

RESOLUTION NO. R-2025- 1021

RESOLUTION APPROVING ZONING APPLICATION DOA/CA-2024-01788  
(CONTROL NO. 1989-00066)  
a Class A Conditional Use  
APPLICATION OF Treetop Academy of Jupiter, LLC  
BY 2GHO, Inc., AGENT  
(Tree Top Academy )

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/CA-2024-01788 was presented to the Board of County Commissioners at a public hearing conducted on July 24, 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 DOA/CA-2024-01788, the Application of Treetop Academy of Jupiter, LLC, by 2GHO, Inc., Agent, for a Class A Conditional Use to allow a Private School (90 students K through 5th Grade) on 4.49 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 July 24, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof.

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

- Aye  
- Aye  
- Aye  
- Absent  
- Aye  
- Aye  
- Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on July 24, 2025.

Filed with the Clerk of the Board of County Commissioners on July 24th, 2025.

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

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 40 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

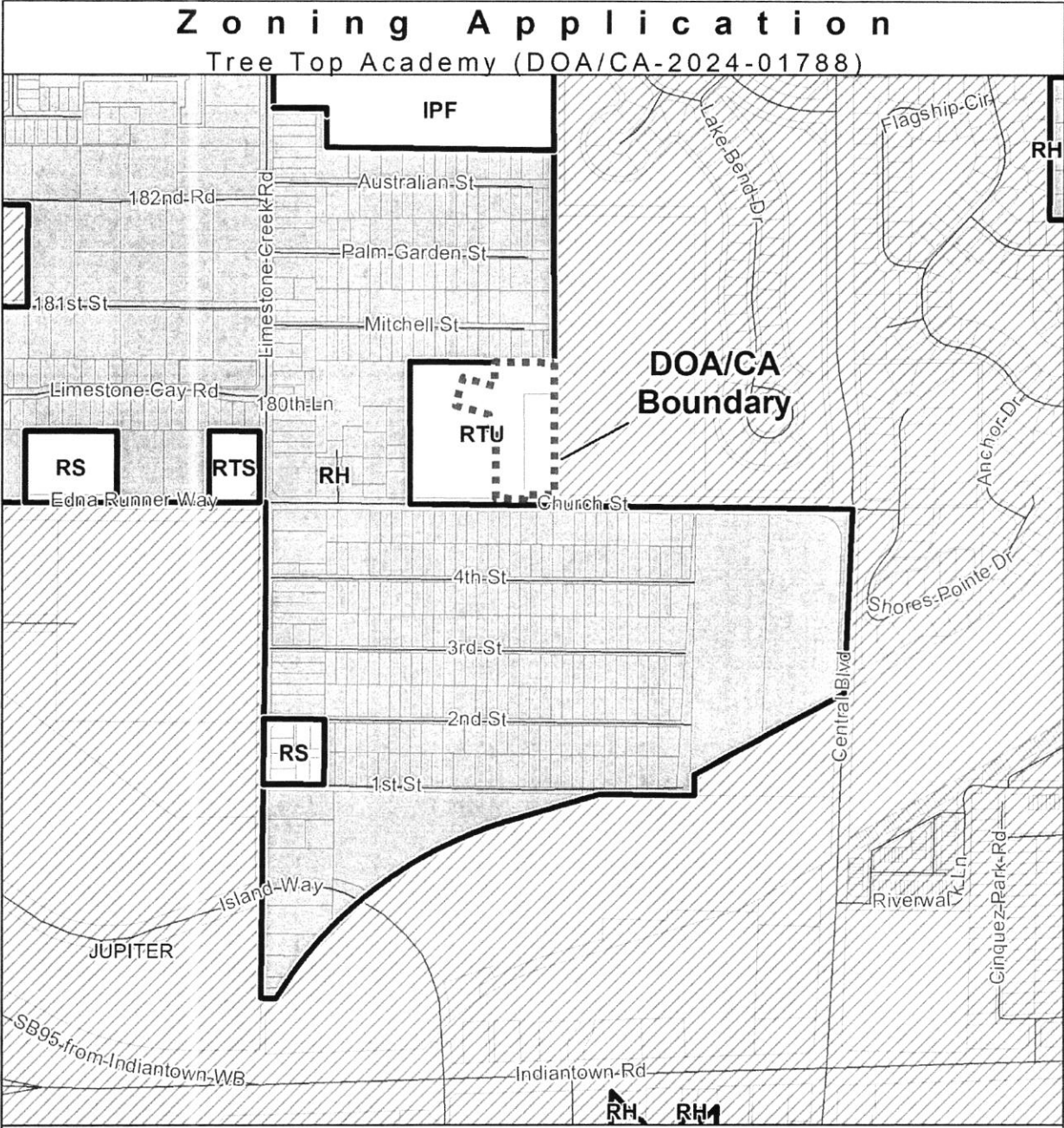
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 34, SOUTH 89°15'49" EAST, A DISTANCE OF 669.30 FEET TO THE INTERSECTION THEREOF WITH THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE ALONG SAID WEST LINE, NORTH 00°04'30" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, AS DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG A LINE PARALLEL WITH AND 30.00 FEET NORTH OF, AS MEASURED AT RIGHT ANGLES TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34 AND SAID EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, SOUTH 89°45'49" EAST, A DISTANCE OF 397.06 FEET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL OF LAND;

THENCE DEPARTING SAID EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET, NORTH 00°00'00" WEST, A DISTANCE OF 323.14 FEET; THENCE NORTH 90°00'00" WEST, A DISTANCE OF 35.23 FEET; THENCE NORTH 00°44'09" EAST, A DISTANCE OF 65.67 FEET; THENCE NORTH 74°56'03" WEST, A DISTANCE OF 159.02 FEET; THENCE NORTH 15°03'57" EAST, A DISTANCE OF 134.84 FEET; THENCE SOUTH 74°56'03" EAST, A DISTANCE OF 150.90 FEET; THENCE NORTH 00°44'09" EAST, A DISTANCE OF 111.80 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE ALONG SAID NORTH LINE, SOUTH 89°25'24" EAST, A DISTANCE OF 276.07 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 34; THENCE ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER, OF THE SOUTHWEST QUARTER, OF THE SOUTHWEST QUARTER OF SECTION 34, SOUTH 00°10'03" EAST, A DISTANCE OF 613.63 TO A POINT ON THE AFOREMENTIONED EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET AND THE NORTHEAST CORNER OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 6428, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE ALONG SAID EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET AND ALONG A LINE 50.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED AT RIGHT ANGLES TO SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 34 AND ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 6428, PAGE 6, NORTH 89°15'49" WEST, A DISTANCE OF 140.00 FEET; THENCE ALONG THE WEST LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 6428, PAGE 6 AND CONTINUE ALONG SAID EXISTING NORTH RIGHT OF WAY LINE, SOUTH 00°10'03" EAST, A DISTANCE OF 20.00 FEET TO THE INTERSECTION THEREOF WITH THE NORTH LINE OF THAT PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE CONTINUE ALONG SAID EXISTING NORTH RIGHT OF WAY LINE OF CHURCH STREET AND ALONG THE NORTH LINE OF SAID PARCEL OF LAND DESCRIBED IN OFFICIAL RECORD BOOK 3887, PAGE 643, NORTH 89°15'49" WEST, A DISTANCE OF 132.20 FEET TO THE POINT OF BEGINNING.

CONTAINING 195,613 SQUARE FEET OR 4.491 ACRES, MORE OR LESS.

EXHIBIT B

VICINITY SKETCH





## EXHIBIT C

### CONDITIONS OF APPROVAL

#### **Class A Conditional Use – Private School**

##### **ALL PETITIONS**

1. The approved Preliminary Site Plan is dated May 21, 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)

##### **ENGINEERING**

1. Pursuant to the Traffic Analysis dated April 22, 2025, the Buildout Date is December 31, 2028. 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)

2. The Private School shall have adequate school staff stationed at strategic locations to guide vehicular queue for a smooth operation during drop-off and pick-up periods. (ONGOING: ENGINEERING - Engineering)

3. The Private Elementary School shall have a minimum of 30 minutes of staggered operation regarding start and end times compared to those of the adjacent Limestone Creek Elementary School (ONGOING: ENGINEERING - Engineering)

##### **PLANNING**

1. Prior to Final Site Plan approval, the property owner shall obtain a Certificate to Dig (CTD) from the County Archaeologist. (DRO: PLANNING - Planning)

2. Should any archaeological artifacts be uncovered during development or soil disturbing activity, excavation shall halt; the County Archaeologist contacted and allowed to comment on the significance of the find as provided for in Article 9 of the ULDC. (ONGOING: PLANNING)

##### **SIGNS**

1. Signage for the entire development shall be limited as follows:

a. No additional signage shall be permitted on Church Street. Replacement or relocation of the existing freestanding sign shall be limited as follows:

1) Maximum sign height, measured from finished grade to highest point - six (6) feet;

2) Maximum total sign face area - 60 square feet;

3) Maximum number of signs - one (1); Style - monument style only; and, Location - Church Street. (BLDGPMT/DRO: ZONING - Zoning)

2. Prior to final approval by the Development Review Officer, the Property Owner shall submit a Master Sign Plan, in compliance with the proposed Conditions of Approval, , to indicate the signage for the entire development. (DRO: ZONING - Zoning)

##### **USE LIMITATIONS**

1. The Private School shall be limited to Kindergarten through 5th grade with a maximum of 90 children. (ONGOING: ZONING - Zoning)

2. Hours of operation for outdoor activities shall be limited to 7:00 a.m. to 7:00 p.m. daily, (ONGOING: ZONING - Zoning)

3. No outdoor loudspeaker system shall be permitted on site. (ONGOING: CODE ENF - 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.