



**WEDNESDAY JANUARY 8, 2020**  
**MINUTES**

**CALL TO ORDER**

- A. Roll Call
 

Commissioner Sheri Scarborough, Chair	Present
Commissioner Sam Caliendo, Vice Chair	Present
Commissioner Amir Kanel	Absent
Commissioner John Kern	Present
Commissioner Philip L. Barlage	Present
Commissioner Marcelle Griffith Burke	Present
Commissioner Mark Beatty	Present
Commissioner Alex Brumfield	Present
Commissioner Jess Sowards	Present
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Second		Moved					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

F. Swearing In

Assistant County Attorney swearing in of new County Commissioner – Jess Sowards.

G. Adoption of the Minutes

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Second		Moved					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

H. Amendments to the Agenda

I. Motion to adopt the Agenda

Motion to receive and file 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Second		Moved					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

J. Disclosures

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
0	0	Absent	7	3,4	0	0	7 *Recused: #6	0

\* Commissioner Mark Beatty Recused himself from Z-2019-01612 Young Property South.

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**COMMENTS**

**ADJOURNMENT**

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

- DOA/CA-2019-00737** Title: a Development Order Amendment application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to add a use.  
Title: a Class A Conditional Use application of TJAC Palmetto Park, LLC by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge.  
General Location: Southwest corner of Palmetto Park Road & Powerline Road. **(US Cigar Exchange)** (Control 1981-00115)

Pages 1 - 1

Project Manager: Brenya Martinez

Size: 8.19 acres ±

(affected area 0.07 acres ±)

BCC District: 4

Staff Recommendation: Staff recommends postponement to Thursday, February 6, 2020.

**MOTION:** To postpone to Thursday, February 6, 2020.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved		Second					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Postponed to February 6, 2020 by a vote of 8-0-0.**

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**A.1 MOVE FROM REGULAR TO CONSENT**

**6. Z-2019-01612 – Young Property South**

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved		Second					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**7. DOA-2019-00325 – Lee Square**

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved		Second					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 2. **DOA/W-2019-00489** Title: a Development Order Amendment application of SSC Property Holdings, LLC by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reconfigure the Site Plan; and, to add square footage.  
Title: a Type 2 Waiver application of SSC Property Holdings, LLC by Keith and Associates Inc., Saul Ewing Arnstein & Leher LLP, Agent. Request: to reduce minimum Fenestration, Building Frontage and dimension of Usable Open Space; and, eliminate a Pedestrian Amenity.  
General Location: West side of Military Trail, approximately 600 feet north of Summit Boulevard. **(Hunts Easy Storage)** (Control 1981-00082)

Pages 2 - 41

Conditions of Approval Pages (9 - 11)

Project Manager: Travis Goodson

Size: 9.31 acres ±

BCC District: 2

(affected area 3.49 acres ±)

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 a Development Order Amendment to reconfigure the Site Plan; and, to add square footage, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions, as amended) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to reduce minimum Fenestration,

Building Frontage and dimension of Usable Open Space; and, eliminate a Pedestrian Amenity, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Type 2 Waiver (with conditions) by a vote of 8-0-0.**

**D. ZONING APPLICATIONS - NEW**

3. **ZV/DOA/CA-2019-01634** Title: a Type 2 Variance application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to increase building coverage; and, to eliminate or reduce Type 3 Incompatibility Buffer requirements.

Title: a Development Order Amendment application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, add square footage, modify uses, add land area, and modify Conditions of Approval.

Title: a Class A Conditional Use application of Military Self Storage, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Multi-Access Self Service Storage facility.

General Location: West side of South Military Trail, approximately 1,730 feet north of Hypoluxo Road. **(Mangone and Spirk Self-Storage MUPD)** (Control 1987-00134)

Pages 42 - 91

Conditions of Approval Pages (52 - 59)

Project Manager: Meredith Leigh

Size: 7.27 acres ±

BCC District: 3

(affected area 6.23 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-4.

**MOTION:** To adopt a resolution approving a Type 2 Variance to increase building coverage; and to eliminate or reduce Type 3 Incompatibility Buffer requirements subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved a Type 2 Variance (with conditions, as amended) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add square footage, modify uses, add land area, and modify Conditions of Approval subject to the Conditions of Approval as indicate in Exhibit C-2.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions, as amended) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan to add square footage subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval a Class A Conditional Use to allow a Multi-Access Self Service Storage facility subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
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	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

4. **ZV/DOA/CA-2019-00950** Title: Type 2 Variance application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to eliminate parking required at the rear or side of each building it is intended to serve.

Title: a Development Order Amendment application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to reconfigure the Site Plan; add/delete building square footage and add buildings; modify uses; relocate an access point; modify Conditions of Approval; and, restart the Commencement of Development Clock.

Title: a Class A Conditional Use application of Lynx Zuckerman at Fort Myers, LLC by WGINC, Agent. Request: to allow a Type 1 Restaurant with a Drive-Through.

General Location: Northeast corner of Town Commons Drive and Hypoluxo Road, approximately 0.25 miles east of Lyons Road. **(Town Commons MUPD 2)** (Control 2004-00248)

Pages 92 - 137

Conditions of Approval Pages (101 - 112)

Project Manager: Carrie Rechenmacher

Size: 3.10 acres ±

BCC District: 3

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

**People who spoke on this application**

One comment card submitted in support of the request.

**MOTION:** To adopt a resolution approving a Type 2 Variance to eliminate parking required at the rear or side of each building it is intended to serve subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved Type 2 Variance (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add/delete building square footage and add buildings; modify uses; relocate an access point; modify Conditions of Approval; and, restart the Commencement of Development Clock subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-Through subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use (with conditions) by a vote of 8-0-0.**

5. **ZV-2019-01537** Title: a Type 2 Variance application of YTG Palm Beach IG NR LP by Urban Design Kilday Studios, Agent. Request: to eliminate or reduce Loading Area

Screening requirements.

General Location: South side of Corporate Road North, bounded on the east by Distribution Way and on the west by Park of Commerce Boulevard. **(Palm Beach Park of Commerce Plat-19)** (Control 1981-00190)

Pages 138 - 163

Conditions of Approval Pages (144 - 145)

Project Manager: Brenya Martinez

Size: 16.34 acres ±

BCC District: 1

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 Type 2 Variance to eliminate or reduce Loading Area Screening requirements subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved a Type 2 Variance (with conditions, as amended) by a vote of 8-0-0.**

- 6. **Z-2019-01612** Title: an Official Zoning Map Amendment application of Southeast Inv Of P B Cty Inc 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: Southeast corner of Atlantic Avenue and State Road 7. **(Young Property South)** (Control 2003-00830)

Pages 164 - 177

Conditions of Approval Pages (169 - 170)

Project Manager: Ryan Vandenburg

Size: 14.23 acres ±

BCC District: 5

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

**MOTION:** To recommend approval of a 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 Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0-1

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

\*Commissioner Mark Beatty Recused himself from Z-2019-01612 Young Property South.

**Board Decision: Recommended Approval of an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) (with conditions, as amended) by a vote of 7-0-1.**

- 7. **DOA-2019-00325** Title: a Development Order Amendment application of Revenue Properties Lantana Inc, Revenue Properties Lantana, Spilan Parcel Llc, Hess Realty Llc by Dunay Miskel and Backman LLP, Insite Studio, Agent. Request: to reconfigure the Final Site Plan; delete uses; add Multifamily Residential use; and, modify Conditions of Approval.

General Location: North-east corner of South Jog Road and Lantana Road. **(Lee Square)** (Control 1981-00186)

Pages 178 - 214

Conditions of Approval Pages (187 - 200)

Project Manager: Ryan Vandenburg

Size: 38.19 acres ±

BCC District: 2

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

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Final Site Plan; delete uses; add Multifamily Residential use; and, to modify Conditions of Approval subject to Conditions of Approval as indicted in Exhibit C.

Motion carried 8-0

Scarborough	Caliendo	Kanel	Kern	Barlage	Burke	Brumfield	Beatty	Sowards
	Moved						Second	
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment (with conditions) by a vote of 8-0-0.**

**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**
  
- E. SUBDIVISION VARIANCE**
- F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

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

**ADJOURNMENT 9:16 AM**



**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 JANUARY, 08, 20 20;

(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  
JANUARY 08, 2020  
AGENDA ITEM #6 Z-2019-01612

Jan 08 2020  
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.