



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING
AMENDMENTS TO THE AGENDA
JUNE 20, 2024**

CONSENT AGENDA

3. PDD/CA-2021-00829 Delray Self Service Storage (1994-00053)

ADD – To amend the Development Order Amendment Conditions of Approval in Exhibit C-1 to add the condition shown below with the added text underline:

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

Thursday, June 20, 2024

1:00 PM.

**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
June 20, 2024

CALL TO ORDER

- A. Roll Call – 1:00 p.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

AGENDA APPROVAL

- A. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **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. [ABN-2024-00417 Security and Investment Corporation \(1979-00128\)](#)

Zoning Application of Aaron Cocuzzo by Schmidt Nichols

Location: North side of 70th Dr N, approximately 740 feet north of Southern Boulevard

Project Manager: Brenya Martinez, Site Planner II

BCC District: 2

DISCLOSURES

Staff Recommendation: Staff recommends approval of the request

Zoning Commission: No action required

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Planned Industrial Park Development approved by Resolution R-1979-0918 on 5.00 acres

MOTION: To adopt a resolution approving item 1.a

2. [EAC-2024-00340 South Road Office MUPD \(2003-00036\)](#)

Zoning Application of 5165 Homeland Plaza LLC by Insite Studio

Location: West side of State Road 7, north of 52nd Place South

Project Manager: Michael Birchland, Site Planner II

BCC District: 6

DISCLOSURES

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

Zoning Commission: No action required

- a. **Title:** a Development Order Amendment (Expedited Application Consideration) **Request:** to amend Engineering Condition 1 and Landscaping Conditions 11 and 12 in Resolution No. R-2022-1248 relating to the time restriction and the elimination of a berm within the west perimeter landscape buffer on 9.26 acres

MOTION: To adopt a resolution approving item 2.a

3. [PDD/CA-2021-00829 Delray Self Service Storage \(1994-00053\)](#)

Zoning Application of West Atlantic Commercial Properties LTD by WGINC

Location: North side of Atlantic Avenue, approximately 0.25 miles west of Military Trail

Project Manager: Imene Haddad, Senior Site Planner

BCC District: 5

DISCLOSURES

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval in Exhibit C-1 and C-2.

Zoning Commission: Recommended approval by a vote of 9-0-0

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from Commercial General (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 4.53 acres

MOTION: To adopt a resolution approving item 3.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with drive-through on 4.53 acres

MOTION: To adopt a resolution approving item 3.b

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING APPLICATIONS

C. ULDC REVISIONS

4. [PPR-2024-00290 Beachfront Properties Waiver – PPR Phase 2](#)

Summary: The item before the Board is a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) as summarized below:

- To establish a Type 2 Waiver process for applicants to request a reduction in front setback and the additional height setback in order to allow for redevelopment of multifamily residential properties abutting the Atlantic Ocean.

Staff Assessment: The proposed PPR would allow Property Owners with existing multifamily uses along the County's coastline to apply for a Type 2 Waiver for approval by the BCC to request a reduction in setbacks. The Waiver is proposed to be limited to sites proposing the redevelopment of multifamily structures that are currently built over 35 feet in height with existing RM or RH Zoning. The proposed waiver process will allow the Board to consider the unique attributes of each subject site during the development review process, and will accommodate the redevelopment of sites to reflect changes to the Building Code and FEMA regulations and allow for existing structures to be replaced with buildings more resistant to erosion and flooding along the coast. Staff has worked with the Applicant and applicable County Agencies to provide a more targeted and detailed revision in Phase 2. If approved for Permission to Advertise, this item will be presented to the Zoning Commission for a Comprehensive Plan consistency recommendation, then subsequently be presented for final approval by the BCC.

Staff Recommendation: Staff recommends approval of request for permission to advertise for first reading and adoption of an Ordinance at the July 17, 2024 BCC Hearing.

Zoning Commission Initiation Recommendation: Recommended to approve Phase 1 and to initiate Phase 2 by a vote of 7-0 on April 4, 2024.

BCC Initiation: On April 25, 2024, the BCC approved initiation of Phase 2 by a vote of 7-0.

MOTION: To approve Staff recommendation for item 4.

D. COMPREHENSIVE PLAN ITEMS

5. [Bioscience Research Protection Overlay \(BRPO\) Text Initiation](#)

Title: The item for the Board is to consider initiating text amendments to the Comprehensive Plan to revise or delete the Bioscience Research Protection Overlay.

Summary: On January 22, 2024, the Bioscience Land Protection Advisory Board (BLPAB) voted unanimously to sunset. The BCC directed staff on January 23, 2024 to sunset the BLPAB and to terminate the Interlocal Agreement. The five municipal parties subsequently passed resolutions to terminate the agreement and the County followed suit on June 4, 2024.

Staff Recommendation: Staff recommends approval of initiation.

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