

RESOLUTION NO. R-2023- 0375

RESOLUTION REVOKING RESOLUTIONS R-1985-289 and R-2016-1830  
(CONTROL NUMBER 1984-00153)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN-2022-01654

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-1984-153 the application of Congregation Aitz Chaim, by Timonthy L. Lunney, Agent, for a Special Exception to allow a Temple; was presented to the Board of County Commissioners at a Public Hearing on November 1, 1984; and Zoning Application DOA-2015-2529, the application of Congregation Aitz Chaim of WPB, by Kaller and Associates, Agent, to allow a Development Order Amendment to reconfigure the site plan; add square footage; and add land area was presented to the Board of County Commissioners at a public hearing on December 7, 2016;

WHEREAS, Zoning Application ABN-2022-1654, the application of Congregation of Aitz Chaim of WPB Inc by WGINC Agent, for a Development Order Abandonment to abandon a special exception to allow a Temple, with prior modifications on 3.69 acres was presented to the Board of County Commissioners at a public hearing conducted on March 23, 2023

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 Resolution R-1985-289, approving Zoning Application SE-1984-153, the application of Congregation Aitz Chaim, by Timonthy L. Lunney, Agent, for a Special Exception to allow a Temple; and Resolution R-2016-1830, approving Zoning Application DOA-2015-2529, the application of Congregation Aitz Chaim of WPB, by Kaller and Associates, Agent, to allow a Development Order Amendment to reconfigure the site plan; add square footage; and add land area are hereby revoked.

Commissioner  Bernard  moved for the approval of the Resolution.

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

Commissioner Gregg K. Weiss, Mayor	- Aye
Commissioner Maria Sachs, Vice Mayor	- Aye
Commissioner Maria G. Marino	- 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 March 23, 2023.

Filed with the Clerk of the Board of County Commissioners on March 24, 2023

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 DESCRIPTION

**Resolution R-1985-289**

South 1/2 of West 3/5 of South 1/2 of Southwest 1/4 of Southwest 1/4 of Northwest 1/4 of Section 24, Township 43 South, Range 42 East, less the West 50 feet for Haverhill Road right-of-way.

**Resolution R-2016-1830**

PARCEL A: PER (ORB 04440, PG. 1020, P/B.C.R.)

THE SOUTH 1/2 OF THE WEST 3/5 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE WEST 50 FEET THEREOF.

PARCEL B: PER ORB 12323, PG. 146, P/B.C.R.

THE NORTH HALF OF THE WEST THREE-FIFTHS (W3/5) OF THE SOUTH HALF (S1/2) OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHWEST QUARTER (SW1/4) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, LESS THE WEST 50 FEET FOR RIGHT OF WAY OF HAVERHILL ROAD.

PARCEL C: PER ORB 6664, PG. 795, P/B.C.R.

THE WEST 1/2 OF THE EAST TWO FIFTHS (E 2/5TH) OF THE SOUTH 1/2 OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA.

ALSO KNOWN AS:

THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 24, TOWNSHIP 43 SOUTH, RANGE 42 EAST, LESS THE EAST 1/5 AND THE WEST 50 FEET FOR HAVERHILL ROAD, AS CONVEYED IN O.R. BOOK 840, PAGE 426 AND THAT PORTION CONVEYED IN O.R. BOOK 4726, PAGE 1008, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

For a total of 3.69 acres, more or less