



**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY JULY 2, 2020

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
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. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

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

JULY 2, 2020

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- 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 Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N Jog Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, July 30, 2020 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.
- 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 requirements:
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. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

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

D. ZONING APPLICATIONS - NEW

1. [CA-2019-01130](#) Title: a Class A Conditional Use application of EC Development, LLC by Brahm Development, Agent. Request: to allow a Transfer of Development Rights (TDR) of more than 2 units per acre to a residential subdivision.

General Location: Southwest corner of Purdy Lane and Greengate Circle, approximately 0.4 miles west of Haverhill Road. **(Pine Bay)** (Control 2006-00372)

Pages 1 - 19

Conditions of Approval Pages (8 - 10)

Project Manager: Travis Goodson

Size: 5.67 acres ±

BCC District: 2

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 Class A Conditional Use to allow a Transfer of Development Rights (TDR) of more than 2 units per acre to a residential subdivision, subject to the Conditions of Approval as indicated in Exhibit C.

2. [Z-2020-00161](#) Title: an Official Zoning Map Amendment application of Lazo Venture, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the Multifamily Residential (RM) Zoning District.

General Location: East side of the terminus of Ethelyn Drive, approximately 950 feet south of Wallis Road. **(Lazo Rezoning)** (Control 2020-00023)

Pages 20 - 31

Conditions of Approval Pages (24 - 24)

Project Manager: Travis Goodson

Size: 0.12 acres ±

BCC District: 2

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 an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the Multifamily Residential (RM) Zoning District, subject to a Conditional Overlay Zone (COZ), and the Conditions of Approval as indicated in Exhibit C.

3. [Z/DOA-2019-02370](#) Title: an Official Zoning Map Amendment application of Steve Allain, Burlington Self Storage Lake Worth LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District.

Title: a Development Order Amendment application of Steve Allain, Burlington Self Storage Lake Worth LLC by Urban Design Kilday Studios, Agent. Request: to amend the Site Plan for a Class A Conditional Use of a Single Use exceeding 100,000 square feet, on a parcel with an Industrial Future Land Use designation, to add land area and additional outdoor storage area; and, to amend the Conditional Overlay Zone (COZ) to add land area and modify Conditions of Approval.

General Location: On the northwest corner of Lantana Road and DeSoto Road, approximately 800 feet east of Haverhill Road. **(Burlington Self-Storage of Lake Worth)** (Control 2005-00427)

Pages 32 - 74

Conditions of Approval Pages (41 - 49)

Project Manager: Carrie Rechenmacher

Size: 5.69 acres ±

BCC District: 3

(affected area 1.29 acres ±)

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District subject to the Conditions of Approval as indicated in Exhibit C..

MOTION: To recommend approval of a Development Order Amendment to amend the Site Plan for a Class A Conditional Use of a Single Use exceeding 100,000 square feet, on a parcel with an Industrial Future Land Use designation, to add land area and additional outdoor storage area, and modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to amend the Conditional Overlay Zone (COZ) to add land area and modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-3.

4. [ZV/PDD/CA/W-2019-02321](#) Title: a Type 2 Variance application of Partners Smigiel by Urban Design Kilday Studios, Agent. Request: to eliminate the requirement for a loading space to be adjacent to the structure it serves.
Title: an Official Zoning Map Amendment application of Partners Smigiel by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the General Commercial (CG) and Agriculture Reserve (AGR) Zoning Districts, to the Multiple Use Planned Development (MUPD) District.
Title: a Class A Conditional Use application of Partners Smigiel by Urban Design Kilday Studios, Agent. Request: to allow a Limited Access Self-Service Storage Facility; and a Multi-Access Self-Service Storage Facility.
Title: a Type 2 Waiver application of Partners Smigiel by Urban Design Kilday Studios, Agent. Request: to allow an opaque fence in lieu of a wall in an Incompatibility Buffer.
General Location: Northwest corner of Acme Dairy Road and Boynton Beach Boulevard. **(West Boynton Center)** (Control 2008-00339)

Pages 75 - 132

Conditions of Approval Pages (86 - 93)

Project Manager: Carrie Rechenmacher

Size: 6.85 acres ±

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-4.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate the requirement for a loading space to be adjacent to the structure it serves subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the General Commercial (CG) and Agriculture Reserve (AGR) Zoning Districts, to the Multiple Use Planned Development (MUPD) District subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Limited Access Self-Service Storage Facility subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of 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: To recommend approval of a Type 2 Waiver to allow an opaque fence in lieu of a wall in an Incompatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-5.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 5. [SV-2019-02210](#) Title: a Subdivision Variance application of Garcia Angel H Mora Living Trust by Miller Land Planning, Agent. Request: to allow access from a 30-foot right-of-way.

General Location: East side of Mathis Street, 750 feet north of Melaleuca Street. **(Mathis Apartments)** (Control 2007-00459)

Pages 133 - 147

Conditions of Approval Pages (138 - 138)

Project Manager: Joanne Keller

Size: 1.53 acres ±

BCC District: 3

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 Subdivision Variance to allow access from a 30-foot right-of-way subject to the Conditions of Approval as indicated in Exhibit C.

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