

RESOLUTION APPROVING ZONING APPLICATION Z-2018-00613  
(CONTROL NO. 2018-00030)  
an Official Zoning Map Amendment  
APPLICATION OF Place of Hope Inc.  
BY Cotleur & Hearing, Inc., AGENT  
(Place of Hope Commercial West)

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-2018-00613 was presented to the Board of County Commissioners at a public hearing conducted on October 25, 2018;

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.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Application Z-2018-00613, the Application of Place of Hope Inc., by Cotleur & Hearing, Inc., Agent, for an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District with a Conditional Overlay Zone (COZ), 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 25, 2018, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Valeche moved for the approval of the Resolution.

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

Commissioner Melissa McKinlay, Mayor	- Aye
Commissioner Mack Bernard, Vice Mayor	- Aye
Commissioner Hal R. Valeche	- Aye
Commissioner Paulette Burdick	- Aye
Commissioner Dave Kerner	- Aye
Commissioner Steven L. Abrams	- Aye
Commissioner Mary Lou Berger	- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on October 25, 2018.

Filed with the Clerk of the Board of County Commissioners on November 5th, 2018.

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

SHARON R. BOCK,  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



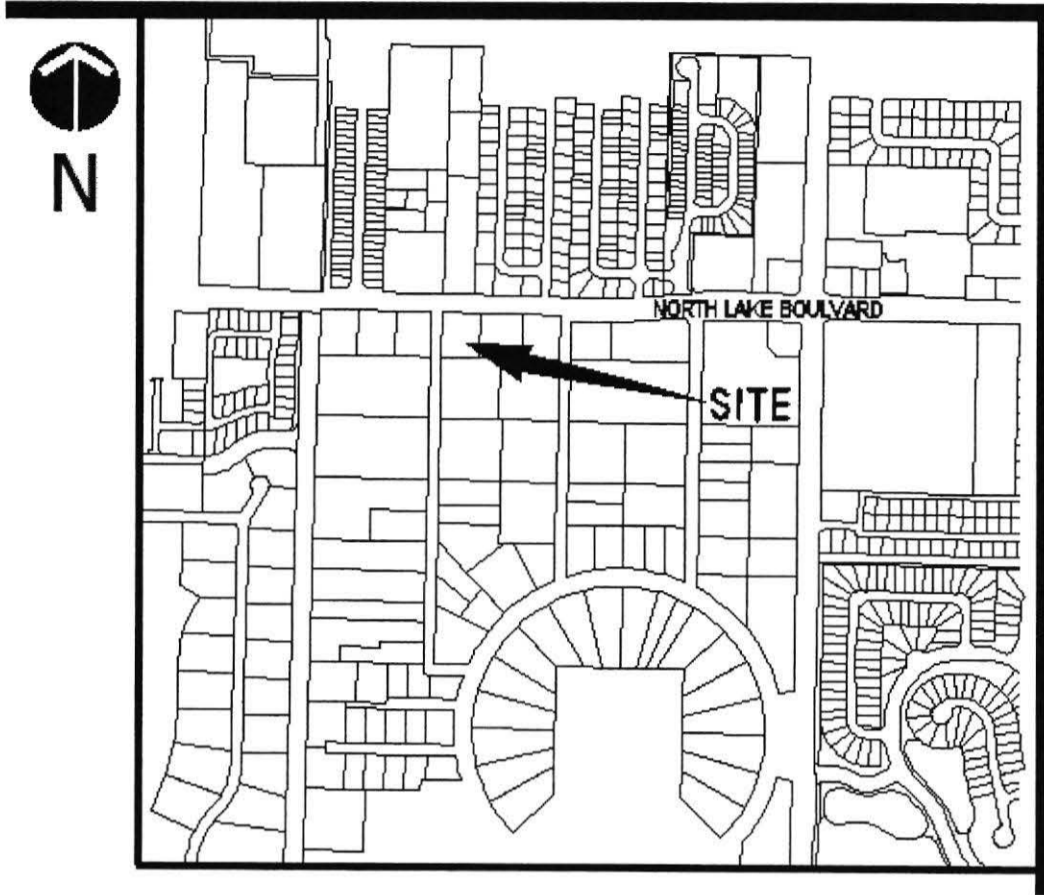
EXHIBIT A  
LEGAL DESCRIPTION

LEGAL DESCRIPTION:

THE WEST 200 FEET OF LOT 69, SQUARE LAKE, A SUBDIVISION OF PALM BEACH COUNTY, FLORIDA ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR SAID COUNTY, IN PLAT BOOK 23, PAGE 141, LESS THE NORTH 7.45 FEET THEREOF CONVEYED TO THE STATE OF FLORIDA IN DEED BOOK 986, PAGE 349.

CONTAINING: 1.065 +/- ACRES, 46,392 SQ FT.

EXHIBIT B  
VICINITY SKETCH



## EXHIBIT C

### CONDITIONS OF APPROVAL

#### Official Zoning Map Amendment

##### ARCHITECTURAL REVIEW

1. At time of submittal for Final Approval by the Development Review Officer (DRO), the Architectural Elevations for the Business, Professional or Medical Offices, shall be consistent with elevations submitted and approved for the Lane Outreach center to the east Control No 2016-00142. Architectural Elevations shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC) and all applicable Conditions of Approval, and all ULDC requirements. (DRO/ONGOING: ZONING - Zoning)

##### ENGINEERING

1. Prior to the issuance of the first building permit, the Property Owner shall configure the property into a legal lot of record in accordance with provisions of Article 11 of the Unified Land Development Code or as otherwise approved by the County Engineer. (BLDGPMPT: MONITORING - Engineering)

2. The Property Owner shall provide to the Palm Beach County Right of Way Section of Roadway Production Division a warranty deed for road right of way and all associated documents as required by the County Engineer for Northlake Boulevard, 60 feet, measured from centerline of the proposed right of way on an alignment approved by the County Engineer

All warranty deed(s) and associated documents, including a title policy naming Palm Beach County as an insured, shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property Owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Property Owner must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Property Owner, the Property Owner agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney s fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. The Property Owner shall provide to the Right of Way Section a tax pro-ration. A check, made payable to the Tax Collector s Office, shall be submitted by the Property Owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDGPMPT/ONGOING: MONITORING - Engineering)

3. Access to this site from N Elizabeth Avenue shall be restricted to emergency access only. (ONGOING: ENGINEERING - Engineering)

##### LANDSCAPE - PERIMETER-ALONG THE SOUTH PROPERTY LINE (ABUTTING RESIDENTIAL)

1. In addition to Code requirements, landscaping along the south property line shall be upgraded to include:

- a minimum six (6) foot high concrete panel wall; and,
- the wall shall be connected to the perimeter wall to the east, Control No. 2016-00142 Lane Outreach Center. (BLDGPMPT/ONGOING: ZONING - Zoning)

## **LANDSCAPE - PERIMETER-ALONG THE WEST PROPERTY LINE (ABUTTING NORTH ELIZABETH AVENUE)**

2. In addition to Code requirements, landscaping along the west property line shall be upgraded to include:
  - a. a minimum six (6) foot high concrete panel wall, with exception to the emergency entrance gate referenced in Use Limitation Condition 3; and,
  - b. the wall shall extend from the west corner of the south perimeter wall and extend north along the road to a point generally parallel with the north elevation of the proposed building. (BLDGPMT/ONGOING: ZONING - Zoning)

## **LANDSCAPE - GENERAL**

3. The Property Owner shall be responsible for maintenance of landscaping under the FPL overhead power lines. (ONGOING: ZONING - Code Enforcement)

## **PLANNING**

1. Per SCA-2018-017 condition 1: Vehicular and pedestrian connections shall provide cross access to the property to the east to ensure access to Northlake Boulevard. (DRO/ONGOING: PLANNING - Planning)
2. Per SCA-2018-017 Condition 2: Prior to final plan approval by the Development Review Officer, a unity of control approved by the County Attorney shall be recorded on the property subject to this amendment and the property to the east that was subject to Amendment Number SCA 2017-004, adopted by Ordinance Number 2017 010. The unity of control shall include cross-access between the two properties. (DRO: PLANNING - Planning)
3. Prior to the release of the first Certificate of Occupancy, all proposed cross access locations shown on the certified plans, shall be paved to the property line and operational. (CO: MONITORING - Planning)

## **SIGNS**

1. Ground Mounted Freestanding signs fronting on Northlake Boulevard shall be limited as follows:
  - a. maximum sign height - ten feet, measured from finished grade to highest point;
  - b. maximum sign face area per side - 100 square feet;
  - c. maximum number of signs - one; and,
  - d. style - monument style only and shall not be backlit. (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning)
2. No free standing signage shall be permitted on North Elizabeth Avenue. Directional signage may be permitted. (BLDGPMT/ONGOING: BUILDING DIVISION - Zoning)

## **USE LIMITATIONS**

1. Prior to the Issuance of a Demolition Permit for the existing structures on the subject property, the Property Owner shall enter into a Contract with a licensed exterminator for the removal and control of any rodents on the subject property. A copy of this Contract or other acceptable documentation shall be submitted to the Building Division to verify compliance. (BLDGPMT: BUILDING DIVISION - Zoning)
2. Hours of business operation shall be limited to 7:00 a.m. to 9:00 p.m. daily. (ONGOING: ZONING - Code Enforcement)
3. Prior to Certificate of Occupancy for any building, a minimum six (6) foot high opaque gate with a Knox Box shall be provided on the North Elizabeth Avenue emergency access point and connected to the wall(s) located in the west Right-of-Way buffer wall. (CO/ONGOING: ZONING - Zoning)

## **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.