

RESOLUTION NO. R-2025- 0704

RESOLUTION APPROVING ZONING APPLICATION SV/ZV/PDD-2024-01422
(CONTROL NO. 2021-00127)

an Official Zoning Map Amendment to a Planned Development District

APPLICATION OF Karen and Roger Fina

BY JMorton Planning & Landscape Architecture, AGENT

(West Atlantic RV Resort)

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 SV/ZV/PDD-2024-01422 was presented to the Board of County Commissioners at a public hearing conducted on May 22, 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 an Official Zoning Map Amendment to a Planned Development District;

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 SV/ZV/PDD-2024-01422, the Application of Karen and Roger Fina, by JMorton Planning & Landscape Architecture, Agent, for an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Recreational Vehicle Planned Development (RVPD) Zoning District on 10.11 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 May 22, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Flores 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	-	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 May 22, 2025.

Filed with the Clerk of the Board of County Commissioners on May 27th, 2025

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2024-0011.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

JOSEPH ABRUZZO,
CLERK & COMPTROLLER

BY: 
COUNTY ATTORNEY

BY: 
DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 13, TOWNSHIP 46 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHWEST CORNER OF SAID SECTION 13, RUN THENCE N89°08'33"E ALONG THE SOUTH LINE OF SAID SECTION 13 A DISTANCE OF 992.68 FEET; THENCE N00°51'27"W A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING; RUN THENCE N45°36'59"W A DISTANCE OF 35.50 FEET; THENCE N00°22'29"W A DISTANCE OF 282.33 FEET; THENCE N89°37'30"E, A DISTANCE OF 1461.99 FEET; THENCE S00°22'30"E A DISTANCE OF 295.23 FEET; THENCE ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF DELRAY WEST ROAD S89°08'33"W A DISTANCE OF 1436.83 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 440,306 SQUARE FEET 10.108 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

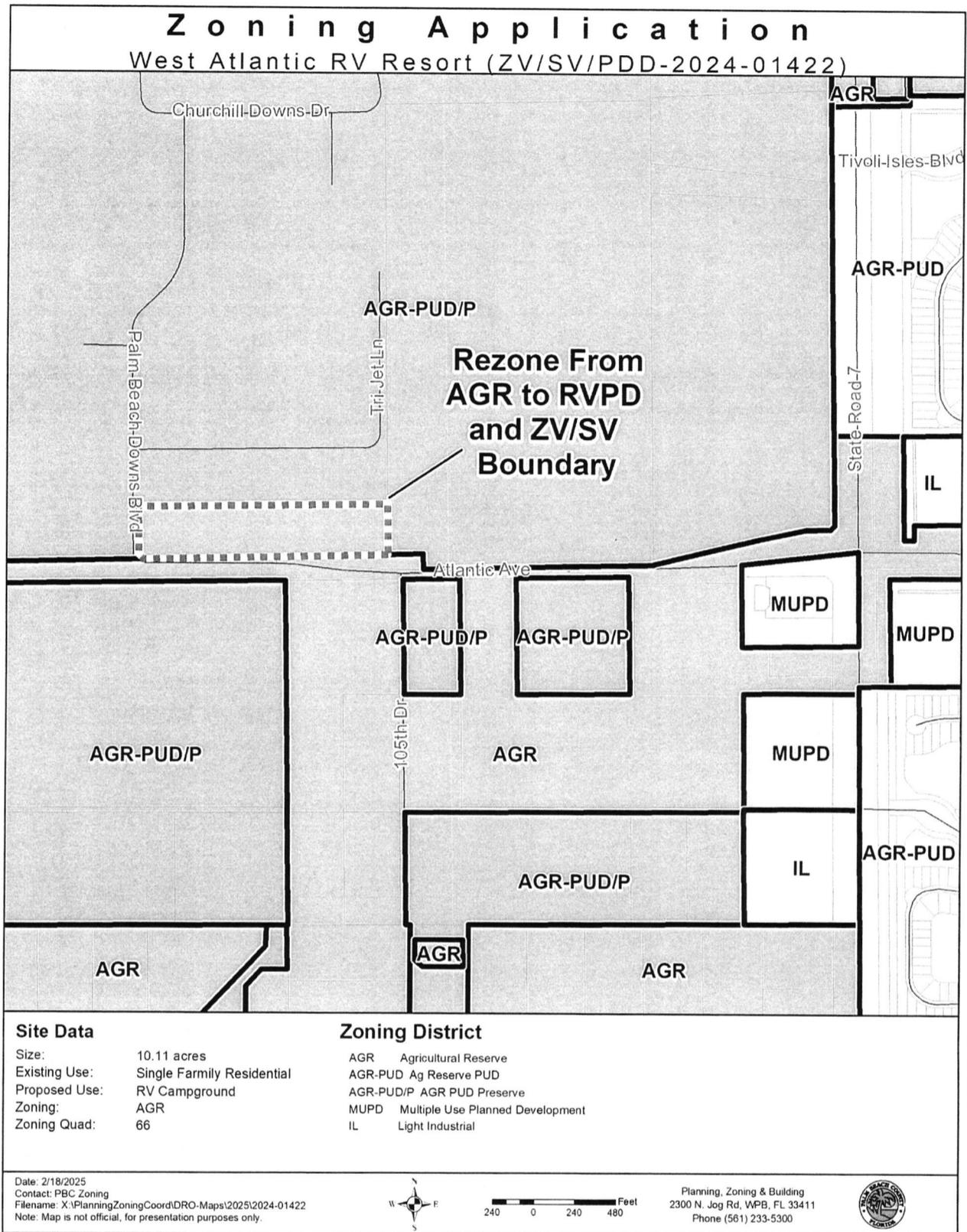


EXHIBIT C

CONDITIONS OF APPROVAL

Non Residential Planned Development District

ALL PETITIONS

1. The approved Preliminary Site Plan is dated March 13, 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)
2. On January 1st of each year, an Annual Time Limitations Report shall be submitted to Zoning Division, pursuant to Article 3.E.6.D Time limitations. (DATE: MONITORING – 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. (BLDGPMT: MONITORING - Engineering)
2. Prior to the issuance of the first building permit, the Property Owner shall abandon or release, and relocate if necessary, any and all easements shown in conflict with the existing or proposed structures. (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.
 - a. Drainage study shall be provided to the Land Development Division prior to final approval of the Site Plan by the DRO. (DRO: ENGINEERING - Engineering)
 - 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. (BLDGPMT/PLAT: MONITORING - Engineering)
4. No Building Permits for the site may be issued after December 31, 2028. 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)

ENVIRONMENTAL

1. All trees and shrubs to be planted and maintained on the parcel shall be native to South Florida or as approved by ERM in writing. Native tree species such as Live Oak, Maple, Mahogany, Dahoon Holly, Red Bay, Cypress shall be included. Pines, Laurel Oaks, and Cabbage Palms are not to be planted as part of the onsite vegetation. Native shrubs such as Coco Plum, Wild Coffee, Fire Bush, Beauty Berry, White Stopper, Simpson Stopper, Spanish Stopper shall be included. (BLDGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
2. Onsite lighting shall be designed and shielded so that light shall be contained on the property and that direct or indirect light shall be shielded from the Arthur R. Marshall Loxahatchee National Wildlife Refuge. The Lighting Plan shall be approved by the Department of Environmental Resources Management (ERM) prior to Building Permit. (BLDGPMT: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)
3. Prior to the final approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM). If the results of the Phase II Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

LIGHTING

1. The maximum height of the lighting and for the internal recreation areas shall be a maximum of 15 feet from finished grade to highest point. The maximum / minimum illumination at the recreational areas shall be 10:1. The maximum footcandles at the Parcel line for the recreation area 0.30. (BLDGPMPT: ZONING – Zoning)
2. Other lighting allowed internal to the development shall be as follows:
 - a. Pathway type lighting shielded downward
 - b. Located next to the internal driveway.
 - c. Maximum height of three feet.
 - d. This lighting is encouraged to be incorporated into any signage identifying the individual numbering of the lots. (BLDGPMPT: ZONING – Zoning)
3. Maximum illumination at the property line of the RV development shall be 0.00 foot candles. (BLDGPMPT: ZONING – Zoning)

PLANNING

1. Per LGA 2024-011, Condition 1: The site shall be limited to up to 121 recreational vehicle spaces and accessory uses as allowed within the ULDC. All other uses allowed within the CR FLU shall be prohibited. (ONGOING: PLANNING - Planning)

SIGNAGE

1. Digital Display type signs are prohibited. (BLDGPMPT/ONGOING: ZONING – Zoning)

SITE DESIGN

1. Prior to final approval by the DRO, the site plan shall be revised to meet the minimum ULDC required setbacks, should the ULDC not be amended to allow the setbacks as shown on the site plan.. (DRO: ZONING – Zoning)
2. Prior to final approval by the DRO, a five foot pedestrian cross access pathway shall be indicated on the site plan that provides connectivity to the West Delray Regional Park. (DRO: ZONING – Zoning)
3. Prior to the issuance of a CO, the five foot pedestrian cross access pathway that provides connectivity to the West Delray Regional Park shall be constructed. (CO: ZONING – Zoning)
4. Prior to final approval by the DRO, the site plan shall be revise to reduce the impervious area of the campsite lots to the following:
 - a. The 25 ft. wide lots shall have a minimum of 10 feet of pervious grass area with a maximum width of the impervious area is 15 feet.
 - b. The 20 ft. wide lots shall have a minimum of 5 feet of pervious grass area with a maximum width of the impervious area is 15 feet. (DRO: ZONING – Zoning)

UTILITIES

1. Prior to Final Site Plan approval by the Development Review Officer, the applicant must submit the Utility Concurrency Letter. (DRO: PBC WATER UTILITIES - Zoning)
2. Prior to the issuance of the first building permit, the site must be connected to water and sewer. Offsite utility improvements are required. (BLDGPMPT: PBC WATER UTILITIES - 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: 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.