



ZONING COMMISSION MEETING
Minutes for Thursday, October 5, 2023

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Jess Sowards, Chair	Present
Commissioner Cheri Pavlik, Vice Chair	Present
Commissioner John Kern	Present
Commissioner Michael Kelley	Present
Commissioner Glenn Gromann	Present
Commissioner Sheri Scarborough	Present
Commissioner Lisa Reves	Present
Commissioner Alex Brumfield	Present
Commissioner Mark Beatty	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Notice

E. Proof of Publication

Motion to receive and file approved by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

F. Swearing In

G. **Approval of the Minutes**

Motion to approve the Minutes by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

H. **Amendments to the Agenda**

Wendy Hernández, Deputy Zoning Director, read into the record the Amendments to the Agenda from the Add and Delete,

Motion to adapt the Agenda as Amended by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

I. Disclosures for All Items on Agenda

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
N/A	Item 12	N/A	N/A	N/A	N/A	N/A	N/A	Item 5-12

J. Conflicts/Recusals

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
N/A	N/A	N/A	N/A	N/A	Item 4	N/A	N/A	N/A

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. Zoning Applications

1. [**Z/CA-2023-00648 West Palm Dog**](#) (Control 1987-00122)

Zoning Application of Benjamin Probst, Margaret Hohmann by Land Research Management Inc., Agent.

Location: West side of Colbright Road, approx. 0.30 miles north of Lantana Road

Project Manager: Donna Adelsperger/ Larry D'Amato

BCC District: 3

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

- a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from Residential Transitional Suburban (RTS) Zoning District to the Agricultural Residential (AR) Zoning District on 1.09 acres

1 Comment Card: The following person submitted cards in opposition: Carrie Buxton

MOTION: To recommend approval of item 1.a.

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 1.a., by a vote of 9-0-0

- b. **Title:** a Class A Conditional Use **Request:** to allow Limited Pet Boarding on 1.09 acres

MOTION: To recommend approval of item 1.b

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 1.b., by a vote of 9-0-0

2. [**ZV-2023-00888 Forest Oaks Residential PUD – POD A**](#) (Control 1970-00009)

Zoning Application of Mattamy Palm Beach LLC by Design and Entitlement Consultants LLC., Agent.

Location: Southside of Lake Worth Road, approx. .61 miles west of Jog Road.

Project Manager: Zubida Persaud

BCC District: 3

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

- a. **Title:** a Type 2 Variance **Request:** to allow a reduction of the front setback (lots 35 to 39), and the rear setback (lots 33 to 39), within 9.52 acres of Pod A

MOTION: To adopt a resolution approving item 2.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To adopt a resolution approval of item 2.a., by a vote of 9-0-0

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

Zoning Application of West Atlantic Commercial Properties, LTD. by WGINC, Agent.

Location North side of Atlantic Avenue, approx. 0.25 miles west of Military Trail

Project Manager: Imene Haddad

BCC District: 5

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

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

MOTION: To recommend approval of item 3.a.

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 3.a., by a vote of 9-0-0

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

MOTION: To recommend approval of item 3.b

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 3.b., by a vote of 9-0-0

4. [ZV/PDD/CA-2023-00378 Erickson Boynton Beach CCRC](#) (Control 2018-00187)

Zoning Application of Mazzoni William TRS & Mazzoni William A TR by JMorton Planning and Landscape Architecture, Agent.

Location: South side of Boynton Beach Boulevard, approx. 0.63 miles east of Lyons Road

Project Manager: Joyce Lawrence

BCC District: 5

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

- a. **Title:** a Type 2 Variance **Request:** to allow 100% buffer overlap within a preserve area on 93.51 acres

MOTION: To adopt a resolution approving item 4.a

Motion carried by a vote of 8-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Recusal	Yes	Yes	Yes

Decision: To adopt a resolution approving item 4.a., by a vote of 8-0-1

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 93.51 acres

MOTION: To recommend approval of item 4.b

Motion carried by a vote of 8-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Recusal	Yes	Yes	Yes

Decision: To recommend approval of item 4.b., by a vote of 8-0-1

c. Title: a Class A Conditional Use **Request** to allow a Congregate Living Facility on 93.51 acres

MOTION: To recommend approval of item 4.c

Motion carried by a vote of 8-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Recusal	Yes	Yes	Yes

Decision: To recommend approval of item 4.c., by a vote of 8-0-1

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

Applications items number 5 through number 12 were combined and presented simultaneously. The following **People spoke on the applications combined:**

Kevin Fischer- Planning Director- Gave a brief presentation

GL Agent: Kevin Ratterree- Gave a presentation

GL Agent: **Lenard**- Gave a brief presentation

Commissioner Beatty- spoke on this application: Express his concerns about the size of the proposed park (25 acres) not been enough for the required facilities. Mention that 50 acres may be more appropriate. Also spoke on the use for the lakes that will be excavated and runoff drainage.

Commissioner Reves- spoke on this application: In regards to the 1600 acres question as to dedication or deeding

Commissioner Scarborough- spoke on this application: Disclose that she was in several presentations were GL gave presentation to the Westbrook Community Council and express concerns about the drainage affecting this community and the benefits the project will bring in terms also spoke in the benefits in regards to affordable housing, senior community, the public services provide to West Boca area

Commissioner Sowards- spoke on this application: In regards to Agricultural Drainage and the Residential drainage, cul-de-sacs being part of fire review and road improvements

Commissioner Pavlik- spoke on this application: In regards to increase in traffic and any road improvements due to the application and compliance with requirements of the Commercial Pod

Commission Gromann- spoke on this application spoke in regards of the benefic that the water project has to the county

Quazi Bari- Manager Traffic Engineering Operations- spoke on this application

Scott Cantor Land development Division Director

Lisa Amara- Division Director- spoke on this application

Wendy Hernandez- Division Director II- spoke on this application: provide a presentation of the Application.

County Attorney Scott Stone- spoke on this application

10 Comment Card:

The following people submitted cards in support and spoke:

Yossi Schapiro, William Rice, Berry Firedman, Raviv Fokshner, John Koons, Debbie Murphy, Josh Broide

The following people submitted cards in Opposition:

Representive Rick Roth

The following people submitted cards Didn't speak:

Eli Nurieli

The following people submitted cards Read into record:

Neil Picket

5. [ABN/DOAW-2022-00155 Indian Trail Groves](#) (Control 2002-90045)

Zoning Application of Palm Beach West Associates I LLLP by G.L. Homes, Urban Design Studio, Agents.

Location: West side of 180th Avenue North, south of Hamlin Blvd., and southeast corner of 200th Trail North and 60th St. N.

Project Manager: Imene Haddad

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C1 and C-2.

a. Title: a Development Order Amendment **Request:** to modify the Master Plan to delete land area, units, uses, and square footage; and to modify Conditions of Approval 4,817.57 acres

MOTION: To recommend approval of item 5.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 5.a., by a vote of 9-0-0

b. Title: a Type 2 Waiver **Request** to allow for more than 40% of local streets to terminate in a cul-de-sac or dead end on the remaining 4,866.10 acres

MOTION: To recommend approval of item 5.b

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 5.b., by a vote of 9-0-0

6. [DOA-2022-00203 Hyder AGR-PUD](#) (Control 2005-00455)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: West side of Lyons Road, approx. 1.5 miles south of Atlantic Avenue

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (23.84 acres) from an existing 1836.79 acre approval, and to modify the Master Plan for the remaining 1812.96 acres

MOTION: To recommend approval of item 6.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion				Second			
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 6.a., by a vote of 9-0-0

- b. **Title:** Release of conservation Easement **Request:** to allow the partial release of the Conservation Easement recorded in OR 283760, Page 1020 for 23.84 acres from the previously approved 124.27 acre Conservation Easement, for a remaining 100.43 acres.

MOTION: No motion required for item 6.b

7. [DOA-2022-00204 Lyons West AGR-PUD](#) (Control 2005-00003)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (370.01 acres) from an existing 1,043.066 acre approval, and to modify the Master Plan for the remaining 673.06 acres

MOTION: To recommend approval of item 7.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 7.a., by a vote of 9-0-0

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 23125, Page 1122 for 370.01 acres

MOTION: No motion required for item 7.b

8. [DOA-2022-00205 Canyon Isles AGR-PUD](#) (Control 2002-00068)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (23.42 acres) from an existing 511.584 acre approval, and to modify the Master Plan for the remaining 488.17 acres

MOTION: To recommend approval of item 8.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 8.a., by a vote of 9-0-0

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1456 for 23.42 acres

MOTION: No motion required for item 8.b

9. [DOA-2022-00206 Canyon Lakes AGR-PUD](#) (Control 2002-00067)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of Lyons Road and West side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (19.09 acres) from an existing 517.001 acre approval, and to modify the Master Plan for the remaining 497.92 acres

MOTION: To recommend approval of item 9.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 9.a., by a vote of 9-0-0

b. Title: Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1437 for 19.09 acres

MOTION: No motion required for item 9.b

10. [DOA-2022-00207 Canyon Springs AGR-PUD](#) (Control 2002-00069)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of Lyons Road, approx. 1.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (25.76 acres) from an existing 507.57 acre approval, and to modify the Master Plan for the remaining 481.81 acres

MOTION: To recommend approval of item 10.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 10.a., by a vote of 9-0-0

b. Title: Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1068 for 25.76 acres

MOTION: No motion required for item 10.b

11. [DOA-2023-00269 Whitworth AGR-PUD](#) (Control 2021-00031)

Zoning Application of Boynton Beach Associates 30 LLLP, 156th Court South Associates, LLC by G.L. Homes, Agents.

Location: East side of State Road 7, approx. 1.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (90.44 acres) from an existing 721.513 acre approval, and to delete units and modify the Master Plan for the remaining 631.075 acres

MOTION: To recommend approval of item 11.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 11.a., by a vote of 9-0-0

b. Title: Release of conservation Easement **Request:** to allow the full release of Conservation Easements for Hyder West Preserve parcel #4 recorded in OR 33505, Page 182, and Hyder West Two Preserve 11 recorded in OR 34355, Page 1203 for a total of 90.44 acres

MOTION: No motion required for item 11.b

12. [ZV/PDD-2022-00143 Hyder West AGR-PUD](#) (Control 2022-00005)

Zoning Application of G.L. Homes of Palm Beach Associates LTD, Lake Worth Drainage District by G.L. Homes, Agents.

Location: West side of State Road 7/US 441, approx. 0.6 miles north of Clint Moore Road

Project Manager: Timothy Haynes

BCC District: 5

DISCLOSURE

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

a. Title: a Type 2 Zoning Variance **Request:** to eliminate a portion of the east and west perimeter buffers of the proposed wetlands preserve area on 581.92 acres

MOTION: To adopt a resolution approving item 12.a

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To adopt a resolution approving of item 12.a., by a vote of 9-0-0

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) and the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 581.92 acres

MOTION: To recommend approval of item 12.b

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent

Decision: To recommend approval item 12.b., by a vote of 9-0-0

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY

- B. ZONING DIRECTOR**
- C. PLANNING DIRECTOR**
- D. EXECUTIVE DIRECTOR**
- E. COMMISSIONERS**

Motion to Adjourn

Motion carried by a vote of 9-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
							Motion	
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

ADJOURNMENT: 11:21