



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
March 24, 2022**

AGENDA

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

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

1.	(1-35)	ABN/DOA-2021-01030	Cherry Road Plaza MUPD
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CORRECTION: To correct the requests and acreage stated on the Agenda to match the Staff Report and the legal ad.

Title: a Development Order Abandonment application of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. **Request:** to abandon a Requested Use to allow Vehicle Sales and Rental ~~and General Repair and Maintenance~~

~~**Title:** a Development Order Abandonment of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. **Request:** to abandon a Requested Use to allow General Repair and Maintenance~~

Title: a Development Order ~~Abandonment~~ Amendment of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. **Request:** to modify the Site Plan and uses; add square footage; and, modify and delete Conditions of Approval

Size: ~~13.76~~ 9.79 acres +/-
~~(affected area 5.85 acres +/-)~~

DELETE Zoning Commission Recommendation as they did not make a recommendation on this request.

~~**Zoning Commission Recommendation:** Recommended Approval of a Development Order Abandonment by a vote of 6-0-0.~~

REGULAR AGENDA

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5.	(1-39)	ZV/SW/CA-2020-00880	TRG Farms
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Delete Condition All Petitions 1 in Exhibit C-3.

REASON: The Plan included in the report does not comply with ULDC and cannot be the approved plan.

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**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

THURSDAY, MARCH 24, 2022

9:30 A.M.

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers
301 N Olive Ave, West Palm Beach, 33401**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

OTHER DEPARTMENT ITEMS

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

MARCH 24, 2022

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. 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 Mayor, 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.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 1. [ABN/DOA-2021-01030](#) Title: a Development Order Abandonment application of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. Request: to abandon Requested Uses to allow Vehicle Sales and Rental and General Repair and Maintenance

Title: a Development Order Abandonment of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. Request: to modify the Site Plan and uses; add square footage; and, modify and delete Conditions of Approval

General Location: East of Military Trail and north side of Cherry Road (**Cherry Road Plaza MUPD**) (Control 1977-00041)

Pages: 1 - 35

Conditions of Approval (7 - 14)

Project Manager: Brenya Martinez

Size: 13.76 acres ±

BCC District: 2,7

(affected area 5.85 acres ±)

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

Zoning Commission Recommendation Recommended Approval of a Development Order Abandonment by a vote of 6-0-0.

Zoning Commission Recommendation Recommended Approval of a Development Order Amendment by a vote of 6-0-0.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Requested Use to allow Vehicle Sales and Rental.

MOTION: To adopt a Resolution approving a Development Order Abandonment to abandon a Requested Use to allow General Repair and Maintenance.

MOTION: To adopt a Resolution approving a Development Order Amendment to modify the Site Plan and uses; add square footage; and, modify and delete Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C.

E. ZONING APPLICATIONS - NEW

- 2. [Z-2021-01910](#) Title: an Official Zoning Map Amendment application of Palm Beach County Department of Airports, Palm Beach County by Urban Design Studio, Agent. Request: to allow a rezoning from the Residential Multifamily (RM) and General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District
General Location: Parcel W-41 - Northwest corner of Wallis Road and Post Road; Parcel W-192 and W-138 - Approximately 141 feet south of Wallis Road on the east and west side of Post Road; and, Parcel W-306 - Northwest corner of Military Trail and Bertram Street (**PBIA Parcel F Rezoning**s) (Control 2021-00112)

Pages: 1 - 15

Conditions of Approval (7 - 7)

Project Manager: Jordan Jafar

Size: 1.06 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-1.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Multifamily (RM) and General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District with a Condition Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

H. OTHER ITEMS

3. Title: [Transfer of Drainage Systems from the County to the Village of Palm Springs](#)

The item before the Board is to consider an Interlocal Agreement which stipulates that the County transfer the operation and maintenance of the drainage systems, located within the boundaries of the Village as shown in Exhibit A. On February 10, 2022, the Village Council adopted the Interlocal Agreement to formally transfer the drainage systems. The Village included the drainage maintenance in their Capital Budget. The proposed action meets the requirements of the Florida Statutes, and is consistent with the Intergovernmental Coordination Element of the County's Comprehensive Plan. (District 3)

Pages: 1 - 6

Project Manager: Tripp Cioci, Right-Of-Way Manager, Engineering Department

STAFF RECOMMENDATION: Staff recommends motion to approve: An Interlocal Agreement with the Village of Palm Springs to transfer the operation and maintenance responsibility of several drainage systems, located within the boundaries of the Village as identified in Exhibit A.

MOTION: To approve an Interlocal Agreement Agreement with the Village of Palm Springs to transfer the operation and maintenance responsibility of several drainage systems, located within the boundaries of the Village as identified in Exhibit A.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 4. [ZV/SW/CA-2020-00880](#) Title: a Subdivision Waiver application of TRG Farms, LLC by Frogner Consulting LLC, Agent. Request: to reduce the minimum legal access width

Title: a Class A Conditional Use of TRG Farms, LLC by Frogner Consulting LLC, Agent. Request: to allow Landscape Service

General Location: Approximately 0.70 miles west of State Road 7/US 441 on the south side of Anderson Lane (**TRG Farms**) (Control 2016-00143)

Pages: 1 - 39

Conditions of Approval (8 - 10)

Project Manager: Donna Adelsperger

Size: 5.11 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends denial of the Subdivision Wavier and denial of the Class A Conditional Use.

Zoning Commission Recommendation: Denied a Type 2 Variance by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Denial of a Subdivision Waiver by a vote of 6-0-0.

Zoning Commission Recommendation: Recommended Denial of a Class A Conditional Use by a vote of 6-0-0.

MOTION: To adopt a resolution denying the Subdivision Waiver to reduce the minimum legal access width with or without prejudice.

MOTION: To adopt a resolution denying a Class A Conditional Use to allow Landscape Service with or without prejudice.

J. ZONING APPLICATIONS - NEW

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. ULDC AMENDMENTS

- 5. Title: Limited Pet Boarding Zoning in Progress Update and Discussion.

Pages: 1 - 1

Project Manager: Jeffrey Gagnon

M. OTHER ITEMS

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

D. ADMINISTRATION

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

6. Title: [Hendrix \(fka Amber Woods\) FLUA Application Processing Consideration](#)

The Item before the Board is to consider allowing the Hendrix Property (fka Amber Woods) to submit a land use application with a proposed Low Residential, 2 units per acre (LR-2) and Low Residential, 3 units per acre (LR-3) future land use designation. On May 5, 2021, the Board denied transmittal of the Amber Woods future land use amendment from Low Residential, 1 unit per acre (LR-1) to LR-3. The County's Comprehensive Plan, specifically the Introduction and Administration Element, states "When an application for a future land use designation change has been denied by the Board of County Commissioners (BCC), the same property may not be heard for the same change in future land use for a period of two years unless otherwise specified by the BCC." Therefore, approval of this item would allow the amendment application to proceed through the land use amendment process without waiting a period of two years after denial of an amendment by the BCC. A complete staff report with data and analysis would return to the Board for consideration at subsequent public hearings. This action does not obligate the Board to future action.

Pages: 1 - 3

Project Manager: Stephanie Gregory

MOTION: To authorize/deny the processing and consideration of a comprehensive plan amendment pursuant to language in the Introduction and Administration Element of the Comprehensive Plan, allowing consideration of the same change in future land use without waiting for a period of two years after denial of an amendment by the Board of County Commissioners.

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT