



**ZONING COMMISSION
AMENDMENTS TO THE AGENDA
JANUARY 11, 2024**

CONSENT AGENDA

2. DOA-2022-00509 Atlantic Christian Academy

AMEND – All Petitions Condition 2 in Exhibit C as shown with the deleted text struck out:

2.{omitted for brevity}

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolutions (R-2016-0127, R- 2007-1234 Eng corrective, R-2006-0149 Eng Corrective, R-2005-1794, and R-2009-1221), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners ~~or Zoning Commission~~, unless expressly modified. (ONGOING: MONITORING - Zoning)

AMEND – Engineering Condition 19 in Exhibit C as shown with the deleted text struck out and the added text underlined:

19. ~~Previous ENGINEERING Condition 19 of Resolution R-2016-127, Control No.1986-00114, which currently states:~~

The Property Owner shall abandon or release, and relocated if necessary, all easements in conflict with any improvement prior to plat recordation. (BLDGPMT: MONITORING - Engineering) [Note: COMPLETED]. (Previous ENGINEERING Condition 19 of Resolution R-2016-127, Control No.1986-00114)

Is hereby amended to read:

~~Prior to the issuance of the next building permit for additional square footage, the Property Owner shall abandon or release, and relocate if necessary, all easements in conflict with any improvement. (BLDGPMT: MONITORING – Engineering)~~

3. ZV/PDD/DOA-2023-00955 Johns PUD

AMEND – Variance Condition 3 in Exhibit C-1 as shown with the deleted text struck out:

3. Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance(s) and any associated Conditions of Approval shall be shown on the Master Plan. (DRO: ZONING - Zoning) ~~Property Owner~~

AMEND –Landscape - Perimeter-Landscaping along the Property Line East of Pod D and Recreation Pod Condition 1 in Exhibit C-1 as shown with the deleted text struck out and added text underlined:

1. Landscaping along the property line shall be upgraded to include:
 - a. one (1) Canopy Tree for each twenty (20) linear feet (78 Canopy Trees) on the ~~interior~~ exterior of the wall
 - b. one (1) Canopy Tree per thirty-three (33) linear feet (48 Canopy Trees) on the ~~exterior~~ interior of the wall.

- c. one (1) Palm or Pine for each thirty (30) linear feet of the property line (52 Palms or Pines) on the ~~interior~~ exterior of the wall
- d. one (1) Palm or Pine for each fifteen (15) linear feet (105 Palm or Pines) on the ~~exterior~~ interior of the wall.
- e. 522 Medium Shrubs on the ~~interior~~ exterior of the wall
- f. 85 Medium Shrubs on the ~~exterior~~ interior of the wall, and
- g. 1570 Small Shrubs on the interior of the wall (BLDG PERMIT: LANDSCAPE – Zoning)

AMEND –Landscape - Perimeter-Landscaping along the Property Line North of Pod A and Lake 3 Condition 1 in Exhibit C-1 as shown with the deleted text struck out and added text underlined:

- 1. Landscaping along the property line shall be upgraded to include:
 - a. one (1) Canopy Tree for each twenty (20) linear feet (78 Canopy Trees) on the ~~interior~~ exterior of the wall
 - b. one 1 Canopy Tree per fifty-five (55) linear feet (28 Canopy Trees) on the ~~exterior~~ interior of the wall.
 - c. one (1) Palm or Pine for each thirty (30) linear feet of the property line (52 Palms or Pines) on the ~~interior~~ exterior of the wall
 - d. one (1) Palm or Pine for each forty-five (45) linear feet (35 Palm or Pines) on the ~~exterior~~ interior of the wall.
 - e. 519 Medium Shrubs on the ~~interior~~ exterior of the wall,
 - f. 222 Medium Shrubs on the ~~exterior~~ interior of the wall, and
 - g. 1558 Small Shrubs on the interior of the wall (BLDG PERMIT: LANDSCAPE – Zoning)

AMEND – Compliance Condition 1 in Exhibit C-1 as shown with the deleted text struck out and added text underlined:

- 1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the ~~Board of County Commissioners~~ Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: ZONING - Zoning)

AMEND – Engineering Condition 11 in Exhibit C-3 with the added text underlined:

11. NOISE MITIGATION

- a.
- b. Construction of any required sound walls and landscape buffers as outlined in the Noise Analysis shall be completed prior to the issuance of the first certificate of occupancy for residential units for sale within Phase 5, as shown on the approved Phasing Plan (FRP-DP). (BLDG/PMT/CO: MONITORING - Engineering)

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION



ZONING COMMISSION HEARING

Thursday, January 11, 2024

9:00 a.m., 1st Floor Vista Center,

2300 N Jog Rd, West Palm Beach, 33411

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Approval of the Minutes
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - Motion to adopt the Agenda
- I. Disclosures for All items on Agenda
- J. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

AGENDA
PALM BEACH COUNTY
ZONING COMMISSION
JANUARY 11, 2024

CALL TO ORDER

- A. Roll Call – 9:00 AM.
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista enter, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, West Palm Beach, FL, to consider proposed applications and staff recommendations pursuant to and other actions the Palm Beach County Unified Land Development Code. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on applications not subject to Zoning Commission final action.

- D. 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:

- 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 Chair, 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.

- E. Proof of Publication - **Motion** to receive and file
- F. Swearing In - County Attorney
- G. Approval of the Minutes - [Motion to approve the minutes](#)
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda
- I. Disclosures for all items on Agenda
- J. Conflicts/Recusals

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. [CA-2023-00675 Adam's Fiveplex](#) (2022-00044)

Zoning Application of Adam Kharbech by Adam Kharbech

Location: Northwest corner of Mango Drive and Gardenette Street

Project Manager: Matthew Boyd

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 Class A Conditional Use **Request:** To allow the Transfer of Development Rights in excess of 2 units per acre on 0.55 acres

MOTION: To recommend approval of item 1.a

2. [DOA-2022-00509 Atlantic Christian Academy](#) (1986-00114)

Zoning Application of ACA Bridge Builders LLC by Arc Development Global LLC

Location: Southeast corner of Haverhill Road and Summit Boulevard

Project Manager: Timothy Haynes

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 Development Order Amendment **Request:** to reconfigure the Site Plan by deleting and relocating buildings/square footage, add a building, and modify phasing and Conditions of Approval on 16.85 acres

MOTION: To recommend approval of item 2.a

3. [ZV/PDD/DOA-2023-00955 Johns PUD](#) (2021-00073)

Zoning Application of Boca Raton Associates X LLLP by Boca Raton Associates X LLLP

Location: East and west side of Lyons Rd, approximately 0.26 miles north of Glades Rd

Project Manager: Imene Haddad

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.

- a. **Title:** a Type 2 Variance **Request:** to allow an increase in wall height on 329.87 acres

MOTION: To adopt a resolution approving item 3.a

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 70.35 acres

MOTION: To recommend approval of item 3.b

c. **Title:** a Development Order Amendment **Request:** to modify the Master Plan to add land area (70.35 acres) for a total 329.87 acres and to add units, and modify Conditions of Approval

MOTION: To recommend approval of item 3.c

4. [W-2022-01656 Pine Trail Shopping Center](#) (1978-00273)

Zoning Application of Pine Trail Square LLC by Dunay Miskel and Backman LLP

Location: Southwest Corner of Okeechobee Boulevard and North Military Trail

Project Manager: Imene Haddad

BCC District: 2

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

a. **Title:** a Type 2 Waiver **Request:** to extend the hours of operation for an Indoor Entertainment use in Building 9C within 250 feet of a parcel of land with a residential use on 28.06 acres

MOTION: To recommend approval of item 4.a

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. **Items Pulled From Consent**

B. **Zoning Applications**

C. **Subdivision Applications**

5. [SV-2022-01890 GLMC Warehouse](#) (2001-50052)

Zoning Application of GLMC Group LLC by Dunay Miskel and Backman LLP

Location: West side of Thompson Rd, approximately 200 feet south of Hypoluxo Rd

Project Manager: Werner Vaughan

BCC District: 2

Staff Recommendation: Staff recommends Approval of the request

a. **Title:** a Subdivision Variance **Request:** to allow access from the existing 40-foot easement on 0.71 acres.

MOTION: To adopt a resolution approving item 5.a

- END OF REGULAR AGENDA -

COMMENTS

A. **COUNTY ATTORNEY**

B. **ZONING DIRECTOR**

C. **PLANNING DIRECTOR**

D. **EXECUTIVE DIRECTOR**

E. **COMMISSIONERS**

ADJOURNMENT