



PALM BEACH COUNTY, FLORIDA

WEDNESDAY JULY 3, 2019
MINUTES

CALL TO ORDER

- A. Roll Call
 - Commissioner Sheri Scarborough, Chair Present
 - Commissioner Sam Caliendo, Vice Chair Absent
 - Commissioner Amir Kanel Present
 - Commissioner John Kern Present
 - Commissioner Marcelle Griffith Burke Present
 - Commissioner Mark Beatty Present
 - Commissioner Robert Currie Present
 - Commissioner Brumfield Present
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file 7-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
Moved							Second
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

F. Adoption of the Minutes

Motion to receive and file 7-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
Moved							Second
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

- G. Swearing In
- H. Disclosures

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
7,8 *Recused: #5, #6	0	8	Absent	5,7,8	7,8	8	0

*Commissioner Mark Beatty Recused himself from PDD-2019-00292 Broward Rentals MPUD, Z-2019-00527 Homrich Nursery.

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

- SV/ZV/CA-2018-01805** Title: a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce the minimum legal right-of-way access width.

Title: a Type 2 Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce setbacks, landscape buffer width; reduce and eliminate landscape buffer vegetation materials; eliminate landscape protection measures (curbing) and trees; and, to allow location of a fence on the property line and to eliminate requirement to plant on exterior side of the fence.

Title: a Class A Conditional Use application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: Northwest corner of 155th Place North and 79th Terrace North. **(Banyan House)** (Control 2015-00115)

Pages 1 - 1

Project Manager: Carrie Rechenmacher

Size: 1.83 acres ±

BCC District: 1

Staff Recommendation: Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

MOTION: To approve the request to remand to the DRO.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
		Second			Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Approved a remand to the DRO by a vote of 7-0-0.

- ZV/CA-2018-01804** Title: Type 2 Variance application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce parking space dimensions and drive aisle width, allow location of a fence on the property line and eliminate requirement to plant on exterior side of the fence; eliminate parking lot surface material requirement, landscape protection measures (curbing), Right-of-Way (R-O-W), Incompatibility Buffer and landscape island landscaping; and, to increase easement overlap in the R-O-W Buffer.

Title: a Class A Conditional Use application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.

General Location: North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. **(Hedge House)** (Control 2018-00013)

Pages 2 - 2

Project Manager: Carolina Valera

Size: 1.09 acres ±

BCC District: 1

Staff Recommendation: Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

MOTION: To approve the request to remand to the DRO.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
		Second			Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Approved a remand to the DRO by a vote of 7-0-0.

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 3. **ZV-2018-01037** Title: a Type 2 Variance application of Totally Glass & Blinds, LLC by Land Research Management Inc., Agent. Request: to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials.

General Location: West side of Military Trail, approximately 0.25 miles south of Belvedere Road. **(Totally Glass & Blinds)** (Control 2011-00348)

Pages 3 - 61

Conditions of Approval Pages (8 - 9)

Project Manager: Carlos Torres

Size: 0.15 acres ±

BCC District: 7

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

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials. subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
	Second				Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Approved a Type 2 Variance (with conditions) by a vote of 7-0-0.

D. ZONING APPLICATIONS - NEW

- 4. **Z-2019-00510** Title: an Official Zoning Map Amendment application of Kendall Morikami Llc, Waverly SP, LLC by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: North side of Morikami Park Road, approximately 630 feet west of South Jog Road. **(Morikami Estates)** (Control 2008-00522)

Pages 62 - 77

Conditions of Approval Pages (66 - 66)

Project Manager: Carolina Valera

Size: 4.99 acres ±

BCC District: 5

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

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 Condition of Approval as indicated in Exhibit

C.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
	Second				Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

- PDD-2019-00292** Title: an Official Zoning Map Amendment application of Broward Rentals, Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

General Location: South side of Atlantic Avenue, approximately 0.2 miles east of State Road 7/US 441. **(Broward Rentals MUPD)** (Control 2016-00130)

Pages 78 - 99

Conditions of Approval Pages (83 - 85)

Project Manager: Carolina Valera

Size: 10.53 acres ±

BCC District: 5

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 Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0-1

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
	Second						Moved
*Recused	Yes	Yes	Absent	Yes	Yes	Yes	Yes

*Commissioner Mark Beatty Recused himself from PDD-2019-00292.

Postponed to August 1, 2019 by a vote of 6-0-1.

- Z-2019-00527** Title: an Official Zoning Map Amendment application of Stephen Homrich, FCC Environmental Services, LLC, Rose Homrich by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District.

General Location: West Side of State Road 7, approximately 600 feet north of Boynton Beach Boulevard (with additional frontages on 100th Street South and 97th Place South). **(Homrich Nursery)** (Control 2015-00133)

Pages 100 - 116

Conditions of Approval Pages (105 - 105)

Project Manager: Meredith Leigh

Size: 13.44 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District, with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0-1

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
					Moved		Second

*Recused	Yes	Yes	Absent	Yes	Yes	Yes	Yes
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*Commissioner Mark Beatty Recused himself from Z-2019-00527.

Approved a remand to the DRO by a vote of 6-0-1.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 7. **ZV-2018-02101** Title: a Type 2 Variance application of Gulf Stream Views LLC by Miller Land Planning, Agent. Request: to reduce the side street setback for residential pools. General Location: Southwest corner of Briny Breezes Blvd. and Old Ocean Blvd. **(30 Ocean)** (Control 2002-30054)

Pages 117 - 139

Conditions of Approval Pages (120 - 120)

Project Manager: Travis Goodson

Size: 1.96 acres ±

BCC District: 4

Staff Recommendation: Staff recommends denial of the request for a Type 2 Variance to reduce the side street setback for residential pools. Should the Zoning Commission support the variance, Staff recommends the request be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to reduce the side street setback for residential pools.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
					Moved	Second	
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Approved a Type 2 Variance by a vote of 7-0-0.

- 8. **DOA-2018-02144** Title: a Development Order Amendment application of Delray Golf Investors LLC, Palm Greens Recreation Condom Ass Inc., 13FH Palm Beach, LP by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points. General Location: Northeast corner of Lake Ida Road and El Clair Ranch Road, within an area partially bounded by the LWDD E-3 canal to the east (0.5 miles west of Military Trail), El Clair Ranch Road and South Jog Road to the west, and the LWDD L-29 Canal to the north (approximately 0.4 miles north of Flavor Pict Road). **(Delray Trails at Villa del Ray PUD)** (Control 1971-00013)

Pages 140 - 187

Conditions of Approval Pages (147 - 151)

Project Manager: Carolina Valera

Size: 671.80 acres ±

BCC District: 5

(affected area 118.94 acres ±)

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0-0

Beatty	Kanel	Burke	Caliendo	Scarborough	Kern	Currie	Brumfield
Second							Moved
Yes	Yes	Yes	Absent	Yes	Yes	Yes	Yes

Recommended Approval of a Development Order Amendment, as amended by a vote of 7-0-0.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

9. Title: Commissioners reset passwords on County e-mail address.

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT 11:37A.M.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on JULY 03, 20 19 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK.

ZONING COMMISSION PUBLIC HEARING
JULY, 03, 2019
AGENDA ITEM #5 PDD-2019-00292
AGENDA ITEM #6 Z-2019-00527

JULY / 03 / 2019
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on JULY 03, 20 19 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK.

ZONING COMMISSION PUBLIC HEARING
JULY, 03, 2019
AGENDA ITEM #5 PDD-2019-00292
AGENDA ITEM #6 Z-2019-00527

JULY / 03 / 2019
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.