



**BOARD OF COUNTY COMMISSIONERS ZONING HEARING  
AMENDMENTS TO THE AGENDA  
AUGUST 22, 2024  
AMENDED**

**CONSENT AGENDA**

**C. ZONING APPLICATIONS**

1. **DOA-2023-00952 The Salvation Army (1997-00088)**

**AMEND - To amend the Staff Report** to modify Zoning Commission Hearing date under Hearing History to state August 1, 2024.

2. **DOA-2023-01335 Palm Beach Logistics Center (1988-00019)**

**AMEND - To modify Development Order Amendment** Conditions of Approval in Exhibit C as shown with the added text underlined:

**LANDSCAPING – PERIMETER BUFFERS**

1. Prior to final approval by the Development Review Officer (DRO), the perimeter buffers, excluding the right-of-way buffers, shall be revised to increase the number of trees from one per 25 feet to one per 20 feet and that all trees are native species. (DRO: ZONING – Zoning)

3. **SV/CA-2024-00590 Project Charlie (2024-00043)**

**AMEND - To modify the Class A Conditional Use** Conditions of Approval in Exhibit C-2 as shown with the added text underlined:

**LANDSCAPING PERMITER – LANDSCAPING ALONG THE WEST PROPERTY LINE ABUTTING LEXINGTON AVE**

1. In addition to the requirements for a R-O-W buffer along Lexington Ave the following shall be upgraded to include: ~~a.~~ One canopy tree for each for each 20 linear feet of the property line. **(BLDGPMT/DRO: ZONING - Zoning)**

**LANDSCAPING PERMITER**

1. ~~b.~~ The landscape plan shall incorporate the preservation of existing trees unless necessary to be removed for access to the site. (BLDGPMT/DRO: ZONING - Zoning)

**REGULAR AGENDA**

**B. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ZONING APPLICATIONS**

9. **PDD/CA-2022-01922 Boynton Place MUPD (2022-00112)**

**AMEND - To amend Agenda** to modify Motion for item 9.a as shown with the added text underlined and the deleted text struck out.

**MOTION:** ~~To recommend approval of~~ To adopt a resolution approving item 9.a

**10. LGA-2024-00003 Bedners Market**

**AMEND - To amend Agenda** to modify the second motion and to add a third Motion as shown with the added text underlined and deleted text struck out.

**MOTION:** To approve permission to advertise for first reading of an Ordinance at the BCC Zoning hearing on November 21 ~~October 24~~, 2024 for ULDC amendments implementing item 10 as shown in Exhibit 11-B of the staff report.

**MOTION:** To approve holding both required advertised hearings for the ULDC amendment ordinance at 9:30 am, instead of holding one of the required advertised hearings after 5:00 pm. Florida Statutes Section 125.66 requires two advertised public hearings for this item, at least one of which is required to be held after 5:00 p.m. unless the BCC, by majority plus one vote, elects to conduct that hearing at another time of day.



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**BOARD OF COUNTY COMMISSIONERS**

**ZONING HEARING**

**Thursday, August 22, 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/](http://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**  
**August 22, 2024**

**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

**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. [DOA-2023-00952 The Salvation Army \(1997-00088\)](#)

**Zoning Application of** The Salvation Army - Philip Swyers by Insite Studio

**Location:** West side of N Military Trail, approximately 0.25 mile south of Elmhurst Avenue

**Project Manager:** Joyce Lawrence, Senior Site Planner

**BCC District:** 2

### DISCLOSURES

**Staff Recommendation:** Staff recommends approval of the request, subject to the Condition of Approval as indicated in Exhibits C-1 and C-2.

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Development Order Amendment **Request:** to modify the Site Plan for a previously approved Conditional Use for a Congregate Living Facility, to add square footage and residents/beds, and amend and delete Conditions of Approval on 9.04 acres.

**MOTION:** To adopt a resolution approving item 1.a

2. [DOA-2023-01335 Palm Beach Logistics Center \(1988-00019\)](#)

**Zoning Application of** Paris Del Rio by Schmidt Nichols

**Location:** West side of N Benoist Farms Road, approximately 0.11 miles south of Belvedere Road

**Project Manager:** Nancy Frontany Bou, Senior Site Planner

**BCC District:** 2

### DISCLOSURES

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for a previously approved Conditional Use to add land area (5.35 acres), add square footage, and to modify and delete Conditions of Approval on 29.35 acres.

**MOTION:** To adopt a resolution approving item 2.a

3. [SV/CA-2024-00590 Project Charlie \(2024-00043\)](#)

**Zoning Application of** O'Connor Property Management, LLC - William Q O'Connor, The Salvation Army - James Seller by WGINC

**Location:** West side of N. Military Trail approx. 1,700 feet south of Belvedere Road

**Project Manager:** Matthew Boyd, Site Planner II

**BCC District:** 2

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

**Zoning Commission:** Adopted a resolution approving a Subdivision Variance, and recommended approval of the Class A Conditional Use Request by a vote of 7-0-0.

- a. **Title:** a Class A Conditional Use **Request:** to allow a Heavy Repair and Maintenance on 3.42 acres.

**MOTION:** To adopt a resolution approving item 3.a.

4. [ABN/Z/DOA-2024-00312 Chabad Lubavitch Synagogue \(1997-00068\)](#)

**Zoning Application of** Chabad Lubavitch of Boynton, Inc. by Urban Design Studio

**Location:** West side of El Clair Ranch Road, approx. 0.3 miles north of Woolbright Rd

**Project Manager:** Nancy Frontany Bou, Senior Site Planner

**BCC District:** 5

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

- a. **Title:** a Development Order Abandonment **Request:** to abandon a Place of Worship on 2.37 acres

**MOTION:** To adopt a resolution approving item 4.a

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to Single Family Residential (RS) Zoning District on 2.37 acres

**MOTION:** To adopt a resolution approving item 4.b

- c. **Title:** a Development Order Amendment **Request:** to modify the Site Plan, to add land area (2.37 acres), to add square footage, to increase the Day Care number of children, and to add an access point on a total of 4.74 acres

**MOTION:** To adopt a resolution approving item 4.c

**D. OTHER COUNTY DEPARTMENT ITEMS**

**5. [AB65929 Suncrest Ridge ROW Abandonment](#)**

**Land Development Application of Dereck Stone**

**Location:** North of Lake Worth Road and west of Jog Road

**Project Manager:** Scott B. Cantor, Director, Land Development Division

**BCC District:** 3

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval.

- a. **Title:** Right-of-Way Abandonment **Request:** to abandon all that portion of that certain 30-foot wide right-of-way lying south of and adjacent to the south 110 feet of the west 140 feet of Tract 56, Block 22 of Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, Pages 45 through 54 (also known as Lot 12, Suncrest Ridge Section One, an unrecorded plat AM 24) and lying north of the north 110 feet of the west 140 feet of Tract 64, Block 22 of said Palm Beach Farms Company Plat No. 3, recorded in Plat Book 2, pages 45 through 54 (also known as Lot 11, Suncrest Ridge Section One, an unrecorded plat AM 24), Public Records of Palm Beach County.

**MOTION:** To adopt a resolution approving item 5.a

**6. [AB68054 Boca Del Mar PUD - Madison Cove UE Abandonment](#)**

**Land Development Application of Brentwood BFR LP by WGI, Inc., Agent**

**Location:** North side of SW 18<sup>th</sup> Street, west of Camino Del Mar

**Project Manager:** Scott B. Cantor, Director, Land Development Division

**BCC District:** 4

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval.

- a. **Title:** Utility Easement Abandonment **Request:** to abandon a portion of the 10-foot wide utility easement dedicated by Boca Del Mar No. 7, Plat Book 30, Page 210, as shown on the plat of Boca Del Mar PUD – Madison Cove at Mizner Village, Plat Book 135, Page 65, Public Records of Palm Beach County.

**MOTION:** To adopt a resolution approving item 6.a

**7. [AB64051 Manheim West Palm Beach Auto Auction UE Abandonment](#)**

**Land Development Application of Manheim Remarketing, Inc, by Urban Design Studio, Agent**

**Location:** East side of Sansburys Way, south of Belvedere Road

**Project Manager:** Scott B. Cantor, Director, Land Development Division

**BCC District:** 2

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request.

- a. **Title:** Utility Easement Abandonment **Request:** to abandon a portion Tract A, West Palm Beach Auto Auction, M.U.P.D., Replat No. 1, Plat Book 113, Pages 193 through 198, being a 10-foot wide utility easement, and a portion of a 20-foot wide utility easement, both shown on Palms West Industrial Park, Plat Book 71, Pages 75 through 77, Public Records of Palm Beach County.

**MOTION:** To adopt a resolution approving item 7.a

**- END OF CONSENT AGENDA -**

## REGULAR AGENDA

### A. ITEMS PULLED FROM CONSENT

### B. COMPREHENSIVE PLAN AMENDMENTS WITH CONCURRENT ULDC AND/OR ZONING APPLICATIONS

#### 8. [SCA-2023-00020 Boynton Beach Place \(2022-00112\)](#)

**Future Land Use Application of** Job-Man Development LLC - David Mancini, Job-Man Development LLC - Carl Jobson by Schmidt Nichols

**Title/Request:** To change a Future Land Use designation from Commercial High with an underlying 5 units per acre (CH/5) on 3.96 acres and Commercial Low-Office with an underlying 5 units per acre (CL-O/5) on 4.9 acres to Commercial Low with an underlying 5 units per acre (CL/5) on 8.86 acres and to revise previously adopted conditions of approval in Ordinance 1997-011

**Location:** North side of Boynton Beach Boulevard, approx. 0.1 miles east of Jog Road

**BCC District:** 5

**Staff Recommendation:** Staff recommends Approval with Conditions

**Planning Commission:** Recommended Approval with Conditions in an 11 to 0 vote at the July 12, 2024 public hearing

**MOTION:** To adopt an ordinance approving item 8.

#### 9. [PDD/CA-2022-01922 Boynton Place MUPD \(2022-00112\)](#)

**Zoning Application of** Carl Jobson, Job-Man Development, LLC - Daniel Mancini by Schmidt Nichols

**Location:** North side of Boynton Beach Blvd, approximately 600 feet east of Jog Road

**Project Manager:** Donna Adelsperger, Senior Site Planner

**BCC District:** 5

#### DISCLOSURES

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-5.

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 8.86 acres.

**MOTION:** To recommend approval of item 9.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Type I Restaurant with drive-through on 8.86 acres.

**MOTION:** To adopt a resolution approving item 9.b

c. **Title:** a Class A Conditional Use **Request:** to allow Light Vehicle Sales and Rental on 8.86 acres.

**MOTION:** To adopt a resolution approving item 9.c

d. **Title:** a Class A Conditional Use **Request:** to allow an Car Wash on 8.86 acres.

**MOTION:** To adopt a resolution approving item 9.d

e. **Title:** a Class A Conditional Use **Request:** to allow a Limited Self-Service Storage Facility on 8.86 acres.

**MOTION:** To adopt a resolution approving item 9.e



10. [LGA-2024-00003 Bedners Market](#)

**Future Land Use Application of** Bedner Bros Farms Inc. - Stephen Bedner, Bedner Farm Inc. - Stephen Bedner by JMorton Planning & Landscape Architecture

**Title/Request:** To change a future land use designation from Agricultural Reserve (AGR) to Commerce with an underlying Agricultural Reserve (CMR/AGR) and to revise the Comprehensive Plan to define Agriculture Marketplace and allow the use within the preserve area of an AGR-MUPD for Agriculture Marketplaces approved prior to May 31, 2013.

**Location:** Northwest and southwest corners of State Road 7 and Lee Road, approximately 2 miles south of Boynton Beach Boulevard

**BCC District:** 5

**Staff Recommendation:** Staff recommends Denial of the FLUA and Text request

**Planning Commission:** Recommended Denial in a 7 to 4 vote at the October 13, 2023 public hearing.

**Board of County Commissioners Transmittal Public Hearing:** *Transmit*, motion passed in a 6 to 1 vote at the January 31, 2024 public hearing.

**MOTION:** To adopt an ordinance approving item 10.

**MOTION:** To approve permission to advertise for first reading of an Ordinance at the BCC Zoning hearing on October 24, 2024 for ULDC amendments implementing item 10 as shown in Exhibit 11-B of the staff report.

11. [PDD/DOA-2023-01002 All Seasons Delray Beach \(2012-00424\) and Bedner Oaks / Ag Marketplace \(2007-00357\)](#)

**Zoning Application of** Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

**Location:** Northeast corner of Lyons Road and Linton Boulevard (development parcel); Southwest corner of Lee Rd and State Rd 7 (new preserve parcel)

**Project Manager:** Donna Adelsperger, Senior Site Planner

**BCC District:** 5

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-3.

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development-Preserve (MUPD-P) Zoning District on 5.0 acres.

**MOTION:** To adopt a resolution approving item 11.a

b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for the MUPD to delete land area (5.0 acres) and add land area (5.0 acres) and modify Conditions of Approval on 14.73 acres.

**MOTION:** To adopt a resolution approving item 11.b

c. **Title:** a Development Order Amendment **Request:** to modify the previously approved Site Plan for a Class A Conditional Use for an Agricultural Marketplace to delete land (76.88 acres) reconfigure the Site Plan for the existing Agriculture Marketplace, and modify Conditions of Approval on the remaining 5 acres.

**MOTION:** To adopt a resolution approving item 11.c

12. [PDD-2023-00971 Bedner - Lee Industrial \(2023-00075\)](#)

**Zoning Application of** Bedner Bros Farms, Inc. by JMorton Planning & Landscape Architecture

**Location:** Northwest corner of State Road 7 and Lee Road

**Project Manager:** Donna Adelsperger, Senior Site Planner

**BCC District:** 5

**DISCLOSURES**

**Staff Recommendation:** Staff recommends approval of the request subject to the Conditions of approval as indicated in Exhibit C-1.

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

**a. Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Multiple Use Planned Development - Preserve (MUPD-P) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 5.0 acres.

**MOTION:** To adopt a resolution approving item 12.a

13. [PDD-2023-00972 Bedner Oaks Commerce \(2023-00072\)](#)

**Zoning Application of** Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

**Location:** West side of State Road 7, approximately 415 feet south of Lee Road

**Project Manager:** Donna Adelsperger, Senior Site Planner

**BCC District:** 5

**DISCLOSURES**

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

**Zoning Commission:** Recommended approval by a vote of 7-0-0.

**a. Title:** an Official Zoning Map Amendment **Request:** to allow rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 9.0 acres.

**MOTION:** To adopt a resolution approving item 13.a

**C. ULDC REVISIONS**

14. [Parking and Permanent Generators, ULDC Request for Permission to Advertise](#)

**Summary:** The item before the Board is proposed revisions to the Unified Land Development Code (ULDC) as summarized below:

- Add an administrative Type 1 Waiver to allow requests for parking reductions for Fitness Center uses with indoor recreation courts and residential recreation areas.
- Modify parking requirements to allow end-to-end parking layouts for common parking lots of residential projects and to reduce the parallel parking width requirement when internal to a development.
- Increase the maximum height for permanent generators subject to reduced setbacks on residential properties.

**Staff Recommendation:** Staff recommends approval of permission to advertise for first reading and adoption of an Ordinance at the BCC Zoning hearing on September 26, 2024.

**MOTION:** To approve staff recommendation for item 14.

**- END OF REGULAR AGENDA -**

## COMMENTS

A. COUNTY ATTORNEY

B. PLANNING DIRECTOR

15. **Farmworker Housing - Comprehensive Plan Text Initiation**

**Summary:** The item before the Board is initiate a text amendment to the Comprehensive Plan for the provision of Farmworker Housing to run concurrent with a previously initiated revision to the Unified Land Development Code (ULDC).

**Background:** Following the Board's direction on May 23, 2023 to revise the Unified Land Development Code to expand farmworker housing opportunities in the County, a review by the Planning Division determined that text amendments to the Comprehensive Plan are necessary for the ULDC amendments to go forward.

**Staff Recommendation:** Staff recommends approval of initiation.

- a. **Title:** To initiate a text amendment to the Comprehensive Plan for the provision of Farmworker Housing.

**MOTION:** To initiate item 15.

C. ZONING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

## ADJOURNMENT

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