



**THURSDAY, January 7, 2021**  
**MINUTES**

**CALL TO ORDER**

A. Roll Call **9:00 AM**

Commissioner Sheri Scarborough, Chair	Present
Commissioner Amir Kanel	Present
Commissioner John Kern	Absent
Commissioner Michael Kelley	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 8-0-0

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

- F. Swearing In
- G. Adoption of the Minutes

Motion to receive and file 8-0-0

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

H. Amendments to the Agenda

Motion Carried 8-0-0

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

I. Motion to adopt the Agenda

Motion Carried 8-0-0

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

J. Disclosures

Scarborough	Kanel	Kelley	Kern	Burke	Brumfield	Caliendo	Beatty	Sowards
4	0	0	Absent	0	0	0	0	4

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

4. **SV/CA-2018-01805** **Title:** a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow access from a 60-foot easement.  
**Title:** a Class A Conditional Use application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Associates 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 125 - 162  
 Conditions of Approval Pages (135 - 137)  
 Project Manager: Ryan Vandenburg  
 Size: 1.83 acres +

**Motion:** to Withdraw the request for Subdivision Variance\*

Motion Carried 7-0-1

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

**Board Decision: Approved Withdrawal by Agent With Prejudice by a vote of 7-0-1.**

\*Application Withdrawn by Applicant on January 5, 2021. Withdrawal of the request for Class A Conditional Use to allow a Type 2 Congregate Living Facility has been granted.

**CONSENT AGENDA**

1. **ZV/DOA-2020-00786** **Title:** a Type 2 Variance application of West Palm Realty Associates, LLC by Urban Design Studio, Agent. Request: to allow more than five feet easement overlap of a Right-of-Way and an Incompatibility Buffer; and, to reduce the width of and eliminate a six-foot high opaque wall in a Type 3 Incompatibility Buffer. **Title:** a Development Order Amendment application of West Palm Realty Associates, LLC by Urban Design Studio, Agent. Request: to add square footage and reconfigure the Site Plan.  
**General Location:** Southwest corner of North Military Trail and Community Drive. (Crosstown Plaza) (Control 1975-00156)  
 Pages 1 - 40  
 Conditions of Approval Pages (11 - 14)  
 Project Manager: Brenya Martinez  
 Size: 17.94 acres +

(affected area 0.88 acres +)

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

**MOTION:** To adopt a Resolution for a Type 2 Variance to allow more than five feet easement overlap of a Right-of-Way and an Incompatibility Buffer; and, to reduce the width of and eliminate a six-foot high opaque wall in a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0

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

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

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

Motion Carried 8-0-0

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

**Board Decision: Recommended Approval of a Development Order Amendment to add square footage and reconfigure the Site Plan and Conditions of Approval by a vote of 8-0-0.**

**2. ZV/ABN/CA-2020-01103 Title:** a Type 2 Variance application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to allow storage of material and activities outside of an enclosed building.

Title: a Development Order Abandonment application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to abandon Class B Conditional Uses to allow Chipping and Mulching; and, a Recycling Plant.

Title: a Class A Conditional Use application of WH Cleary, LLC, Palm Beach County by Urban Design Studio, Agent. Request: to allow Chipping and Mulching.

General Location: Northwest corner of North Cleary Road and Wallis Road, approximately

250 feet north of Southern Boulevard. (Hemstreet Park) (Control 1979-00226)

Pages 41 - 88

Conditions of Approval Pages (49 - 51)

Project Manager: Meredith Leigh

Size: 12.66 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 adopt a Resolution approving a Type 2 Variance to allow storage of material and activities outside of an enclosed building, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0-0

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

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use to allow a Recycling Plant.

Motion Carried 8-0-0

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

**Board Decision: Adopted a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use by a vote of 8-0-0.**

**MOTION:** To adopt a Resolution approving a Development Order Abandonment to of a Class B Conditional Use to allow Chipping and Mulching.

Motion Carried 8-0-0

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

**Board Decision: Adopted a Resolution approving a Development Order Abandonment to abandon a Class B Conditional Use to allow Chipping and Mulching by a vote of 8-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to allow Chipping and Mulching, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 8-0-0

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

**Board Decision: Recommended Approval of a Development Order Amendment to allow Chipping and Mulching by a vote of 8-0-0.**

**REGULAR AGENDA**

**3. ZV/DOA/CA-2019-01674 Title:** a Type 2 Variance application of Bixmor GA Marketplace Wycliffe, LLC by Cotleur & Hearing Inc., Agent. Request: to allow more than five feet overlap of a utility easement in a landscape buffer with zero feet provided for planting.

**Title:** a Development Order Amendment application of Bixmor GA Marketplace Wycliffe, LLC

by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan to modify uses, add a building, and modify Conditions of Approval.

Title: a Class A Conditional Use application of Bixmor GA Marketplace Wycliffe, LLC by Cotleur & Hearing Inc., Agent. Request: to allow a Type 1 Restaurant with a Drive-through.

General Location: Northwest corner of Lake Worth Road and State Road 7. (Marketplace at Wycliffe MUPD) (Control 1995-00057)

Pages 89 - 124

Conditions of Approval Pages (98 - 107)

Project Manager: Meredith Leigh

Size: 24.16 acres +

(affected area 21.43 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 allow more than five feet overlap of a utility easement in a landscape buffer with zero feet provided for planting, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 8-0-0

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

**Board Decision: Adopted a Resolution Approving a Type 2 Variance by a vote of 8-0-0.**

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

Motion Carried 8-0-0

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

**Board Decision: Recommended Approval of a Development Order Amendment to reconfigure the Site Plan to modify uses and Conditions of Approval 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 8-0-0

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

**Board Decision: Recommended Approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through by a vote of 8-0-0.**

**COMMENTS ADJOURNMENT 10:30 AM**

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