

PALM BEACH COUNTY ZONING APPLICATION STAFF REPORT

ZONING COMMISSION, JUNE 5, 2025

A. Application Summary

I. General

Application Name: Palmwood Residential Subdivision, Z-2024-01932

Control Name: Palmwood (2015-00103)

Applicant: Palmwood Real Estate, LLC

Owner: Palmwood Real Estate, LLC

Agent: Cotleur & Hearing, Inc. - Zach Ciciera and Don Hearing

Project Manager: Nancy Frontany Bou, Senior Site Planner

Title/Request: Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family (RS) Zoning District on 1.14 acres

Application Summary: The application is for the Frederick Small property. The site has no prior Board of County Commissioners (BCC) approvals and is currently vacant.

The request proposes a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Single Family (RS) Zoning District. The rezoning would allow the subdivision of the property into three lots through a future administrative application for a subdivision and the addition of one transfer of development right (TDR) unit for a total of three units.

Access to the site is from Frederick Small Road and Palmwood Road.

II. Site Data

Acres: 1.14 acres

Location: Northwest corner of Frederick Small Rd and Palmwood Rd

Parcel Control: 00-43-41-17-00-000-7280

Future Land Use: Low Residential, 2 units per acre (LR-2)

Zoning District: Agricultural Residential (AR) **Proposed Zoning:** Residential Single Family (RS)

Tier: Urban/Suburban
Utility Service: Town of Jupiter

Overlay/Study: N/A
Neighborhood Plan: N/A
CCRT Area: N/A

Comm. District: 1, Mayor Maria G. Marino

III. Staff Assessment & Recommendation

ASSESSMENT: Staff has evaluated the standards listed under Article 2.B., and determined that the requests meet the standards of the ULDC subject to Conditions of Approval as indicated in Exhibit C.

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

PUBLIC COMMENT SUMMARY: At the time of publication, Staff had received no contacts from the public regarding this application.

IV. Hearing History

ZONING COMMISSION: Scheduled for June 5, 2025

BCC HEARING: Scheduled for June 18, 2025

B. Data & Analysis

The supporting data and analysis is provided within the following Exhibits.

I. Exhibits		Page
A.1	Future Land Use Map	3
A.2	Zoning Map	4
B.	Standards Analysis & Findings	5-8
C.	Conditions of Approval	9
D.	Project History	10
E.	Applicant's Exhibits	
E.1	Preliminary Subdivision Plan – April 17, 2025	E-1
E.2	Survey	E-2
E.3	Disclosure of Ownership	E-3
E.4	Drainage Statement	E-4
E.5	Utility Letter – Sanitary Sewer	E-5
E.6	Utility Letter – Potable Water	E-6



Exhibit A-2 - Zoning Map

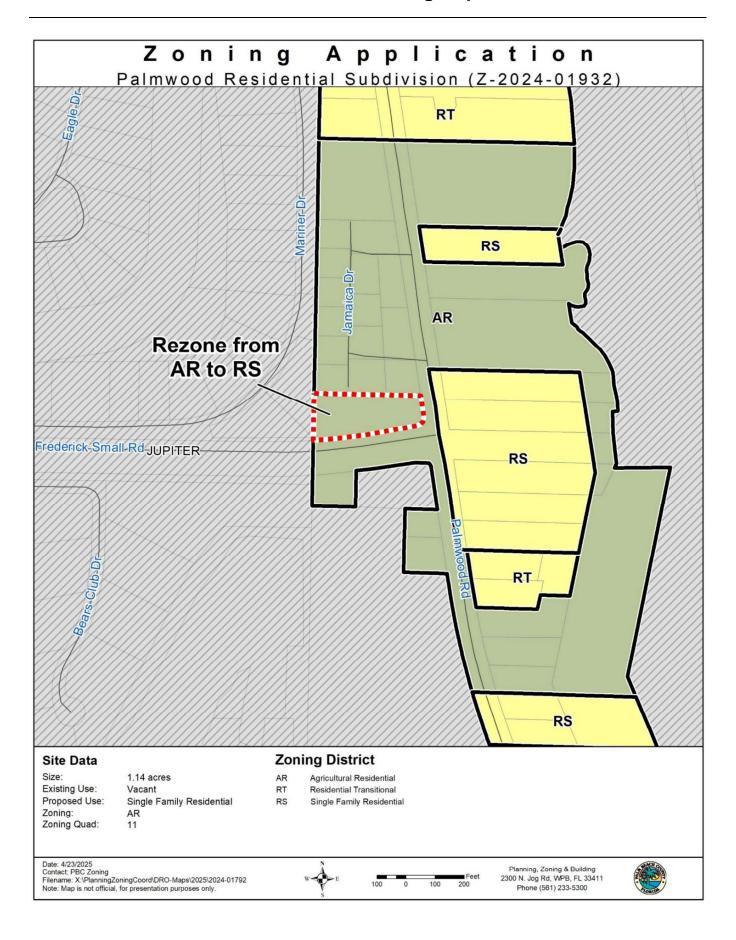


Exhibit B - Standards Analysis & Findings

Official Zoning Map Amendment (Rezoning) to a Standards District Standards:

Article 2.B.7.A.2, Standards for an Official Zoning Map Amendment (Rezoning) to a Standard District are indicated below with Staff Analysis. A request that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved by the Commission.

- a. Consistency with the Plan The proposed amendment is consistent with the Plan.
- Oconsistency with the Comprehensive Plan: The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.
- Density: The request for three units includes two units from the LR-2 future land use (2 du/ac x 1.14ac = 2.28 du rounded down to 2 du) and the utilization of 1 Transfer of Development Rights (TDR) Bonus Density unit out of the two available TDRs (2 TDR/Ac x 1.14ac = 2.2 or rounded down two TDR bonus density units). The requested one TDR will be purchased at single family unit full price. The two units associated with the base density, and one additional TDR bonus unit are under the 10 unit Workforce Housing Program threshold and are not subject to WHP program requirements.

The request for one TDR is processed concurrently with the administrative application for subdivision approval. The request for the additional TDR is to be reviewed against the following standards:

Standards

In addition to fulfilling the requirements of Art. 5.G.3.H, TDR Receiving Areas, to qualify as a receiving area and be eligible for an increase in density, all applications requesting receiving area designation shall comply with these standards:

- a. The Transfer of Development Rights is by deed, and the deed shall be recorded before Final Site Plan approval;
- b. The transfer is to a parcel of land which meets all the requirements of this Code and within which the transferred densities have been included and amended;
- c. The proposed development meets all concurrency requirements at the level of impact calculated to include the TDR density:
- d. If the transfer is between two private parties, at the time the transfer is approved, the sending area from which the transfer will occur shall be subject to a conservation easement and shall be identified on the Zoning Map. Pending recording of the conservation easement, no Development Order approvals shall be issued for the sending area or receiving area; [Ord. 2010-022]
- e. If the transfer of rights is from the PBC TDR Bank, all rights have been accounted for and there are enough development rights in the bank to cover the project;
- f. The proposed development and density are compatible with the surrounding area and land use; and.
- g. The proposed development and density do not negatively impact adjacent environmentally sensitive lands.
- **b.** Consistency with the Code The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

The proposed Amendment is consistent with the stated purpose and intent of the County Unified Land Development Code (ULDC).

The Applicant has indicated in his justification statement that their intent is to subdivide the property into three lots through an administrative application for a subdivision plan and the purchase of a one Transfer of Development Right (TDR) included in the total of three units. All proposed lots and single family units will have to comply with the standards indicated in Art. 3.D.1.A.

- o Property Development Regulations: Table 3.D.1.A Property Development Regulations regulates the required lot dimensions, building coverage and minimum setbacks. The property will be in compliance with the parameters established under Table 3.D.1 A. The 1.14-acre site meets the minimum lot size (6,000 sq.ft.), width and frontage for a lot within RS Zoning District.
- **c.** Compatibility with Surrounding Uses The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.

The proposed rezoning is compatible, and generally consistent with the existing uses and the surrounding zoning districts, and is the appropriate zoning district for the parcel of land. The surrounding properties are residentially zoned with Agriculture Residential Single Family (AR) to the north and south, to the east zoned Residential Single Family and to the west zoned R1 Residential Single Family. There have been several parcels within this area that have rezoned from the Agricultural Residential (AR) District to the Single

Family Residential (RS) District and the Residential Transitional (RT) District. The uses of properties surrounding the subject site are Single Family homes. The rezoning from AR to RS will be consistent with the zoning of the area.

- **d. Effect on Natural Environment** The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.
- Vegetation Protection: The site is vegetated with a non-native species (e.g., Java Plum, Bishopwood, Carrortwood, Schefflera and Mother-in-laws Tongue), and native upland species (e.g., Slash Pines, Strangler Figs, Mohogany and Sabal Palms. The rezoning request will not impact native vegetation. However, the subsequent Development Review Officer (DRO) application will evaluate impacts of on-site vegetation. Native species are being protected in the form of relocating the native material (Sabal palmetto) to an appropriate area on the site and some species being preserved in place. Only the minimum amount of vegetation necessary for development will be cleared on site for the three residential subdivided lots.
- Wellfield Protection Zone: This property is not located within Wellfield Protection Zone.
- o Irrigation Conservation Concerns and Surface Water: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007.

Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93-15.

- o *Environmental Impacts:* There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.
- **e. Development Patterns –** The proposed amendment will result in a logical, orderly, and timely development pattern.

The proposed RS Zoning District is generally consistent with the Zoning pattern for the area. The area consists of a mix of residential single family zoning districts with different lot sizes. The amendment to rezone to RS is logical and orderly and is consistent with the pattern of the area.

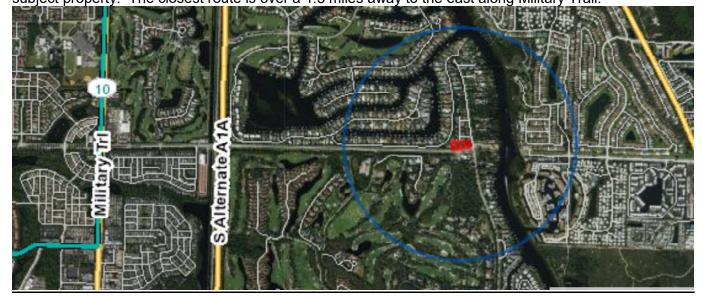
f. Adequate Public Facilities – The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).

TRAFFIC DIVISION:

The Department of Engineering and Public Works Land Development Division reviewed and provided comments throughout the review of this application and found it to comply with the code requirements of the ULDC under the authority of the Division. No conditions of approval are proposed for this application.

MASS TRANSIT:

Palm Tran review Staff were provided this application for review. They provided no comments or Staff Review analysis for the subject request. There are no bus stops or bus routes within a1/2 mile of the subject property. The closest route is over a 1.5 miles away to the east along Military Trail.



LAND DEVELOPMENT:

The Department of Engineering and Public Works Land Development Division provided comments throughout the review of this application and found it to comply with the code requirements of the ULDC under the authority of the Division. No conditions of approval are proposed for this application.

DRAINAGE DISTRICT:

It's subject development is subject to the review of the South Florida Water Management District (SFWMD) and is located within the Intracoastal Basin. Prior to the issuance of any building permits the Applicant will be required to comply the Districts requirements as well as Building Code and Land Development Regulations See the Applicant's Drainage Statement in Exhibit E-6.

WATER AND WASTEWATER PROVIDER:

The subject site is within the water service boundaries of the Town of Jupiter and wastewater service boundaries of Loxahatchee River District. The Applicant provided Service Availability letter from the Town of Jupiter. The Utilities Department identified the location of the water service location which is adjacent to the property. They did not provide a reservation of capacity. Prior to final approval of any subdivision the Applicant will be required to provide Concurrency approval from the Town.

The Applicant provided a letter from the Loxahatchee River District regarding the availability of sanitary sewer service to the site. They stated that there is availability, however the Applicant would be responsible for all costs. Prior to final approval of the subdivision plan, the Applicant will be required to provide Concurrency from the District.

PALM BEACH COUNTY HEALTH DEPARTMENT:

The Health Department Review Staff were provided this application for review, and have no comments. The Applicant is proposing to subdivide the single lot into three individual lots for the development of single family homes as part of the administrative application (DRO-2024-0193). The subdivision into three lots requires connection to water and wastewater sewer services by Art. 11, Subdivision Regulations.

FIRE RESCUE:

Fire Rescue Review Staff were provided this application for review, and have no comments. The development is within the service boundary of Palm Beach County Fire Rescue Station #16.

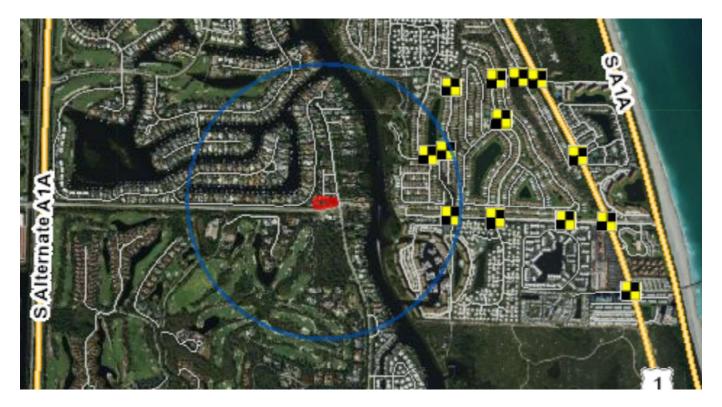


PARKS AND RECREATION:

The Parks and Recreation Department Review Staff were provided this application for review. An administrative application (DRO-2024-01933) is running concurrently with this application to subdivide the property to make three single family lots. Under the administrative application, Parks Review Staff indicated that the subdivision is subject to compliance with regulations under Art. 5.D.2.B.5 Cash-Out option in lieu of providing on-site recreation prior to the issuance of first building permit, and that the cost is to cover the recreation cost of the required for three units; 0.018 acres. Parks Review Staff indicated that a Condition of Approval will be added to the concurrent subdivision application to ensure this requirement is met.

SCHOOL IMPACTS:

The PBC School District Review Staff were provided this application for review. The comments during the review stated that the School Board hads no issue with the rezoning. No School Capacity Availability Determination (SCAD) was provided for the rezoning. At this time there would be no change for the current availability of one dwelling unit. There are no bus stop locations within ½ mile of the subject property. Any modifications to the bus routes would be coordinated with the School District.



g. Changed Conditions or Circumstances – There are demonstrated changed site conditions or circumstances provided by the Applicant's Justification Statement that necessitate the amendment.

The Applicant's Justification Statement indicates the following justification for their changed conditions of circumstances: "This proposal is solely to align with the surrounding development and enhance the corridor by providing high-end development as an anchor at this intersection. The applicant purchased the vacant parcel in 2024 and now seeks to continue the existing pattern of development towards Frederick Small Road. In order to align with the existing development pattern, this rezoning is necessary to achieve compatible development rather than one large standalone parcel."

Exhibit C-1 - Conditions of Approval

Official Zoning Map Amendment

DISCLOSURE

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

Exhibit D - Project History

The site is currently vacant and does not have any prior approvals by the Board of County Commissioners (BCC)

Exhibit E-1 - Preliminary Subdivision Plan	

100% 29% 31% 6% 5% 100% (VACANT) (2 SINGLE FAMILY UNIT) Z 1.14 AC 0.14 AC 0.34 AC 0.35 AC 0.07 AC 0.03 AC ZONING STAMP AMENDMENTS 49,638 SF 6,000 SF 14,637 SF 15,180 SF 15,321 SF 3,217 SF 1,283 SF 49,638 SF LOCATION MAP 2.63 8 N 8 40 A 9 Required Parking per Lot Required Accessible Parking Required Loading Max. Height and number of stor Application Name Control Number Application Number Last ZC/BCC Approval Date Required Recreation Required Civic Traffic Analysis Zone (TAZ) Exisiting Density Proposed Density INGLE FAMILY UNITS BRICK (ADT 10 1 (0) 0 (1) JAMAICA DRIVE NOT 1 STORY RESIDENCE 6' UE ORB 30660, PG 200 FREDERICK SMALL ROAD ULTIMATE ROW 120 FI. UCTIMATE ROW 120 FI. OOR 4594, PO 1448 UNPLATTED (ORB 30660, PAGE 200) CN:00-43-41-17-00-000-710 (d) (e) (MM) (d) (es SIDE ADT 20 1 (0) (1) (1) MAX BLDG. COVERAGE FRONT JAMAICA DRIVE 40% 40% 40% 15' ROAD EASEMENT ORB 33732, PG 552 DEPTH CORNER UNPLATTED (ORB 33732, PAGE 552) PCN:00-43-41-17-00-000-709 FRONTAGE LOT AREA 14,637 SF DEVELOPABLE AREA 7,995 SF 6' UE ORB 33732, PG 552 WIDTH REQUIRED RS 6,000 PROPOSED RS - Lot 1 14,637 PROPOSED RS - Lot 2 15,180 PROPOSED RS - Lot 3 15,321 Zoning District Overlay LOT 623B (ORB 2658, PAGE 1707) N: 30-43-41-18-21-000-6230 ADMIRAL'S CORNER (PLAT BOOK 95, PAGE 55)

Palm Beach County, Florida

Palmwood Residential Subdivision Preliminary Site Plan April 04, 2025 2:26:42 p.m Drowing: 23-1012 SP.DW

PSP

SHEET OF 1

CONTERN HENRY, INC.

REG (1) IN CONTENT CONTE

Cotleur & Hearing

Landscape Architects
Land Planners
Environmental Onsulants
Sulfe T (1994 Commerce Lane
Sulfe T (1995 Commerce Lane
Lick L (1995 Commerce Lane
L (1995 Commerce Lane
L (1995 Commerce L (1995 Commerce

Exhibit E-2 - Survey

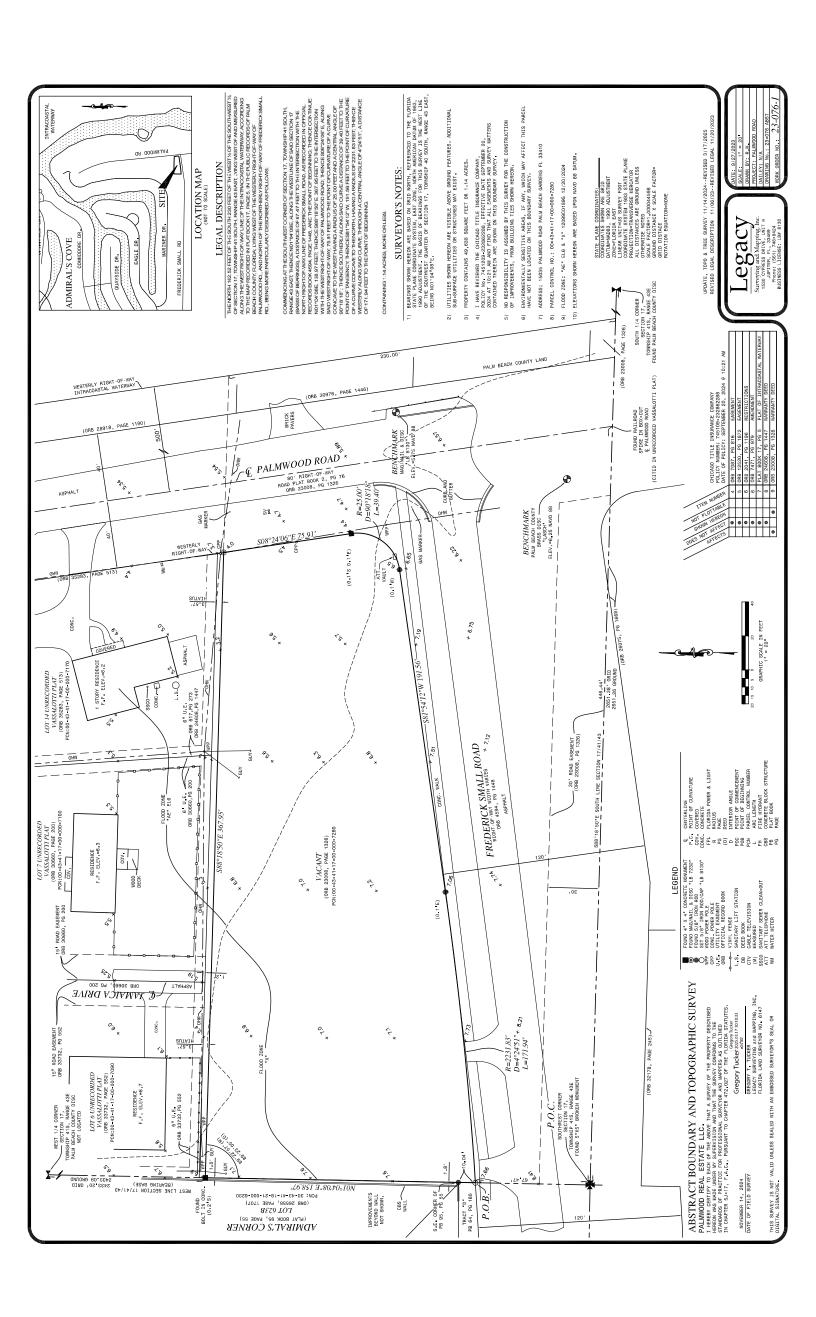


Exhibit E-3 - Disclosure

STATE OF FLORIDA

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY OWNER

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Applicant. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of Applicant's application for Comprehensive Plan amendment or Development Order approval. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of the Applicant.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Applicant that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- **6.** Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
- 7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

AWUTEN WLLOV, Affiant (Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means [] online notarization, this day of final me of person acknowledged before me by means day of final me of person acknowledged before me by means day of	, 20_ 25 _ by
known to me or has produced	(type of identification) as
identification and diddid not take an oath (circle correct response).	
	eNathers
(Name - type, stamp or print clearly)	(Signature)
My Commission Expires on: NOTARY RENEE MATTER MY COMMISSION EXPIRES 2-8-2029 TO FLORIDA ON NUMBER ARTHURING	Y'S SEAL OR STAMP

EXHIBIT "A"

PROPERTY

THE NORTH 162.52 FEET OF THE SOUTH 230 FEET OF THE WEST ½ OF THE SOUTHWEST 14 OF SECTION 17, TOWNSHIP 41 SOUTH, RANGE 43 EAST, LYING WEST OF AND MEASURED ALONG THE WEST RIGHT-OF-WAY LINE OF THE INTERCOASTAL WATERWAY, ACCORDING TO THE MAP RECORDED IN PLAT BOOK 17, PAGE 5, IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; LYING WEST OF THE WESTERLY RIGHT-OF-WAY OF PALMWOOD RD., AND NORTH OF THE NORTHERLY RIGHT-OF-WAY OF FREDERICK SMALL RD. TOTAL ACREAGE: 1.14 ACRES

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS IN APPLICANT

Affiant must identify all entities and individuals owning five percent or more ownership interest in Applicant's corporation, partnership or other principal, if any. Affiant must identify individual owners. For example, if Affiant is the officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

Name	Address
	Andrew and Lisa Wilson own 100% of Palmwood Real Estate
-	
-	

Exhibit E-4 - Drainage Statement



Jeff H. Iravani, Inc.

Consulting Engineers

1934 Commerce Lane, Suite 5 Jupiter, Florida 33458 Tel: (561) 575-6030 Fax: (561) 575-6088 Email: JHI@jhiinc.com Website: www.jhiinc.com

Drainage Statement For Frederick Small Road & Palmwood Road 3-Residential Lots

I. Introduction

The site is located at the northwest intersection of Frederick Small Road and Palmwood Road and consists of 1.47 acres of mostly undeveloped land. It is proposed to develop the land into 3 residential lots

The drainage system for these parcels shall be designed in accordance with Palm Beach County Building Division PPM # PB-O-128. The outfall for this project will be to Palm Beach County Right of Way at Frederic Small Road & Palmwood Road.

See Exhibit-A.

Section 17, Township 41S, Range 43E, Palm Beach County, Florida

II. Design Criteria

Per Palm Beach County Building Division PPM #PB-O-128:

- 1. Each lot shall detain on-site the runoff from a 3yr-24hr storm or 5.5" of rainfall.
- 2. The outfall shall be into the street Right-of Way.
- 3. Swales along the perimeter of each lot shall direct the runoff to the detention and then to the outfall.

III. Recommendations

It is recommended that detention swales and other detention /retention methods be provided to meet the above criteria.

Certified on this 18th day of November 2024

Jeff H. Iravani, P.E. FL Reg # 33155 FR # 6986

Exhibit-A



Exhibit E-5 - Utility Letter – Sanitary Sewer



LOXAHATCHEE RIVER DISTRICT

2500 JUPITER PARK DRIVE, JUPITER, FLORIDA 33458 TEL: (561) 747-5700

D. Albrey Arrington, Ph.D. EXECUTIVE DIRECTOR

loxahatcheeriver.org

December 4, 2024

Palmwood Real Estate LLC 363 Eagle Dr. Jupiter, FL 33477

17-41-43, NLY 162.52 FT OF S 230 FT OF W ½ OF SW ¼ LYG W OF PALMWOOD RD

00-43-41-17-00-000-7280 Sanitary Sewer Availability

To Whom It May Concern:

This letter is provided in response to a recent request by Zach Ciciera, Senior Land Planner, Cotleur & Hearing, concerning sanitary sewer service availability for the subject property.

Please be advised that, as of this date, sanitary sewer service can be made available to the subject property upon payment of certain costs and installation and/or modification of infrastructure in accordance with the District Rules. Copies of District Rule 31-10 are available for your review on our website at www.loxahatcheervier.org. Consistent with District policy, the Developer will be responsible for all costs associated with connecting to the existing wastewater system of the District.

Should you require additional information on this matter, please contact the District Engineering Department at (561) 747-5700 Ext. 4052.

Sincerely,

Kris Dean, P.E.

Deputy Executive Director

Cc:

zciciera@cotleur-hearing.com spolacek@coutleur-hearing.com

Stephen B. Rockoff CHAIRMAN

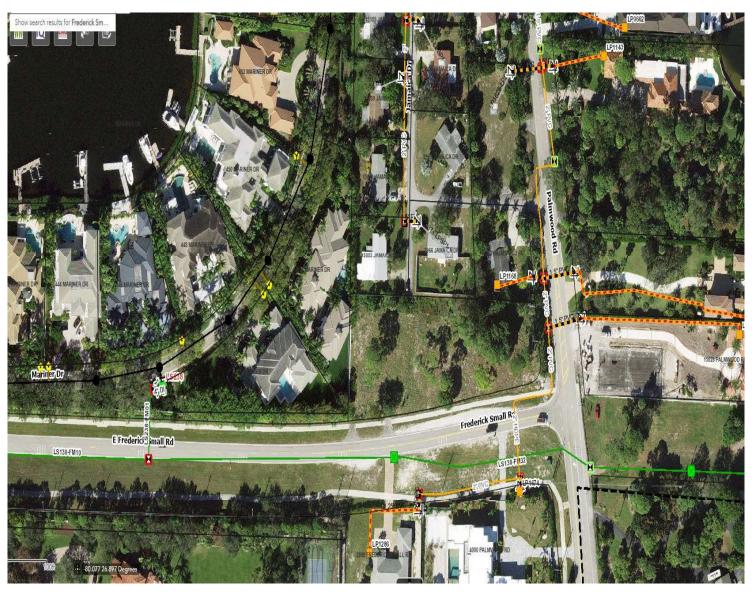
Kevin L. Baker BOARD MEMBER Gordon M. Boggie BOARD MEMBER

Dr. Matt H. Rostock BOARD MEMBER

Clinton R. Yerkes BOARD MEMBER

Water Reclamation - Environmental Education - River Restoration

Existing Connection Locations



Exhi	Exhibit E-6 – Utility Letter – Potable Water		



UTILITIES CUSTOMER SERVICE

January 6, 2025

Zach Ciciera Cotleur & Hearing 1934 Commerce Lane, Suite 1 Jupiter, FL 33458

Re: Frederick Small and Palmwood Lot Split

Dear Mr. Ciciera,

This letter is to confirm that parcel 00-43-41-17-00-000-7280 is located within the Town of Jupiter's water service area. The Town currently has an 18" DIP located on Frederick Small Rd and an 8" DIP water main located on Palmwood Rd to service the referenced property.

This letter does not provide a reservation of capacity, nor is the availability of capacity implied at any future time period.

Sincerely,

Travis Sanders

Customer Service & Billing Manager

cc: Brittany George, Utilities Business Administrator

Dana Shelley, Accountant

Existing Connections TOJ

