



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
Thursday, November 5, 2020**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

5.	(Agenda Pg. 5)	ZV-2020-00825 (2019-00176)	Hankin Townhomes
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MOTION: To postpone to Thursday, December 3, 2020

D. ZONING APPLICATIONS- NEW

3.	(36)	ZV-2020-01294 (1980-00028)	Eastpointe Country Club Plat 15 Variance
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AMEND Variance Condition No. 1 of Exhibit C, to read as follows:

1. The yards within the rear setbacks of Lots ~~42~~ **43** through 75, shall be consistent with the Cross Section Detail indicated on the Preliminary Regulating Plan, Dated September 17, 2020.
(ONGOING: CODE ENF - Zoning)



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

THURSDAY, NOVEMBER 5, 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

NOVEMBER 5, 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 Monday, November 23, 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. [W-2020-00790](#) Title: a Type 2 Waiver application of Mattamy Palm Beach, LLC by AJ Entitlements & Planning LLC, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.

General Location: Southwest corner of Lake Worth Road and Polo Road. **(Polo Legacy MXPDP)** (Control 2007-00096)

Pages 1 - 19

Conditions of Approval Pages (5 - 5)

Project Manager: Meredith Leigh

Size: 38.54 acres ±

BCC District: 6

(affected area 2.89 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 Type 2 Waiver to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use, subject to the Conditions of Approval as indicated in Exhibit C.

2. [Z-2020-00909](#) Title: an Official Zoning Map Amendment application of Betty Kaylor, Gregory Rice by Brandenburg & Associates P.A., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: South side of Belvedere Road, approximately 0.15 miles east of Jog Road. **(Rice Project)** (Control 2020-00060)

Pages 20 - 31

Conditions of Approval Pages (24 - 24)

Project Manager: Meredith Leigh

Size: 2.08 acres ±

BCC District: 2

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

3. [ZV-2020-01294](#) Title: a Type 2 Variance application of Eastpointe Homeowners Assn, Inc., Eastpointe Country Club, Inc., Northern Palm Beach County Improvement District, EPBG, LLC by Urban Design Studio, Agent. Request: to increase the height of a wall within a rear setback for a residential use.

General Location: Southwest corner of Cross Pointe Drive and Donald Ross Road (within the East Pointe Country Club, which is bounded by Donald Ross Road, Hood Road, Florida's Turnpike, and Jog Road). **(Eastpointe Country Club Plat 15 Variance)** (Control 1980-00028)

Pages 32 - 70

Conditions of Approval Pages (36 - 36)

Project Manager: Brenya Martinez

Size: 58.81 acres ±

BCC District: 1

(affected area 18.19 acres ±)

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 increase the height of a wall within a rear setback for a residential use, subject to the Conditions of Approval as indicated in Exhibit C.

4. [ZV/CA/W-2020-00276](#) Title: a Type 2 Variance application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to reduce the front setback; and eliminate a Right-of-Way Buffer, and Compatibility Buffer.

Title: a Class A Conditional Use application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to allow an Electric Transmission Substation.

Title: a Type 2 Waiver application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer.

General Location: West side of U.S. Highway 27, approximately 1 mile south of U.S. 441/State Road 80 and immediately adjacent to the southernmost boundary of the City of South Bay. **(South Bay Substation)** (Control 2017-00163)

Pages 71 - 109

Conditions of Approval Pages (81 - 84)

Project Manager: Brenya Martinez

BCC District: 6

Size: 19.81 acres ±

(affected area 19.81 acres +)

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1, C-2 and C-3.

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce the front setback; and, eliminate a Right-of-Way Buffer, and Compatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow an Electric Transmission Substation, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-3.

- 5. [ZV-2020-00825](#) Title: a Type 2 Variance application of HRY Development LLC. by Schmidt Nichols, Agent. Request: to eliminate a Right-of-Way Buffer; and, to reduce the front and side street setbacks.

General Location: North side of Bowman Road approximately 670 feet east of South Haverhill Road. (**Hankin Townhomes**) (Control 2019-00176)

Pages 110 - 132

Conditions of Approval Pages (114 - 114)

Project Manager: Brenya Martinez

Size: 1.41 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 adopt a Resolution approving a Type 2 Variance to eliminate a Right-of-Way Buffer; and, to reduce the front and side street setbacks, subject to the Conditions of Approval as indicated in Exhibit C.

- 6. [ABN/PDD/W-2020-00433](#) Title: a Development Order Abandonment application of 8475 LWR LLC by Insite Studio, Agent. Request: to abandon a Class A Conditional use to allow a General Day Care.

Title: an Official Zoning Map Amendment application of 8475 LWR LLC by Insite Studio, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District.

Title: a Type 2 Waiver application of 8475 LWR LLC by Insite Studio, Agent. Request: to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer.

General Location: Northeast corner of Lake Worth Road and Blanchette Trail. (**The Quartet MUPD**) (Control 2005-00001)

Pages 133 - 152

Conditions of Approval Pages (140 - 143)

Project Manager: Ryan Vandenburg

Size: 1.60 acres ±

BCC District: 6

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 an Official Zoning Map Amendment from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 7. [CA-2019-01969](#) Title: a Class A Conditional Use application of Solid Waste Authority of Palm Beach County, Horizon 880 LLC by Land Research Management Inc., Agent. Request: to allow an Equestrian Waste Management Facility.

General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. (**Horizon 880-HPAB**) (Control 1994-00010)

Pages 153 - 173

Conditions of Approval Pages (159 - 160)

Project Manager: Ryan Vandenburg

Size: 5.25 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 an Equestrian Waste Management Facility, subject to the Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

- 8. [ZV-2020-00723](#) Title: a Type 2 Variance application of Soapy Shark Car Wash, LLC, Jaha Boca, LLC by Shutts and Bowen LLP, Agent. Request: to reduce minimum lot depth, building frontage, width of a divider median, and width of the Right-of-Way (R-O-W) buffer; and, to eliminate the principal entrance from the street used as the primary frontage for the building, and foundation planting.

General Location: Southwest corner of Okeechobee Boulevard and Manor Avenue, approximately 300 feet east of Congress Ave. (**Soapy Shark**) (Control 1996-00026)

Pages 174 - 201

Conditions of Approval Pages (180 - 180)

Project Manager: Ryan Vandenburg

Size: 1.20 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of Variances V.1, V.2, V.3, and V.5, subject to the Conditions of Approval as indicated in Exhibit C. Staff recommends denial of Variances V.4 and V.6.

MOTION: To adopt a Resolution for a Type 2 Variance to reduce minimum lot depth, building frontage, and width of the Right-of-Way (R-O-W) buffer; and, to eliminate the principal entrance from the street used as the primary frontage for the building, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To deny a Type 2 Variance to reduce the width of a divider median; and, eliminate foundation planting.

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