



September 12, 2022

Robert Diffenderfer, Esq
Lewis, Longman, and Walker
360 South Rosemary Ave., Suite 1100
West Palm Beach, FL 33401

RE: NOTIFICATION OF BCC PUBLIC HEARING POSTPONEMENT AND TIME EXTENSION APPROVAL

Department of Planning,
Zoning & Building
2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Dear Mr. Diffenderfer:

This letter is provide confirmation that the attached request dated September 9, 2022 for a Postponement by Right meets the requirements of Article 2.B.6.E.1 to administratively postpone the application referenced below from the September 22, 2022 Board of County Commissioners Zoning Public Hearing to the January 11, 2023 Public Hearing. In addition, the Zoning Director has approved the associated Time extension request. Therefore, this application will be on the September 22nd agenda for informational purposes and will not require Board action.

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractors Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228
www.pbcgov.com/pzb

Application:	Portman Industrial MUPD, ZV/ABN/DOA-2021-1529
Control:	Moroso Motorsports Park MUPD, 1997-00034
Request Date:	September 9, 2022
Extension:	120-days
Prior Deadline:	September 27, 2022
BCC Hearing:	January 11, 2023
New Deadline:	January 26, 2023



**Palm Beach County
Board of County
Commissioners**

Robert S. Weinroth, Mayor
Gregg K. Weiss, Vice Mayor

Maria G. Marino
Dave Kerner
Maria Sachs
Melissa McKinlay
Mack Bernard

Please be advised that this postponement will require additional fees related to both the postponement and advertising, and this item may be required to be presented to the Zoning Commission if you propose to make significant modifications.

If you should have any questions and/or require further information, please contact Timothy Haynes, Senior Site Planner at 561-233-5222 or THaynes@pbcgov.org.

Sincerely,

Wendy N. Hernández
Deputy Zoning Director

County Administrator
Verdenia C. Baker

Attachments: Postponement Request dated September 9, 2022

"An Equal Opportunity
Affirmative Action Employer"

C: Digital/Email Copy:
Lisa Amara, Zoning Director
Carlos Torres, AIA, Principal Site Planner
Timothy Haynes, Senior Site Planner

Reply To: West Palm Beach

September 9, 2022

Ms. Lisa Amara, Zoning Director
Zoning Division
Palm Beach County
2300 North Jog Road
West Palm Beach, FL 33411

RE: Postponement for Control No. 1997-034
Applications: SV/ZV/ABN/DOA-2021-01529

Dear Ms. Amara,

This letter is to request a postponement for the above referenced application. I am the agent for the property owner, and I have attached the updated agent consent forms hereto for your reference. We will formally file the forms with our next resubmittal.

On April 18, 2022 a postponement request was filed by Joni Brinkman, who was serving at that time as agent for the project. Since that date the property owners filed a request for mediation under the "Florida Land Use and Environmental Dispute Resolution Act." Upon review of all outstanding issues with the County's staff and legal teams, the request for mediation has been stayed in hopes that the issues may be resolved through the standard Zoning Division public hearing process.

We are currently revising the site plan to eliminate the variances that were denied by the Zoning Commission, along with those rendered moot by the County's re-designation of the surrounding lands. It is our intent to submit those plans for County review in September.

Accordingly, we request that the Board of County Commission hearing on the application be postponed until such time as the County has reviewed and certified the "no-variance" plans for hearing. We acknowledge that this postponement request will extend the application beyond

01817085-2

JACKSONVILLE
245 Riverside Ave.
Suite 510
Jacksonville, Florida 32202
T: 904.353.6410
F: 904.353.7619

ST. PETERSBURG
100 Second Ave. South
Suite 501-S
St. Petersburg, Florida 33701
T: 727.245.0820
F: 727.290.4057

TALLAHASSEE
315 South Calhoun St.
Suite 830
Tallahassee, Florida 32301
T: 850.222.5702
F: 850.224.9242

TAMPA
301 West Platt St.
Suite 364
Tampa, Florida 33606
T: 813.775.2331

WEST PALM BEACH
360 South Rosemary Ave.
Suite 1100
West Palm Beach, Florida 33401
T: 561.640.0820
F: 561.640.8202

Re: Postponement request – SV/ZV/ABN/DOA-2021-01529

September 9, 2022


Page 2

the timelines provided for in Florida Statute 125.022 and hereby agree that this extension is necessary and warranted in light of the unusual circumstances surrounding this project and application.

Based on the foregoing, we request an extension to the 180-day deadline and postponement to the January 11th Board of County Commissioner's hearing. We recognize that if DRO certification isn't received in time for that hearing, an additional postponement request will be required.

If you need anything further, please do not hesitate to contact our office.

Sincerely,



Robert Diffenderfer, Esq.

C: Timothy Haynes
Donna Adelsperger
Scott Stone
Darren Leiser
Helene Hvizd
Lou Partenza
Ari Mazo
Seth Behn, Esq.