



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
JANUARY 4, 2024**

CONSENT AGENDA

3. SV/CA-2023-00532 Boca Raton Achievement Center

AMEND - To amend the Class A Conditional Use to modify Conditions of Approval in Exhibit C-2 as shown with added text underlined and deleted text struck out.

ACCESS

2. The proposed Fire Rescue emergency cross access, to the west, shall be constructed when a cross access easement connection is provided and constructed on the adjacent western property and the Property Owner shall record a Cross Access Agreement in a form and manner that is acceptable to the County Attorney's office. The location of the cross access may be relocated administratively, in order to ensure alignment with drive aisle(s). (ONGOING/PLAT: ZONING - Zoning)

ENGINEERING

8. No Certificate of Occupancy for the School shall be issued prior to the completion of the widening of Lyons Rd from a 2 lane section to a 4 lane divided section from Atlantic Ave to L-38 canal, currently under construction as of the issuance date of this resolution or August 1, 2025, whichever is earlier. (ONGOING: MONITORING - Engineering)

LANDSCAPE - PERIMETER

1. Prior to final approval by the DRO, ~~the Final~~ Site Plan shall be revised ~~must be updated~~ to add a note to the proposed emergency access connection to the west property to indicate that the required landscape buffer will be provided until such time that the connection can be established ~~adjacent west property redevelops~~. (DRO: ZONING - Zoning)

2. Prior to final approval by the DRO, the Site Plan shall be revised to indicate a continuous barrier (fences, gates, and/or walls) within the north, west, and east buffers, and to indicate a fence surrounding the retention onsite. (DRO: ZONING - Zoning)

3. Prior to final approval by the DRO, the Site Plan shall be revised to indicate a minimum 10 foot buffer along the west property line. (DRO: ZONING - Zoning)



BOARD OF COUNTY COMMISSIONERS

ZONING HEARING

Thursday, JANUARY 4, 2024

9:30 A.M.

BCC Chambers 6th Floor, Jane M. Thompson Memorial Chambers

301 N. Olive Avenue, West Palm Beach, FL 33401

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT

REGULAR

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

ZONING HEARING AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
JANUARY 4, 2024

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Invocation 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

AGENDA APPROVAL

- A. Additions, Deletions, Substitutions - **Motion** to Adopt Revisions to the Agenda
- B. Adoption of the Agenda - **Motion** to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. Postponements / Remands
- B. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

- A. Requests to pull items from Consent
- B. Disclosures for the Consent Items
- C. Zoning Applications

1. [CA-2023-00369 Court Daycare](#) (Control 2023-00019)

Zoning Application of 4298 Hypoluxo Rd LLC by Dunay iskel and Backman LLP, Agent.

Location: South side of Hypoluxo Road, approximately 1,000 feet east of S. Military Trail

Project Manager: Vincent Stark

BCC District: 2

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

- a. **Title:** a Class A Conditional Use **Request:** to allow a General Daycare on 0.89 acres

Zoning Commission Action: Recommended approval of a Class A Conditional Use by a vote of 6-0-0

MOTION: To adopt a resolution approving item 1.a

2. [DOA-2023-00877 Palm Beach County Firefighters Employee Benefits Fund](#) (Control 1996-00041)

Zoning Application of Palm Beach County Firefighters by Insite Studios, Agent

Location: Southeast corner of 7th Place North and Pike Road

Project Manager: Imene Haddad

BCC District: 2

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

- a. **Title:** a Development Order Amendment **Request:** to reconfigure the site plan, add square footage, and modify Conditions of Approval on 27.23 acres

Zoning Commission Action: Recommended approval of a Development Order Amendment by a vote of 6-0-0

MOTION: To adopt a resolution approving item 2.a

3. [SV/CA-2023-00532 Boca Raton Achievement Center](#) (Control 2023-00035)

Zoning Application of United Spectrum Corp. by Urban Design Studio, Agent.

Location: North side of 155th Street S, approximately 0.11 miles east of Lyons Road

Project Manager: Nancy Frontany

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C-2.

- a. **Title:** a Class A Conditional Use **Request** to allow an Private Elementary or Secondary School on 5.10 acres

Zoning Commission Action: Approved Subdivision Variance by a vote of 6-0-0 and recommended approval of a Class A Conditional Use by a vote of 6-0-0

MOTION: To adopt a resolution approving item 3.a

D. CORRECTIVE RESOLUTIONS

4. [CRB-2023-01718 Reserve at Atlantic](#) (2021-00058)

Zoning Application of Palm Beach County

Location: Southeast corner of Atlantic Avenue and Half Mile Road

Project Manager: Donna Adelsperger

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

a. Title: a Corrective Resolution **Request:** to correct the legal description contained in Exhibit A of Resolution R-2022-00782

Zoning Commission Action: No action required

MOTION: To adopt a resolution approving item 4.a

– END OF CONSENT AGENDA –

REGULAR AGENDA

A. Items Pulled From Consent

B. ULDC Revisions

5. [Land Development Regulation Commission](#), **ULDC Permission to Advertise**

Summary: The item before the Board is a proposed revision to the Palm Beach County Unified Land Development Code (ULDC) to assign the land development review powers and duties to the Zoning Commission (ZC). Specifically, the changes propose to:

- Designate the ZC as the advisory body to review proposed revisions to the ULDC for recommendation to the BCC, serve as the Land Development Regulation Commission (LDRC) pursuant to F.S. § 163.3164(25) and F.S. § 163.3194, and serve as the Airport Zoning Commission pursuant to F.S. § 333.05(2);
- Sunset the Land Development Review Advisory Board (LDRAB); and
- Revise and rename the application processing requirements for Privately Initiated Amendments to streamline the ULDC and reflect current practices.

Staff Recommendation: Staff recommends approval of permission to advertise for first reading and adoption of an ordinance at the BCC Zoning hearing on January 25, 2024.

MOTION: To approve staff recommendation for item 5.

- END OF REGULAR AGENDA –

COMMENTS

A. COUNTY ATTORNEY

B. PLANNING DIRECTOR

C. ZONING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT