

County Administrator

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ZONING COMMISSION HEARING
Minutes for Thursday, February 2, 2023

CALL TO ORDER

A. Roll Call - **9:00 A.M.**

Commissioner John Kern, Vice Chair	Present
Commissioner Cheri Pavlik	Present
Commissioner Michael Kelley	Absent
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Nicole Karuzas	Present
Commissioner Alex Brumfield	Absent
Commissioner Mark Beatty	Present
Commissioner Jess Sowards	Present

B. Opening Prayer, and Pledge of Allegiance

C. Remarks of the Chair

Commissioner Kern Gave a brief presentation to Marcelle Burke Thanking her for the four plus years she served as Zoning Commissioner.

D. Notice

E. Proof of Publication

Motion to receive and file approved by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes

F. Swearing In

Darren Leiser, Assistant County Attorney swore in new Zoning Commissioner, Nicole Karuzas, representing District 6.

G. Adoption of the Minutes

Motion to approve the Minutes by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes

H. Amendments to the Agenda

Wendy Hernández, Deputy Zoning Director, read into the record the Amendments to the Agenda for items 6 and 7 and requested the Board's desire to move items 6 and 7 to the Consent Agenda, the agent is in agreement with the conditions.

I. Motion to adopt the Agenda as Amended

Motion to adopt the Agenda as amended with a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes

J. Disclosures

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
None	None	5/7	None	5/7	None	Absent	Absent	7

K. Conflicts/Recusals

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
None	None	None	None	None	None	Absent	Absent	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

- A. POSTPONEMENTS**
- B. REMANDS**
- C. WITHDRAWALS**

END OF POSTPONEMENTS/WITHDRAWALS/AGENDA

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM REGULAR AGENDA**
- B. ZONING APPLICATIONS – NEW**

- 1. **Z-2022-01305, (Hezron Lopez)** (Control 2022-00073)

Title: an Official Zoning Map Amendment application of Hezron Lopez by JC Planning Solutions LLC, Agent. **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Multifamily (RM) Zoning District on 1.00 acres

General Location: West side of Knuth Road, approximately 761 feet north of Boynton Beach Boulevard

Project Manager: Nancy Frontany

Size: 1.00 acres ±

BCC District: 2

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

People who spoke on this application, 1 Comments card from the public

Dolly Caddell- Opposed, the land has been cleared and leveled, presented concerns on the building of multi-family homes, lighting, noise, and concern about the usage of land, certified letter was coming out late to the neighbors and community. HOA has a meeting coming up on Monday

Lisa Amara Zoning Director, describe the parcels future land use surrounding the site

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Multifamily (RM) Zoning District subject to the Conditions of Approval as indicated in Exhibit C

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend Approval of an Official Map Amendment, by a vote of 7-0-0

2. Z-2022-01497, (Guardian Manufacturing) (Control 1973-00102)

Title: an Official Zoning Map Amendment application of Andrew Kobosko (Guardian Manufacturing LLC) by WGINC, Agent. **Request:** to allow a rezoning from the General Commercial (CG) Zoning District to the Light Industrial (IL) Zoning District on 1.10 acres

General Location: Northeast corner of Southern Boulevard and Tall Pines Road

Project Manager: Phil Myers

Size: 1.10 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, 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 General Commercial (CG) Zoning District to the Light Industrial (IL) Zoning District subject to the Conditions of Approval as indicated in Exhibit C

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval of an Official Zoning Map amendment, by a vote of 7-0-0

3. Z/CA-2022-00895, (Soma Medical - State Road 7) (Control 2014-00217)

Title: an Official Zoning Map Amendment application of Soma Investors LLC by 2GHO Inc., Agent. **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District on 1.66 acres

Title: a Class A Conditional Use application of Soma Investors LLC by 2GHO Inc., Agent. **Request:** to allow a Medical or Dental Office on 1.66 acres

General Location: West side of State Road 7, north of Lantana Road

Project Manager: Alex Biray

Size: 1.66 acres ±

BCC District: 6

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval of an Official Zoning Map Amendment, by a vote of 7-0-0

MOTION: To recommend approval of a Class A Conditional Use to allow a Medical or

Dental Office, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval Class A Conditional Use, by a vote of 7-0-0

4. SV-2022-00847 (Westgate Terrace) (Control 1994-00094)

Title: a Subdivision Variance application of Westgate Belvedere Homes CRA, Danza of Westgate LLC by Arc Development Global LLC, Agent. **Request:** to allow access from the existing 40-foot Right-of-Way on 2.00 acres

General Location: Southeast corner of Westgate Avenue and Seminole Boulevard

Project Manager: Scott Cantor

Size: 2.00 acres ±

BCC District: 7

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

MOTION: To adopt a resolution approving a Subdivision Variance to allow access from a 40-foot Right-of-Way subject to the Condition of Approval as indicated in Exhibit C.

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Board Decision: To adopt a resolution approving a Subdivision Variance, by a vote of 7-0-0

5. SV-2022-01013 (Chabad of Lake Worth) (Control 2022-00114)

Title: a Subdivision Variance application of Chabad of Lake Worth Inc. by Schmidt Nichols, Agent. **Request:** to allow access from the existing 40-foot Right-of-Way with no swales or gutters and to allow access to a road of non-plan collector or higher classification on 3.03 acres.

General Location: Northwest corner of Lantana Road and Colbright Road

Project Manager: Scott Cantor

Size: 3.03 acres +

BCC District: 3

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

People who spoke on this application, 1 Comments card:

Josh Nichols (Agent) spoke on Item talked about parking lots, traffic, adding access to Lantana

Rebecca Calosso- spoke in opposition on the following issues on traffic control, neighborhood has added traffic due to activities at the Shabbat having Summer camps for kids with charter bus. Also there is another place of worship nearby and don't think that the added exit for the church will help with traffic.

MOTION: To receive documents from Ms Calosso

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Motion	Second						

Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes
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Decision: To Receive, by a vote of 7-0-0

MOTION: To adopt a resolution approving a Subdivision Variance to allow access from a 40-foot Right-of-Way with no swales or gutters and to allow access to a road of non-plan collector or higher classification subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Absent	Yes

Decision: To adopt a resolution approving a Subdivision Variance, by a vote of 7-0-0

A. ITEMS PULLED FROM REGULAR TO CONSENT- (Items 6 and 7)

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: Approve to move from the Regular Agenda to Consent item 6 and 7, by a vote of 7-0-0

6. Z/CA-2022-00844, (Hunter's Crossing) (Control 2013-00360)

Title: an Official Zoning Map Amendment application of DiVosta Homes L.P., C. Hendrix by Urban Design Studio, Agent. **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 36.90 acres

Title: a Class A Conditional Use application of DiVosta Homes L.P., C. Hendrix by Urban Design Studio, Agent. **Request:** to allow Zero Lot Line (ZLL) dwelling units on 36.90 acres

Title: a Class A Conditional Use application of DiVosta Homes L.P., C. Hendrix by Urban Design Studio, Agent. **Request:** to allow Townhouse dwelling units on 36.90 acres

General Location: South side of Lake Worth Road approximately 900 feet east of SR-7.

Project Manager: Joyce Lawrence

Size: 36.90 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1, C-2 and C-3.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval of an Official Zoning Map Amendment, by a vote of 7-0-0

MOTION: To recommend approval of a Class A Conditional Use to allow Zero Lot Line (ZLL) dwelling units, subject to the Conditions of Approval as indicated in Exhibit C-2

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval of a Class A Conditional Use, by a vote of 7-0-0

MOTION: To recommend approval of a Class A Conditional Use to allow Townhouse dwelling units, subject to the Conditions of Approval as indicated in Exhibit C-3

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Motion						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend Approval of a Class A Conditional Use, by a vote of 7-0-0

7. ABN/PDD-2022-01281, (Trotting Center) (Control 1983-00017)

Title: a Development Order Abandonment application of Zuckerman Homes by WGINC, Agent. **Request:** to abandon the Special Exception for a horse breeding and training farm including accessory buildings and structures and on-site water and sewage treatment plant on 105.58 acres

Title: an Official Zoning Map Amendment application of Zuckerman Homes by WGINC, Agent. **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 105.98 acres

General Location: West side of State Road 7 approx. 2,000 feet south of Hypoluxo Road.

Project Manager: Imene Haddad

Size: 103.32 acres ±

BCC District: 6

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District as indicate in Exhibit C-1

Motion carried by a vote of 7-0-0

Sowards	Caliendo	Scarborough	Karuzas	Kern	Beatty	Brumfield	Kelley	Pavlik
	Motion	Second						
Yes			Yes	Yes	Yes	Absent	Absent	Yes

Decision: To recommend approval of an Official Zoning Map Amendment, by a vote of 7-0-0

C. CORRECTIVE RESOLUTIONS

D. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

B. ZONING APPLICATIONS – NEW

Items 6 and 7 were moved to the Consent Agenda

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR:

Staff spoke and presented a plaque to Commissioner Caliendo on his 14 years of service as a Zoning Commissioners

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT – 9:24