

RESOLUTION NO. R-2025-118

RESOLUTION APPROVING ZONING APPLICATION CA/W-2024-01800
(CONTROL NO. 2000-00088)
a Class A Conditional Use
APPLICATION OF West Palm Beach Baptist Seventh
BY Shutts and Bowen, LLP, AGENT
(Seventh at Haverhill)

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 CA/W-2024-01800 was presented to the Board of County Commissioners at a public hearing conducted on August 28, 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 CA/W-2024-01800, the Application of West Palm Beach Baptist Seventh, by Shutts and Bowen, LLP, Agent, for a Class A Conditional Use to allow the Transfer of Development Rights in excess of 2 units per acre on 3.37 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 August 28, 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 Flores 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 August 28, 2025.

Filed with the Clerk of the Board of County Commissioners on August 28, 2025.

This resolution shall not become effective unless or until the effective date of the Large Scale Land Use Amendment No. LGA-2025-009.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

BY: 
COUNTY ATTORNEY

MICHAEL A. CARUSO
CLERK & COMPTROLLER

BY:


DEPUTY CLERK



EXHIBIT A

LEGAL DESCRIPTION

TRACT 1 AND 2, HAVERHILL ACRES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 20, PAGE 75 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE EASTERLY 25 FEET LYING WITHIN THE RIGHT OF WAY OF HAVERHILL ROAD.

CONTAINING 3.37 ACRES, MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

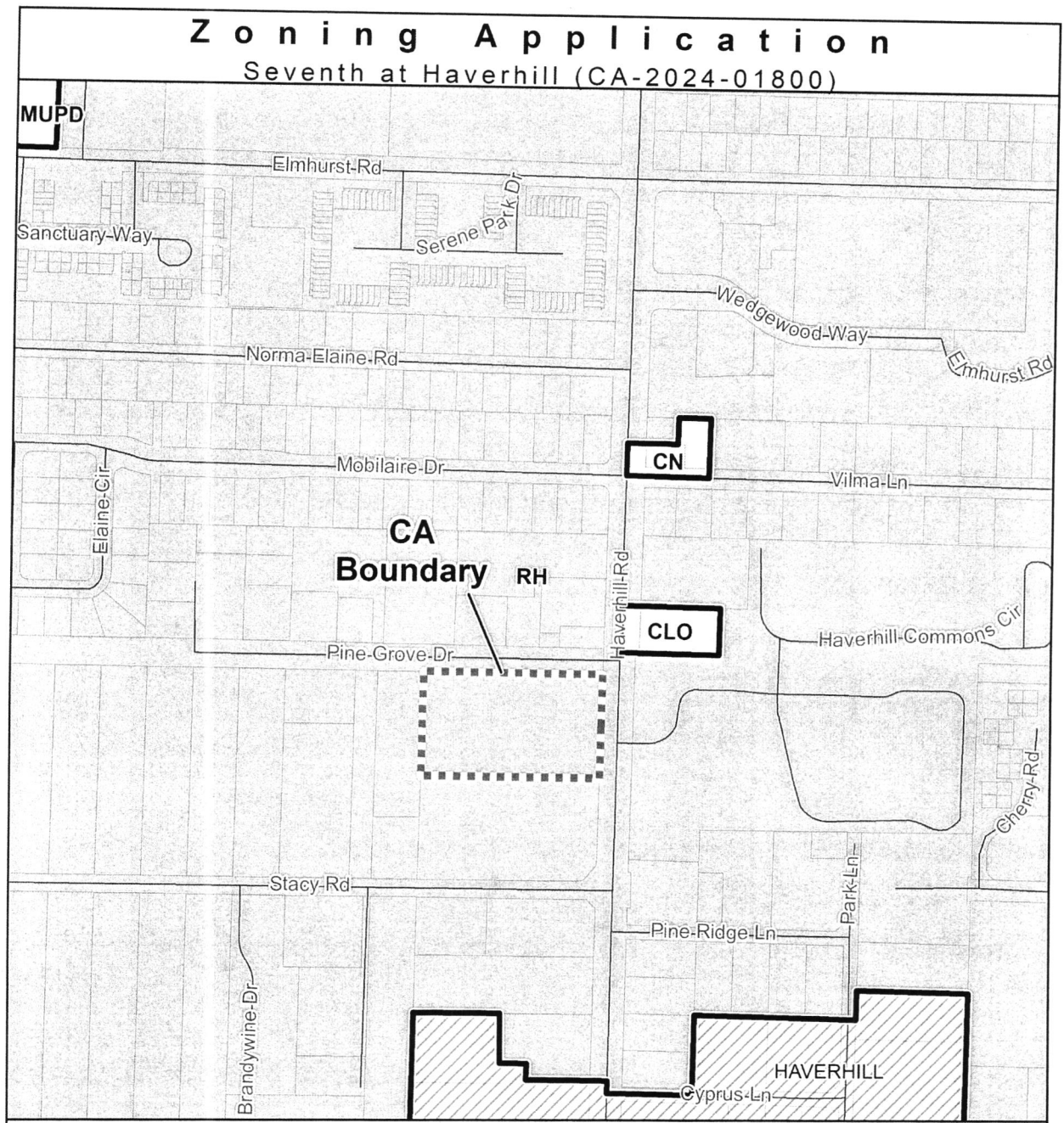


EXHIBIT C

CONDITIONS OF APPROVAL

Class A Conditional Use

ALL PETITIONS

1. The Preliminary Site Plan is dated May 27, 2025, and the preliminary Architectural Elevations are dated June 12, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses, elevations, 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 final approval by the Development Review Officer, the Architectural Elevations, floor plans and roof plans shall be submitted for review and approval consistent with the requirements of the ULDC and the Conditions of Approval. (DRO: ZONING - Zoning)

2. Prior to the issuance of the Certificate of Occupancy, decorative paint shall be provided on the east façade generally consistent with the Architectural Elevations dated June 12, 2025. Any modifications or removal of the decorative paint shall be reviewed and approved by the Development Review Officer in compliance with Article 5.C. (CO/ONGOING: ZONING - Zoning)

3. Prior to final approval by the Development Review Officer, Architectural Elevations and the Site Plan shall be revised to include the architectural elements as follows:

a. Roofline: Articulated parapet along 30% of the roof line for each elevation or two or more breaks/slopes per Facade;

b. Facade: Exterior treatment on all sides of the structure with a minimum of two building materials and incorporation of a decorate pattern to comply with the blank wall requirements;

c. Facade: Fenestration Details. In addition to the provision of windows for the residential units, architectural features that provide a more residential in design shall be incorporated around the windows. This may include but not limited to sills, shutters, reveals, trims, cornices, arches, accent tiles, etc.;

d. Entries: To provide Primary Entry Feature Design Element and Secondary Decorative Treatment for the Residential primary public entry on the north facade and the Place of Worship primary public entry on the south facade; and

e. Multi-family Design Elements: A minimum of 26% of the residential units shall have balconies or a patio. Each balcony/patio shall be covered with a roof.

(DRO: ZONING - Zoning)

4. Prior to final approval by the Development Review Officer, Architectural Elevations and the Site Plan shall be revised to include the architectural elements required by ULDC Article 5.C as follows:

a. Facade: 20 percent Recesses and projects along the west facade; and

b. Roofline: Addition of a Secondary Roof Treatment such as cornices, dormers, cupolas, rafter tails, other decorate roof details. (DRO: ZONING - Zoning)

ENGINEERING

1. Pursuant to the Traffic Analysis dated January 27, 2025, the Buildout Date is December 31, 2029. No Building Permits for the site may be issued after December 31, 2029. 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. 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. (BLDGPM: MONITORING - Engineering)

3. The dry detention/ multipurpose recreation area shall be designed so inundation does not persist for more than eight hours following cessation of the three-year, 24-hour rainfall event, or as approved by the County Engineer. (ONGOING: ENGINEERING - Engineering)

4. 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 by the plat or recorded prior to issuance of the first building permit, whichever shall occur first. (BLDGPMPT/PLAT: ENGINEERING - Engineering)

5. 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 proposed structures. (BLDGPMPT: MONITORING - Engineering)

PALM TRAN

1. Prior to the issuance of the final Certificate of Occupancy, the Property Owner shall construct a mass transit shelter with appropriate access, lighting, and a trash receptacle, and shall be subject to the approval by Palm Tran. The location of the shelter shall be within an approved Bus Stop Boarding and Alighting Area easement. The responsibility as to the costs associated with the construction and perpetual maintenance shall be determined at the time of recordation of the easement. (CO: MONITORING-Palm Tran)

PLANNING

1. The subject Development Order for the 101 multifamily rental units with a 93% Affordable Housing Program (AHP) density bonus and a 101-unit (100%) AHP obligation was calculated based on an AHP Analysis Letter dated November 12, 2024 and Conditions of Approval contained within LGA 2025-009. All 101 AHP units are to be provided on-site. (ONGOING: PLANNING - Planning)

2. Prior to Final Approval by the Development Review Officer (DRO), the Property Owner shall meet the requirements of ULDC Article 5.G.2.F.2. by one of the following options:

- a. record in the Public Records of Palm Beach County a Restrictive Covenant binding the entire project, in a form provided for by the County; or,
- b. provide documentation of the programmatic requirements of approved funding that meet or exceed the requirements of the Affordable Housing Program (AHP). (DRO: PLANNING - Planning)

3. The owner or lessee of the Affordable Housing Program (AHP) unit shall submit to the County Administrator, or designee, on a form provided by the County, an annual report containing information and documentation to demonstrate continued compliance with the AHP and a copy of any monitoring information provided to and received from the appropriate funding agency/source. (ONGOING: PLANNING - Planning)

4. The Developer shall notify the Planning Division at the commencement of leasing. (ONGOING: PLANNING - Planning)

SIGNS

1. Prior to final approval by the Development Review Officer, the Master Sign Plan shall be revised, to indicate one Entrance Wall Sign for the residential development with a maximum 60 square feet and one ground mounted freestanding sign for the non-residential use with a maximum 200 sq. ft. (DRO: ZONING - Zoning)

TRANSFER OF DEVELOPMENT RIGHTS

1. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit a Contract for Sale and Purchase of Transfer of Development of Rights (TDRs) in a manner and form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department.

The Contract for Sale and Purchase of TDRs shall accommodate a maximum of 24 TDR units at a total selling price of \$1,992.00 (24 TDR units to be purchased at the Multi-family RRIO AHP price of \$83.00 per unit (\$1,992.00).

Upon execution, the Property Owner shall submit the Contract to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded Contract shall be provided to the Zoning Division. (DRO: ZONING - Planning)

2. Prior to Final Approval by the Development Review Officer, the Property Owner shall submit the Transfer of Development Rights Deed in a manner and form approved by the County Attorney, signed by the Developer and/or Property Owner, in order that it is signed by the Executive Director of Planning, Zoning and Building Department. (DRO: ZONING - Zoning)

3. Prior to Technical Compliance of the plat, or issuance of the first Building Permit, whichever occurs first, the Property Owner shall pay one hundred (100) percent of the Funds, pursuant to the recorded Contract for Sale and Purchase of TDRs, to the Board of County Commissioners, through the Zoning Division. (BLDGPM/TC: ZONING - Zoning)

4. Prior to the issuance of the first Building Permit, except Sales Models or temporary Real Estate Sales and Management Offices, the Zoning Division provides the Developer and/or Property Owner the executed Transfer of Development Rights Deed, in order for the Property Owner to submit the TDR Deed to the Palm Beach County Clerk of Court for recordation, and a copy of the recorded TDR Deed shall be provided to the Zoning Division. (BLDGPM/TC: 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: 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.