



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

THURSDAY MARCH 2, 2023
9:00 A.M.

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

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. Adoption of the Minutes
- G. Swearing In
- H. 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

MARCH 2, 2023

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 Road, West Palm Beach, FL, 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on **Thursday, March 23, 2023** 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. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [W-2022-01656, Pine Trail Shopping Center](#) (Control 1978-00273)
Title: a Type 2 Waiver application of Pine Trail Square LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow extended hours of operation for business within 250 feet of a parcel of land with a Residential Future Land Use on 28.06 acres
General Location: Southwest Corner of Okeechobee Boulevard and North Military Trail

Project Manager: Imene Haddad
Size: 28.06 acres ±
BCC District: 2

MOTION: No motion required. Administratively postponed to April 6, 2023.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING APPLICATIONS - NEW

2. [Z-2022-01640, Howell Lane Rezoning](#) (Control 2022-00063)
Title: an Official Zoning Map Amendment application of Leonard Schulz by Team Plan Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District on 2.25 acres
General Location: West side of Howell Lane, approximately 2,000 feet north of Northlake Boulevard

Project Manager: Phil Myers
Size: 2.25 acres ±
BCC District: 1

Staff Recommendation: Staff recommends approval of the request, with a Conditional Overlay Zoning, and subject to the Condition 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 Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ) and subject to the Conditions of Approval as indicated in Exhibit C.

3. [Z-2022-01116, Morin/Connolly Commerce](#) (Control 2016-00159)
Title: an Official Zoning Map Amendment application of Morin Robert Tr & Carol, Howard Connolly by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District on 3.41 acres
General Location: West side of State Road 7, approximately 0.2 mile north of Boynton Beach Boulevard

Project Manager: Cody Sisk
Size: 3.41 acres ±
BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District, subject to the Condition of Approval as indicated in Exhibit C

4. [Z-2022-01110, Deleon Rezoning](#) (Control 2003-00073)

Title: an Official Zoning Map Amendment application of Jose Deleon by Land Research Management Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 8.66 acres
General Location: South side of Pioneer Road, approximately 2,200 feet east of Lyons Road

Project Manager: Vincent Stark

Size: 8.66 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request, subject to the Condition 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 Residential Single Family (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C

5. [Z-2022-00948, LTG Sports Turf](#) (Control 2010-00028)

Title: an Official Zoning Map Amendment application of LTG Boynton Beach LLC by Urban Design Studio, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District on 5.01 acres

General Location: North side of 100th Street S, approximately 0.13 miles west of 441 (SR-7)

Project Manager: Cody Sisk

Size: 5.01 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request, with a Conditional Overlay Zone, and subject to 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 Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District, with a Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C

6. [DOA-2022-00814, Woods Walk Plaza](#) (Control 1985-00069)

Title: a Development Order Amendment application of Woods Walk Joint Venture by Insite Studio, Agent. Request: to modify the Site Plan; and, add a building and square footage on 20.41 acres

General Location: Northeast corner of Lake Worth Road and State Road 7

Project Manager: Timothy Haynes

Size: 20.41 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Development Order Amendment to modify the site plan; and, add a building and square footage subject to the Conditions of Approval as indicated in Exhibit C.

7. [ABN/Z/CA-2022-00218, Brentwood of Wellington](#) (Control 2005-00454)

Title: a Development Order Abandonment application of Palm Beach Recovery 2016 LLC, AHC Acquisitions, LLC - Charlie Scardina, HRS Palm Beach LLC by Insite Studio, Agent.

Request: to abandon a Type 3 Congregate Living Facility on 9.17 acres

Title: an Official Zoning Map Amendment application of Palm Beach Recovery 2016 LLC, AHC Acquisitions, LLC - Charlie Scardina, HRS Palm Beach LLC by Insite Studio, Agent.

Request: to allow a rezoning from the Community Commercial (CC) Zoning District on 1.05 acres and the Planned Unit Development (PUD) Zoning District on 9.17 acres to the Residential Multifamily (RM) Zoning District on 10.22 acres

Title: a Class A Conditional Use application of Palm Beach Recovery 2016 LLC, AHC Acquisitions, LLC - Charlie Scardina, HRS Palm Beach LLC by Insite Studio, Agent.

Request: a Class A Conditional Use to allow a combined density increase with the Workforce Housing Program and Transfer of Development Rights Program in excess of two units per acre on 10.22 acres

General Location: West side of State Road 7, approx. 0.5 miles north of Lantana Rd

Project Manager: Jerome Ottey

Size: 10.22 acres ±

BCC District: 6

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

MOTION: No motion required (Abandonment).

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Community Commercial (CC) Zoning District and Planned Unit Development (PUD) Zoning District to the Residential Multifamily (RM) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a combined density increase with the Workforce Housing Program and Transfer of Development Rights Program in excess of two units per acre subject to the Conditions of Approval as indicated in Exhibit C-2.

8. [ZV/Z/ABN-2021-01863, Windsor Industrial](#) (Control 2003-00020)

Title: a Type 2 Variance application of Shawn Chemtov, 6562 Belvedere LLC by Schmidt Nichols, Agent. Request: to allow a reduction of the width of a Type 3 Incompatibility buffer; the reduction in front setback; and, to replace a 12-foot wall loading area screening with an 8-foot hedge on 2.55 acres

Title: an Official Zoning Map Amendment application of Shawn Chemtov, 6562

Belvedere LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Community Commercial (CC) Zoning District to the Light Industrial (IL) Zoning District on 2.55 acre

Title: a Development Order Abandonment application of Shawn Chemtov, 6562 Belvedere LLC by Schmidt Nichols, Agent. Request: to abandon a Convenience Store with Gas Sales on 2.55 acres

General Location: Southwest corner of Old Belvedere Road and Jog Road

Project Manager: Imene Haddad

Size: 2.55 acres ±

BCC District: 2

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

MOTION: To adopt a resolution approving a Type 2 Variance to allow a reduction of the width of a Type 3 Incompatibility buffer; substitute wall with Chain link fence and locate on the property line, reduction in number of palms or pines; elimination of small shrubs; reduction in front setback; and, to replace a 12-foot wall loading area screening with an 8-foot hedge, 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 Community Commercial (CC) Zoning District to the Light Industrial (IL) Zoning District, with Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: No motion is required.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING APPLICATIONS - NEW

9. [ZV/Z-2022-00534, Four Seasons Retail](#) (Control 1973-00079)

Title: a Type 2 Variance application of Four Seasons Military LLC by Schmidt Nichols, Agent. Request: to reduce the number of parking spaces on 1.19 ac Title: an Official Zoning Map Amendment application of Four Seasons Military LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the Community Commercial (CC) Zoning District on 1.19 acres

General Location: West side of Military Trail, approximately 200 feet north of Lillian Avenue.

Project Manager: Jordan Jafar

Size: 1.19 acres ±

BCC District: 1

Staff Recommendation: Staff recommends denial of the Type 2 Variance request. Should the Zoning Commission choose to approve the request, then staff recommends the Conditions of Approval as indicated in Exhibit C-1.

Staff recommends approval of an Official Zoning Map Amendment, with a Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution denying a Type 2 Variance to reduce the number of parking spaces without prejudice.

MOTION: To recommend approval of an Official Zoning Map amendment to allow a from the Neighborhood Commercial (CN) Zoning District to the Community Commercial (CC) Zoning District subject to the Condition of Approval as indicated in Exhibit C-2.

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT