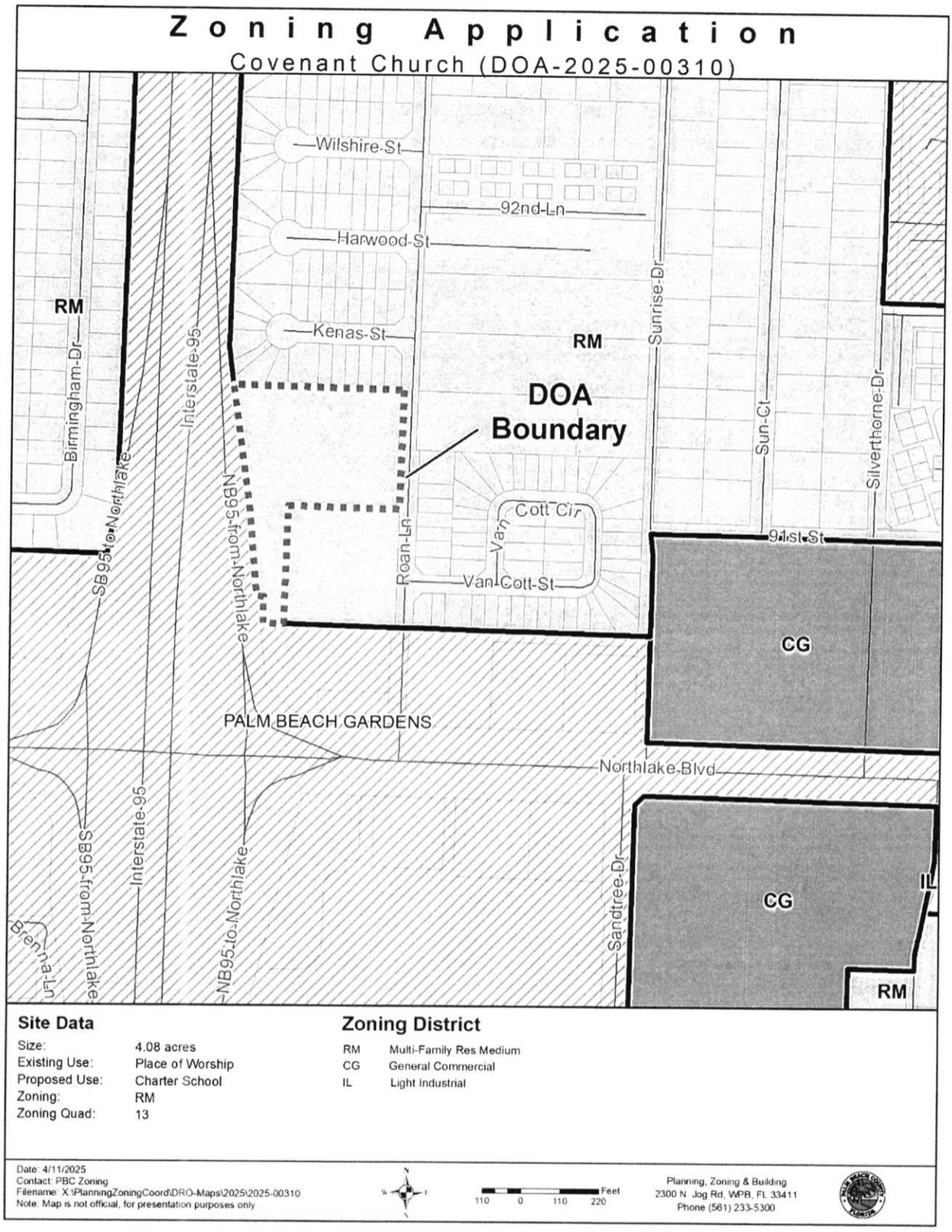


EXHIBIT C

CONDITIONS OF APPROVAL

Development Order Amendment - General Day Care

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2011-0567 (Control 1974-00083), 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 and the Board of County Commissioners or Zoning Commission, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R-2016-01076 (Control 1974-00083), 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 and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

2. Previous ALL PETITIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

The approved Preliminary Site Plan is dated January 14, 2016. 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 or the Zoning Commission.

Is hereby amended to read:

The approved Preliminary Site Plan is dated April 10, 2025. 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)

ARCHITECTURAL REVIEW

1. Prior to site plan approval by the Development Review Officer (DRO), the applicant shall submit a floor plan for Building A. (DRO: ZONING - Zoning) (Previous ARCHITECTURAL REVIEW Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

2. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Charter School structures, Buildings C, D, and E, shall be submitted for review and approval by the Zoning Division. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and shall be generally consistent with the Architectural Elevations dated November 23, 2015. Development shall be consistent with the approved Architectural Elevations, the DRO approved Final Plan, all applicable Conditions of Approval, and all ULDC requirements. (ONGOING: ZONING - Zoning) [Note: COMPLETED] (Previous ARCHITECTURAL REVIEW Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

3. The Applicant shall obtain the applicable building permits for the modifications proposed to increase square footage to Building A. (BLDGPMT/ONGOING: ZONING - Zoning)

ENGINEERING

1. Prior to April 1, 1993 or prior to the issuance of the first Building Permit whichever shall first occur, the Property Owner shall convey to Palm Beach County Land Development Division by road right-of-way warranty deed for Roan Lane, thirty (30) feet from centerline free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer. (BLDGPMT/DATE: MONITORING - Engineering) [Note: COMPLETED] (Previous

ENGINEERING Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

2. Prior to September 28, 2011 or operation of the charter school, whichever shall occur first, the Property Owner shall construct a 5 foot concrete sidewalk along the west side of Roan Lane from the church's north property line to Northlake Boulevard. 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. Prior to construction, the Property Owner shall obtain a permit from the Land Development Division. (DATE/ONGOING: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

3. 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. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 3 of Resolution R-2016-1076, Control No.1974-00083)

4. Prior to final site plan approval by the DRO, the Property Owner shall abandon and, if necessary, relocate the existing right of way on the southern portion of the site. (DRO: ENGINEERING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 4 of Resolution R-2016-1076, Control No.1974-00083)

5. 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.

a. Drainage study shall be provided the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering) [Note: COMPLETED]

b. 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. (BLDGPM/CO: MONITORING - Engineering) [Note: COMPLETED] (Previous ENGINEERING Condition 5 of Resolution R-2016-1076, Control No.1974-00083)

6. 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 site may be issued after December 31, 2020. 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) (Previous ENGINEERING Condition 6 of Resolution R-2016-1076, Control No.1974-00083)

7. If warranted by future conditions as determined by the County Engineer, the Property Owner shall construct a south approach left turn lane on Roan Lane at the project entrance within one year of receipt of notice that the turn lane is warranted. Any and all costs associated with this 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. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 7 of Resolution R-2016-1076, Control No.1974-00083)

8. Previous ENGINEERING Condition 8 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

Prior to any increase in the number of children in the daycare above 34, or the number of students at the charter school above 364, or the number of seats in the church above 441, the Property Owner shall re-construct the two driveway entrances on Roan Lane to meet current Palm Beach County standards for return radii and throat distance requirements. Any and all costs associated with this 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.

Is hereby amended to read:

Prior to any increase in the number of children in the daycare above 34, or the number of students at the charter school above 364, the Property Owner shall re-construct the two driveway entrances on Roan Lane to meet current Palm Beach County standards for return radii and throat distance requirements. Any and all costs associated with this 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. (ONGOING: ENGINEERING - Engineering)

LANDSCAPE - GENERAL

1. All canopy trees required to be planted on site by this approval shall meet the minimum height of fourteen (14) feet. (BLDGPM/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - GENERAL Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

LANDSCAPE - INTERIOR-LANDSCAPING ALONG NORTH, SOUTH AND EAST PROPERTY LINES (ABUTTING RESIDENTIAL ZONING)

2. Landscaping and buffering along the north, south and east property lines adjacent to residentially zoned properties only shall include a minimum five (5) foot wide landscape buffer strip, or the minimum code requirement in the affected areas, whichever is more restrictive, and shall consist of the following:

- a) One (1) native canopy tree planted every twenty (20) feet on center;
- b) One (1) native palm tree for each twenty (20) linear feet, with a maximum spacing of sixty (60) feet on center. A group of three or more palm trees may supersede the requirement for a native canopy tree in that location; and,
- c) Twenty-four (24) 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/ONGOING: ZONING - Zoning)

LANDSCAPE - INTERIOR

3. Prior to the issuance of a CO, or January 1, 2026, which ever occurs first, the Applicant shall obtain approval and complete the installation of missing trees within all parking area landscape islands. (CO/DATE: ZONING - Zoning)

LANDSCAPE - PERIMETER

4. Prior to Final Site Plan Approval the proposed ten (10) foot Utility Easement (UE) shall be located outside of the landscape buffer unless the buffer is a minimum fifteen (15) feet in width with a maximum of five (5) foot overlap consistent with Unified Land Development Code (ULDC) requirements, or the Property Owner may pursue a Variance. (DRO/ONGOING: ZONING - Zoning) (Previous LANDSCAPE - PERIMETER Condition 4 of Resolution R-2016-1076, Control No.1974-00083)

LIGHTING

1. All outdoor lighting fixtures shall not exceed fifteen (15) feet in height measured from finished grade. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning) (Previous LIGHTING Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

2. All outdoor lighting shall be extinguished no later than 11:00 p.m. Security lighting only is excluded from this requirement. (ONGOING: CODE ENF - Zoning) (Previous LIGHTING Condition 2 of Resolution R-2016-1076, Control No.1974-00083)

SIGNS

1. Signs fronting on Roan Lane shall be limited as follows:

- a. Maximum sign height, measured from crown of road - eight (8) feet;
- b. Maximum sign face area per side - 60 square feet;
- c. Maximum number of signs - one (1). (BLDGPM/ONGOING: BUILDING DIVISION - Zoning) (Previous SIGNS Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

SITE DESIGN-PARKING AREA

1. Prior to Final Site Plan Approval the parking area shall be reconfigured consistent of the Site Plan dated July 13, 2011, or reconfigured consistent with Unified Land Development Code (ULDC) requirements, or the Property Owner may pursue a Variance. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

SITE DESIGN

2. Prior to Final Site Plan approval by the Development Review Officer (DRO), the square footages for Buildings C, D and E may be modified to relocate approximately 200 square feet from Building C, to Buildings D and E. (DRO: ZONING - Zoning) [Note: COMPLETED] (Previous SITE DESIGN Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

USE LIMITATIONS-ALL USES

1. No outdoor loudspeaker system audible off site shall be permitted. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 1 of Resolution R-2016-1076, Control No.1974-

00083)

USE LIMITATIONS-PLACE OF WORSHIP

2. Previous USE LIMITATIONS Condition 2 of Resolution R-2016-1076, Control No.1974-00083, which currently states:

The Place of Worship shall be limited to a maximum of 441 seats. The number of seats may be increased up to 546 subject to the approval of a Type II Variance or a Shared Parking Agreement. (ONGOING: CODE ENF - Zoning)

Is hereby deleted. [REASON: No longer applicable, the use is deleted.]

USE LIMITATIONS-GENERAL DAYCARE

3. The Day Care Center shall be limited to a maximum of thirty-four (34) children. (ONGOING: CODE ENF - Zoning) (Previous USE LIMITATIONS Condition 3 of Resolution R-2016-1076, Control No.1974-00083)

UTILITIES-IRRIGATION QUALITY WATER

1. When irrigation quality water is available within 500 feet of the property, the petitioner shall connect to the system subject to permitting and/or requirements of the Florida Department of Environmental Regulations and/or the South Florida Water Management District. The cost for connection shall be borne by the property owner. (ONGOING: SEACOAST UTILITIES - Seacoast Utilities) (Previous UTILITIES Condition 1 of Resolution R-2016-1076, Control No.1974-00083)

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.