



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
October 1, 2020**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

D. ZONING APPLICATIONS- NEW

5.	(83)	ABN/ZV/PDD/CA-2019-1200 (2018-00158)	R80 Residential
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AMEND the following Staff Report Analysis, to read as follows:

b. Special circumstances and conditions do not result from the actions of the Applicant:

V-1 – Yes: As outlined by the Applicant in the Justification Statement, the ULDC requirements for the number of parking spaces is intended for typical projects within the County. In the case of the subject site, the Applicant has provided information as noted in Standard a. that demonstrates actual peak demand for built developments similar to the subject project as previously **indicated**. Further, the proposed development will be limited to one and two bedroom units, with guest parking management on-site as earlier noted.

6.	(213)	ABN/ZV/DOA-2020-00766 (2005-00394)	Arden PUD
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AMEND PLANNING Condition 9, to read as follows:

Prior to the issuance of the 2,001st Building Permit, (the first Building Permit within Phase 3 for the additional 334 units), the property owner shall record in the public records of Palm Beach County a Declaration of Restrictive Covenants **for the additional WHP units**, in a form acceptable to the Palm Beach County Attorney. The site plan shall also be modified to include the OR Book and Page of the recorded document and provide a copy of the revised site plan to Planning. (BLDGPMT: MONITORING – Planning)

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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY OCTOBER 1, 2020

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

OCTOBER 1, 2020

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N Jog Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, October 22, 2020 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.
- D. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:
Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.
Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.
Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.
Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.
The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.
Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.
- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [CA-2019-01969](#) Title: a Class A Conditional Use application of Solid Waste Authority of Palm Beach County - Waste Solid, Horizon 880 LLC by Land Research Management Inc., Agent. Request: to allow an Equestrian Waste Management Facility.
General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. (**Horizon 880-HPAB**) (Control 1994-00010)

Pages 1 - 1

Project Manager: Ryan Vandenburg

Size: 5.25 acres ±

BCC District: 2

Staff Recommendation: Staff recommends to postpone to Thursday, November 5, 2020.

MOTION: To postpone to Thursday, November 5, 2020.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

2. [ZV-2020-00718](#) Title: a Type 2 Variance application of Church Of Christ At Haverhill Road, Inc. by Land Research Management Inc., Agent. Request: to relocate the Right-of-Way Buffer; to eliminate planting material; and, to reduce Right-of-Way Buffer, Incompatibility Buffer, Compatibility Buffer, Foundation Planting, and drive aisle width.
General Location: East side of Haverhill Road, approximately 1,200 feet north of Roebuck Road. **(Church of Christ at Haverhill)** (Control 1979-00237)

Pages 2 - 29

Conditions of Approval Pages (6 - 6)

Project Manager: Travis Goodson

Size: 0.99 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce drive aisle and R-O-W Buffer width, and eliminate R-O-W Buffer planting materials, subject to the Conditions of Approval as indicated in Exhibit C.

3. [ZV-2020-00878](#) Title: a Type 2 Variance application of United Technologies Corp. by Urban Design Studios, Agent. Request: to reduce the number of parking spaces.
General Location: Southwest side of Bee Line Highway, approximately 3.5 miles northwest of the intersection of Bee Line Highway and Innovation Drive. **(Pratt & Whitney Expansion of Remote Test Site)** (Control 1978-00095)

Pages 30 - 60

Conditions of Approval Pages (34 - 34)

Project Manager: Travis Goodson

Size: 6,742.00 acres ±

BCC District: 1

(affected area 111.31 acres ±)

Staff Recommendation: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce the number of parking spaces, subject to the Conditions of Approval as indicated in Exhibit C.

4. [Z-2020-00471](#) Title: an Official Zoning Map Amendment application of Rene F Aguiar Trust by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District.
General Location: Southwest corner of Seminole Pratt Whitney Road and Orange Boulevard. (**Reach Estate**) (Control 2019-00094)

Pages 61 - 78

Conditions of Approval Pages (69 - 70)

Project Manager: Ryan Vandenburg

Size: 1.76 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone and the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

5. [ABN/ZV/PDD/CA-2019-01200](#) Title: Development Order Abandonment application of Southern & Jog Apartments, LLC by Schmidt Nichols, Agent. Request: to abandon a Special Exception to allow a Security Kennel; and, a Class A Conditional Use to allow a Daycare.

Title: a Type 2 Variance application of Southern & Jog Apartments, LLC by Schmidt Nichols, Agent. Request: to reduce the number of parking spaces; to reduce minimum frontage along an Arterial or Collector street; to eliminate a wall within an Incompatibility Buffer; and, to eliminate a Type 3 Incompatibility Buffer.

Title: an Official Zoning Map Amendment application of Southern & Jog Apartments, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Single Family Residential (RS) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

Title: a Class A Conditional Use application of Southern & Jog Apartments, LLC by Schmidt Nichols, Agent. Request: to allow a Transfer of Development Rights; and, Workforce Housing Density Bonus greater than 50 percent.

General Location: Northeast corner of Southern Boulevard and First Street. **(R80 Residential)** (Control 2018-00158)

Pages 79 - 186

Conditions of Approval Pages (93 - 102)

Project Manager: Ryan Vandenburg

Size: 11.46 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 to C-4.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow a Security Kennel.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Class A Conditional Use to allow a Daycare.

MOTION: To adopt a resolution approving a Type 2 Variance to reduce the number of required parking spaces; to reduce minimum frontage along an Arterial or Collector street; to eliminate a wall within an Incompatibility Buffer; and, to eliminate a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) and Single Family Residential (RS) Zoning Districts to the Planned Unit Development (PUD) Zoning District, subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Transfer of Development Rights, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Class A Conditional Use to allow a Workforce Housing Density Bonus greater than 50 percent, subject to the Conditions of Approval as indicated in Exhibit C-4.

6. [ABN/ZV/DOA-2020-00766](#) Title: a Development Order Abandonment application of Arden Homeowners Association, Inc., Highland Dunes Associates Property, LLC by Urban Design Kilday Studios, Agent. Request: to abandon a Type II Variance to allow transfer of density in excess of 30 percent.
- Title: a Type 2 Variance application of Arden Homeowners Association, Inc., Highland Dunes Associates Property, LLC by Urban Design Kilday Studios, Agent. Request: to eliminate privacy wall or fence, the interior trees and interior shrubs; and, to allow Citrus trees to qualify as a required tree.
- Title: a Development Order Amendment application of Arden Homeowners Association, Inc., Highland Dunes Associates Property, LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan to add land area (to match the Platted boundary) and units; reconfigure Pods D, G, H and I; and, to modify Conditions of Approval.
- General Location: North side of Southern Boulevard, approximately 2.5 miles west of Seminole Pratt Whitney Road. **(Arden PUD)** (Control 2005-00394)

Pages 187 - 267

Conditions of Approval Pages (201 - 216)

Project Manager: Meredith Leigh

Size: 1,209.98 acres ±

BCC District: 6

(affected area 332.19 acres ±)

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Type II Variance to allow transfer of density in excess of 30 percent.

MOTION: The adopt a Resolution approving a Type 2 Variance to eliminate privacy wall or fence, the interior trees and interior shrubs; and, to allow Citrus trees to qualify as a required tree, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; add land area (to match the Platted boundary); add units; reconfigure Pods D, G, H and I; and, to modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA**A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

7. [ZV-2020-00787](#) Title: a Type 2 Variance application of Glades 95th Owner, LLC by Dunay Miskel and Backman LLP, Agent. Request: to increase maximum wall sign area.

General Location: Southwest corner of Glades Road and 95th Avenue South, approximately 1,500 feet east of State Road 7. (**Johns Glades West MXP**) (Control 2004-00459)

Pages 268 - 293

Conditions of Approval Pages (274 - 275)

Project Manager: Travis Goodson

Size: 37.26 acres \pm

BCC District: 5

(affected area 19.04 acres \pm)

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission approve the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to increase maximum wall sign area.

D. ZONING APPLICATIONS - NEW

8. [ZV-2020-00430](#) Title: a Type 2 Variance application of 8475 LWR LLC by Insite Studio, Agent. Request: for a reduction in minimum lot depth and size.

General Location: Northeast corner of Lake Worth Road and Blanchette Trail. (**The Quartet MUPD**) (Control 2005-00001)

Pages 294 - 313

Conditions of Approval Pages (298 - 298)

Project Manager: Ryan Vandenburg

Size: 1.60 acres \pm

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission approve the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution to deny a Type 2 Variance for a reduction in minimum lot depth and size.

E. SUBDIVISION VARIANCE**F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS**A. COUNTY ATTORNEY**

B. ZONING DIRECTOR

9. [Title: Post Community Residential Housing Presentation by Dan Lauber, Consultant.](#)
PBC Zoning Division News Release on "Medical Use -Residential Community Housing" see
hyperlink below, for review:
https://discover.pbcgov.org/pzb/zoning/AdminNewsReleases/Medical_Use_Community_Residential_Housing.pdf

1. Dan Lauber, Consultant Report on Community Residential Housing
2. Frequently Asked Questions

Pages 314 - 314

C. PLANNING DIRECTOR**D. EXECUTIVE DIRECTOR****E. COMMISSIONERS****ADJOURNMENT**