

**PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION**

Application No.: ZV/Z-2021-00100
Application Name: W.E. Schlechter & Sons
Control No./Name: 2021-00019 (W.E. Schlechter & Sons)
Applicant: Eleanor W. Schlechter & J.O. Schlechter
Owners: Eleanor W. Schlechter & J.O. Schlechter
Agent: Schmidt Nichols - Josh Nichols
Telephone No.: (561) 684-6141
Project Manager: Brenya Martinez, Site Planner II

TITLE: a Type 2 Variance **REQUEST:** to eliminate the required number of trees within the Right-of-Way Buffer. **TITLE:** an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District.

APPLICATION SUMMARY: The Applicant proposes to rezone the site from AR to the IL Zoning District to allow for the development of a 18,450 square foot (sq. ft.) building, which includes a 17,950 sq. ft. Heavy Repair & Maintenance use, and a 500 sq. ft. Heavy Vehicle Sales and Rental use. The Preliminary Site Plan (PSP) indicates a total of 78 parking spaces, as well as an additional 51 spaces identified as display areas. In addition, a Type 2 Variance is requested to reduce landscape requirements by eliminating 23 canopy trees as required by Code for the 562 ft. portion of the R-O-W Buffer fronting State Road 715.

One access point is proposed from State Road 715 to connect to the proposed development area.

SITE DATA:

Location:	East side of State Road 715, approximately 0.33 miles north of NW Avenue P.
Property Control Number(s)	00-37-43-30-00-000-3010; 00-37-43-30-00-000-3030
Existing Future Land Use Designation:	Industrial (IND)
Proposed Future Land Use Designation:	Industrial (IND)
Existing Zoning District:	Agricultural Residential District (AR)
Proposed Zoning District:	Light Industrial (IL)
Total Acreage:	119.14 acres
Affected Acreage:	40 acres
Tier:	Urban/Suburban
Overlay District:	Glades Economic Development Overlay
Neighborhood Plan:	N/A
CCRT Area:	N/A
Municipalities within 1 Mile:	Belle Glade
Future Annexation Area:	Belle Glade

RECOMMENDATION: Staff recommends denial of the Type 2 Variance. Should the Zoning Commission move to recommend approval of the request, Staff recommends Conditions of Approval as indicated in Exhibit C-1.

Staff recommends approval of the Official Zoning Map Amendment with Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C-2.

PUBLIC COMMENT SUMMARY: At the time of publication, Staff has received 0 contacts from the public regarding this application.

PROJECT HISTORY:

The site is currently undeveloped with no previous zoning approvals.

SURROUNDING LAND USES:

NORTH:

FLU Designation: Industrial (IND)
Zoning District: Agricultural Residential District (AR)
Supporting: Agricultural

SOUTH:

FLU Designation: Industrial (IND)
Zoning District: Agricultural Residential (AR) / General Commercial (CG)
Supporting: Agricultural (Everglades Farm Equipment, Control No. 2005-00101)

FLU Designation: Institutional
Zoning District: A-1 (City)
Supporting: Institutional

EAST:

FLU Designation: Industrial (IND)
Zoning District: Agricultural Residential (AR)
Supporting: Agricultural

WEST:

FLU Designation: High Residential, 8 units per acre (HR-8)
Zoning District: Agricultural Production (AP)
Supporting: Agricultural

TYPE 2 VARIANCE SUMMARY:

ULDC Article	Required	Proposed	Variance
7.C.2.C.3 Landscape Requirements	1 canopy tree per 25 linear feet (23 canopy trees)	0 canopy trees provided	100% elimination of canopy trees (-23)

The Applicant originally had two variance requests, as described in Exhibit E – Applicant’s Justification Statement dated July 26, 2021. Upon further analysis of the request and the requirements of the code, it was determined that the variance to eliminate a wall, fence or hedge relating to the screening for outdoor storage area was not required. The Agent proposes to modify the site plan to change the Bullpen Storage area to Outdoor Display Area per Condition of Approval and comply with the Supplementary requirements of Article 4.B.2.C.h.2.a, Location and Design.

FINDINGS:

When considering a Development Order application for a Type 2 Variance, the Zoning Commission shall consider Standards a through g listed under Article 2.B.7.E.6, Standards for Zoning or Subdivision Variance. The Standards and Staff Analyses are as indicated below. A Type 2 Variance that fails to meet any of these Standards shall be deemed adverse to the public interest and shall not be approved.

- a. ***Special conditions and circumstances exist that are peculiar to the parcel of land, building, or structure, that are not applicable to other parcels of land, structures, or buildings in the same district:***

NO: The Applicant has not provided adequate justification or identified special conditions that are peculiar for the parcel of land as it relates to other parcels of land with the same Zoning District. While the Applicant has noted in the Justification Statement that surrounding lands are utilized for agricultural purposes, the Land Use associated with the lands to the north are designated Industrial, while the lands to the west are designated for Residential development. While the current lands surrounding the site may be agricultural, this doesn’t preclude future development of the lands surrounding the subject site, and the need to provide adequate visual buffering for the proposed use. Staff note that when considering Variance requests, not only is the existing uses in the surrounding area considered, but what may be developed at some point in the future. As the Applicant has also stated, the land surrounding the site are not developed at this time, so the proposed use should be easily identifiable from the Right-of-Way regardless of the Canopy Tree requirement. Furthermore, the Applicant may seek to utilize Art. 3.D.2.B.1 and 2, Canopy Tree Substitute, that provides the

ability to substitute 25 percent of required canopy trees with palms or pines planted in groups of 3 or more.

b. *Special circumstances and conditions do not result from the actions of the Applicant:*

NO: The site is currently undeveloped and the Applicant is proposing the required 20 ft. R-O-W Buffer width. The Applicant has the ability to provide the required canopy trees, and according to the Applicant's Justification Statement, the request to remove trees for visual purposes does not meet standard b. special circumstances and conditions that is not a direct result from the actions of the Applicant. The elimination of the required canopy trees is also inconsistent with Article 7.C.2.A – R-O-W Buffer Landscape Requirements.

c. *Granting the Variance shall not confer upon the Applicant any special privilege denied by the Plan and this Code to other parcels of land, buildings, or structures, in the same district:*

NO: Granting of the variance for the elimination of required planting material would potentially establish precedence to other parcels of land for other similar future requests. Also, the request would unnecessarily eliminate Landscape trees as required per Table 7.C.2.A – R-O-W Buffer Landscape Requirements. Therefore, granting the variance would confer a special privilege to the Applicant that would be denied to other parcels in the same zoning district and use.

d. *Literal interpretation and enforcement of the terms and provisions of this Code would deprive the Applicant of rights commonly enjoyed by other parcels of land in the same district, and would work an unnecessary and undue hardship:*

NO: Enforcement of the code does not infringe on their rights to develop the site with the uses proposed. The elimination of the required 23 canopy trees along the south 562 ft. of the R-O-W buffer will not prevent the operation of the uses proposed nor the property to be entirely out of public view. Per Table 7.C.2.A – R-O-W Buffer Landscape Requirements, the provision of 1 Canopy tree per 25 linear feet and 1 palm or pine per 30 linear feet, still provides a visual balance between the trees required and the proposed uses. As mentioned under Standard a. Figure 7.C.2.A – Clustering in R-O-W Buffer, allow for clustering and visibility. The Code also allows for a certain percentage of canopy trees to be changed to palms and pines.

e. *Granting the Variance is the minimum Variance that will make possible the reasonable use of the parcel of land, building, or structure:*

NO. The properties to the north, east and west are undeveloped with the exception to the south property, which is developed for Agricultural Sales and Services. Staff sees no conflict with providing the required landscape screening within the R-O-W Buffer. This is since granting the variance will be inconsistent with Article 7 Landscape requirement, as the request would eliminate the required trees and adequate screening. Furthermore, Staff does not support the variance, as the request does not prevent the reasonable use of the land and proposed structure. Moreover, the request to amend the Zoning District would be the only request necessary in order to develop the proposed Commercial uses on site.

f. *Grant the Variance will be consistent with the purposes, goals, objectives, and policies of the Plan and this Code:*

NO: The purpose of the canopy trees from a R-O-W is to provide visual buffering from the roadway to the uses on site. When reviewing a variance request, Staff must consider not only the existing or proposed uses, but future uses that could exist on site should the site not be developed as proposed. The proposed IL Zoning provides for a wide range of uses that are incompatible with surrounding land uses. It should also be noted that the lands to the west of the subject site are designated High Residential, with the potential for future residential development. While the Applicant does not want to provide the required trees for visual purposes, the proposed uses on site are more intense than surrounding development, and the variance to remove visual buffering would be inconsistent with the objectives in Article 7, Landscaping.

g. *Granting the Variance will not be injurious to the area involved or otherwise detrimental to the public welfare:*

YES. The elimination of the required 23 canopy trees along the R-O-W fronting the development area will have no injurious effect on the public. Therefore, providing the required visual screening would help minimize visual impacts and driver visibility distraction that could potentially be detrimental to the public welfare.

CONCLUSION: Staff has evaluated the standards listed under Article 2.B. and determined that the request does not support the need for the variance request and the potential impacts generated by this change. As a result, Staff is recommending denial. Should the request obtain Board approval, Staff request the Variance be subject to the Conditions of Approval as indicated in Exhibit C-1.

FINDINGS:

Official Zoning Map Amendment (Rezoning) to a Standards District:

When considering a Development Order application for a rezoning to a Standard Zoning District with or without a Conditional Overlay Zone (COZ), the BCC and ZC shall consider Standards a through g listed under Article 2.B.7.B.2, Standards. The Standards and Staff Analyses are indicated below. An amendment that fails to meet any of these standards shall be deemed adverse to the public interest and shall not be approved.

a. Consistency with the Plan - *The proposed amendment is consistent with the Plan.*

PLANNING DIVISION COMMENTS:
Consistency with the Comprehensive Plan: The proposed use or amendment is consistent with the Goals, Objectives and Policies of the Comprehensive Plan, including previous Land Use Amendments, densities and intensities of use.

Prior Land Use Amendments: The site was the subject of a previous County Initiated Land Use amendment known as Commercial Categories 3 (LGA 2003-057; Ord. 2003-065), which amended the land use from Commercial with an underlying Industrial (C/IND) to Commercial High with an underlying Industrial (CH/IND), with no conditions.

Intensity: The maximum Floor Area Ratio (FAR) of 0.45 is allowed for a non-residential project with a IND FLU designation in the Urban Suburban Tier (1,742,393 surveyed square feet or 40 acres x .45 maximum FAR = 784,076.85 square feet maximum). The request for a total of 18,450 square feet equates to a FAR of approximately 0.01 (18,450 / 1,742,393 surveyed square feet or 40 acres = 0.01).

○ *Special Overlay District/ Neighborhood Plan/Planning Study Area:* The property is located within the Glades Area Economic Development Overlay (GA-O). The request is consistent with the Policies and furthers the objective provided by the overlay to promote economic diversification within the Overlay. Specifically, Future Land Use Element (FLUE) Policy 1.6.1-b: which states, Within the GA-O, the County shall provide flexibility in the range of uses and land development regulations allowed to accommodate uses, which, if deemed appropriate, will increase job opportunities, and improve the economic vitality of the area.

b. Consistency with the Code - *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.*

○ *Property Development Regulations (PDRs):* The proposed Heavy Repair and Maintenance and the Heavy Vehicle Sales and Rental uses complies with Table 3.D.1.A – Property Development Regulations. The PSP indicates a 225 ft. front setback, a 290 ft. side setback, and a 942 ft. setback from the rear of the building, which exceeds Code requirements. See *Figure A* below:

Figure A

PROPERTY DEVELOPMENT REGULATIONS											
	Zoning District	MINIMUM LOT DIMENSIONS				F.A.R.	MAX BLDG COVER	SETBACKS/SEPARATIONS			
		SIZE	WIDTH	FRONTAGE	DEPTH			FRONT	SIDE INTERIOR	SIDE STREET	REAR
CODE	IL	1 AC.	100'	100'	200'	0.45	45%	40'	15'	25'	20'
PROP	IL	40.00 AC.	1,126'	1,126'	1,246.41'	0.01	1%	225'	290'	-	942'

○ **Overlays:** The Site is part of the Glades Area Overlay (GAO) Tier, and per Article 3.B.4.D. Approval Process, uses allowed as Conditional Uses in a non-residential zoning district in the GAO may be subject to DRO approval, which applies for the Vehicle Sales and Rental, Heavy use proposed. While the Site Plan was reviewed as part of the rezoning and variance requests, the Site Plan will be subject to further review at time of Full DRO review process for the approval of the Heavy Vehicles Sales and Rental use. The Repair and Maintenance will be subject to Permit Review approval process.

○ **Parking:** The PSP complies with Table 6.B.1.B – Minimum Parking and Loading Requirements. The minimum number of parking required for Heavy Vehicle Equipment Sales and Rental is 1 per 250 sq. ft.; plus 1 parking space per 5,000 sq. ft. of outdoor sales. The proposed Heavy Repair and Maintenance requires 1 per 250 sq. ft. with a minimum of one loading space per Article 6.E.2.B.2, Standard “B” Minimum Loading Requirements. In total, the proposed uses requires 77 parking spaces and the Applicant proposes 78 parking spaces along with two 15 ft. wide by 55 ft. long loading spaces. In addition, the Applicant proposes 51 Outdoor Display Spaces.

○ **Landscape/Buffering:** The Applicant is proposing a 20 ft. R-O-W Buffer along the State Road 715 frontage per Table 7.C.2.A – Width of R-O-W Buffer requirements. Per Article 7.C.2.B.1 (Compatibility Buffer Applicability), an eight ft. Compatibility Buffer is required if the site is adjacent to Compatible uses or FLU designations. Moreover, the Applicant proposes an eight feet Compatibility Buffer towards the south side of the proposed Development adjacent to the existing Ag Sales and Service uses. The remaining north, east and southeast areas are exempt from buffering requirements, as they are Ag exempt and a R-O-W Buffer is still proposed towards the west side of the development which runs north and south of State Road 715. As previously noted, the Applicant seeks a variance request to eliminate the required 23 canopy trees within the R-O-W Buffer adjacent to the development area. Staff are not supportive of this Variance request.

○ **Foundation Plantings:** The Applicant is proposing the required Foundation Plantings based on Article 7. The PSP proposes 40 percent Foundation Planting along the front (west) façade and side facades (north and south) of the proposed building, as required per Table 7.C.3.B – Foundation Planting and Dimensional Requirements based on the U/S Tier.

○ **Signs:** The Preliminary Master Sign Plan (PMSP) indicates compliance with Table 8.G.1.A - Wall Sign Standards in the U/S Tier. The PMSP indicates a proposed Monument sign, and according to the Applicant, the Freestanding Sign shall comply with Table 8.G.2.A – Freestanding Sign Standards.

c. Compatibility with Surrounding Uses - *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

The property to the north of the subject parcel is zoned Agricultural Residential (AR) with an Industrial (IND) Future Land use (FLU) and the site is classified for Bonafide Agricultural uses. The property to the south of the development area has a split zoning, consisting of both General Commercial (CG) and Agricultural Residential (AR) zoning districts with an Industrial FLU designation. The property to the south is utilized for Ag Sales and Service. Across State Road 715 to the west, also lies undeveloped parcels with an Agricultural Production (AP) Zoning and High Residential (HR-8) FLU Designation. Directly to the east, lies undeveloped lands zoned AR with an IND FLU. The site is under common Ownership (W. E. SCHLECHTER & SONS INC.). Both west and east parcels have no previous zoning approvals and are utilized for Bonafide Agricultural Uses as well, while the south parcel received a previous zoning approval (Everglades Farm Equipment Control No. 2005-00101) for Agricultural Sales and Services mentioned above. The south parcel is also utilized as an Equipment and Contractor Storage Yard. The request intends to provide mixed uses and shall not have a direct impact to the existing surrounding uses.

d. Effect on Natural Environment – *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

ENVIRONMENTAL RESOURCE MANAGEMENT COMMENTS: VEGETATION PROTECTION: The property is in sugarcane production.

WELLFIELD PROTECTION ZONE: The property is located not within a Wellfield Protection Zone.

IRRIGATION CONSERVATION CONCERNS AND SURFACE WATER: All new installations of automatic irrigation systems shall be equipped with a water sensing device that will automatically discontinue irrigation during periods of rainfall pursuant to the Water and Irrigation Conservation Ordinance No. 93 3. Any non stormwater discharge or the maintenance or use of a connection that results in a non stormwater discharge to the stormwater system is prohibited pursuant to Palm Beach County Stormwater Pollution Prevention Ordinance No. 93 15.

ENVIRONMENTAL IMPACTS: There are no significant environmental issues associated with this petition beyond compliance with ULDC requirements.

e. Development Patterns – *The proposed amendment will result in a logical, orderly, and timely development pattern.*

The proposed rezoning is consistent with the existing FLU use. To the north of the subject site are Agricultural uses along State Road 715 corridor. To the west of State Road 715 aka NW 16th Street, lies Agricultural Production (AP) uses with a High Residential FLU designation. The request seeks to establish a mixture of Agricultural and Commercial uses throughout the north and south R-O-W Corridor. In addition, the amendment seeks to a establish an orderly and timely development pattern to the greatest extent possible by adhering to Article 3.B.3.4 Glades Area Overlay (GAO) Purpose and Intent. Thus, allowing economic diversification, creating job opportunities and promoting economic opportunities in the area.

f. Adequate Public Facilities – *The proposed amendment complies with Art. 2.F, Concurrency (Adequate Public Facility Standards).*

ENGINEERING COMMENTS:

The proposed heavy vehicle sales, repair, and maintenance facility is expected to generate 258 net daily, 23 net AM and 23 net PM peak hour trips. Build-out of the project is expected to be by 2025.

No road improvements are required for compliance with the Traffic Performance Standards, since the project will have an insignificant impact on the roadways.

The Property Owner shall record a 20 foot drainage easement prior to the issuance of the first building permit.

PALM BEACH COUNTY HEALTH DEPARTMENT:

This project has met the requirements of the Florida Department of Health.

FIRE PROTECTION:

Staff has reviewed this application and have no comment.

SCHOOL IMPACTS:

Detailed analysis is not required for this non-residential application, as it will not generate any students.

PARKS AND RECREATION:

This is a non-residential application, therefore the Park and Recreation Department ULDC standards do not apply.

g. Changed Conditions or Circumstances – *There are demonstrated changed site conditions or circumstances provided by the Applicant’s Justification Statement that necessitate the amendment.*

The uses proposed are not permitted within the AR Zoning District and per Table 3.A.3.B, Future Land Use Designation and Corresponding Zoning District; the current zoning is inconsistent with the IND FLU Designation. The rezoning of the subject site to the IL Zoning District will bring the overall site into compliance with the FLU. The proposed Vehicle Equipment Sales and Rental as well as the

Repair and Maintenance will be consistent with Table 4.B.2.A – Commercial Use Matrix where the use is permitted subject to DRO approval process and the Repair and Maintenance, Heavy use is Permitted-by-Right within the IL Zoning District. Therefore, the request will allow consistency with the uses proposed and the existing FLU designation as part of the changed site conditions and circumstances, which necessitates the amendment.

CONCLUSION: Staff has evaluated the Applicant’s justification and responses for Standards a-g of Article 2.B.7.A.2 for an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ), and determined that there is a balance between the need for change and the potential impacts generated by this change. Therefore, Staff is recommending approval of the request, subject to the recommended Conditions of Approval as indicated in Exhibits C-1 and C-2.

CONDITIONS OF APPROVAL

EXHIBIT C-1: Type 2 Variance - Concurrent

ALL PETITIONS

1. The approved Preliminary Site Plan is dated July 26, 2021. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commissioners relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Board of County Commissioners for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

CONDITIONS OF APPROVAL

EXHIBIT C-2: Official Zoning Map Amendment with Conditional Overlay Zone

ALL PETITIONS

1. The approved Preliminary Site Plan is dated July 26, 2021. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (DRO: ZONING - Zoning)

SITE DESIGN

1. Prior to Final Approval by the Development Review Officer, the Preliminary Site Plan shall be revised to relabel the Bullpen Storage at the northwest corner of the proposed Building to Outdoor Display Area. In addition, the Bullpen Storage Area located on the east side of the north-south 25 foot drive-aisle, shall be screened by either an opaque fence, wall or landscape hedge a minimum of six feet high. (ONGOING: ZONING - Zoning)

ENGINEERING

1. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2025, or as amended. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING - Engineering)

2. The Property Owner shall record a 20 foot drainage easement over the existing ditch within their property as shown on the Zoning plan. The easement shall be approved by Land Development prior to recordation and be recorded by the Property Owner prior to the issuance of the first building permit, (BLDGPMT: MONITORING - Engineering)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

Figure 1 - Land Use Map

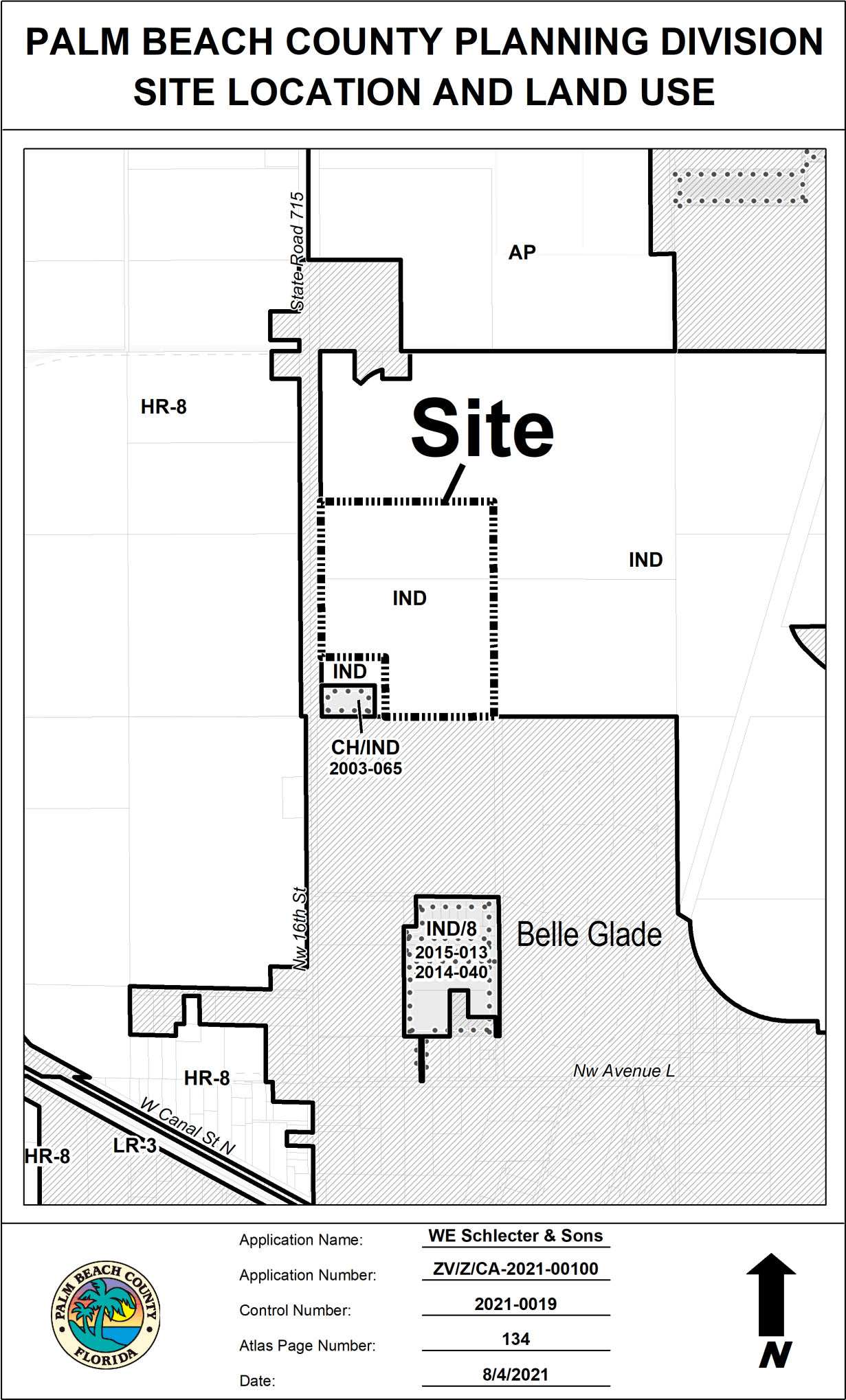


Figure 2 - Zoning Map

PALM BEACH COUNTY PLANNING DIVISION

SITE LOCATION AND ZONING



Application Name:	<u>WE Schlechter & Sons</u>
Application Number:	<u>ZV/Z/CA-2021-00100</u>
Control Number:	<u>2021-0019</u>
Zoning Quad Number:	<u>203</u>
Date:	<u>8/4/2021</u>



Zoning Commission
Application No. ZV/Z-2021-00100
W.E. Schlechter & Sons

Site

State Road 715

NW 16th St

Belle Glade

NW Avenue L

W Canal St N

0 0.5 1 1.5 2 Miles

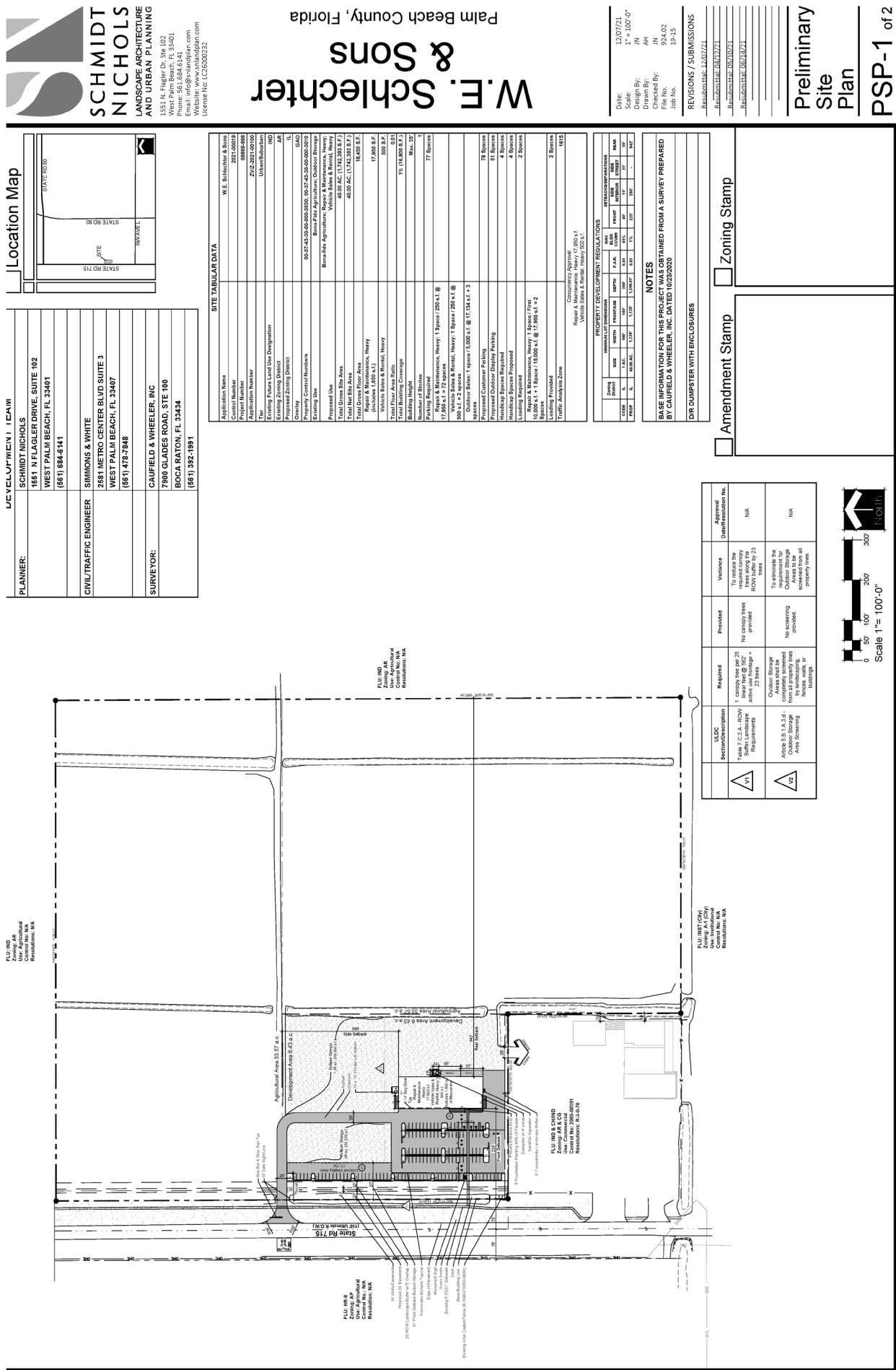
Palm Beach County



Application Name:	<u>WE Schlechter & Sons</u>
Application Number:	<u>ZV/Z/CA-2021-00100</u>
Control Number:	<u>2021-0019</u>
Atlas Page Number:	<u>134</u>
Date:	<u>8/4/2021</u>



Figure 4 – Preliminary Site Plan (PSP-1 of 2), dated July 26, 2021



Zoning Commission
Application No. ZV/Z-2021-00100
W.E. Schlechter & Sons



Date: 12/07/21
Scale: 1" = 50'-0"
Design By: JN
Drawn By: AH
Checked By: JN
File No. 924.02
Job No. 19-15

REVISIONS / SUBMISSIONS

Resubmittal: 12/07/21

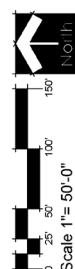
Resubmittal: 04/12/21

Resubmittal: 05/10/21

Resubmittal: 06/14/21

Preliminary Site Plan

OSP-2 of 2



Zoning Commission
Application No. ZV/Z-2021-00100
W.E. Schlechter & Sons

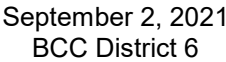


Exhibit D – Disclosure of Ownership (Owner- Eleanor Schletcher)

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared Eleanor Schlechter, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the ☒ individual or ☐ _____ [position - e.g., president, partner, trustee] of _____ [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: P.O. Box 373, Belle Glade, FL 33430
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

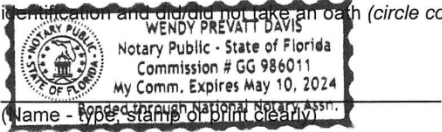
FURTHER AFFIANT SAYETH NAUGHT.

Eleana W. Schlechter
Eleana W. Schlechter
_____, Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization, this 17 day of December, 2020 by Wendy Prevatt Davis (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as identification and did/did not take an oath (circle correct response).



Wendy Prevatt Davis
(Signature)

My Commission Expires on: 5/10/2024

NOTARY'S SEAL OR STAMP

EXHIBIT “A”

PROPERTY

PARCEL 2A
THE SOUTH 1557.00 FEET OF THE WEST 1321.4 FEET OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 43 SOUTH, RANGE 37 EAST, PALM BEACH COUNTY, FLORIDA. LESS THE SOUTH 431 FEET OF THE WEST 535 FEET AND LESS THE WEST 75 FEET THEREOF FOR STATE ROAD 715 RIGHT OF WAY.

SAID LANDS CONTAIN 1742392.92 SQ. FEET (OR 40.000 ACRES) MORE OR LESS.

Exhibit D – Disclosure of Ownership (Owner- John O. Schletcher)

DISCLOSURE OF OWNERSHIP INTERESTS – PROPERTY

[TO BE COMPLETED AND EXECUTED BY THE PROPERTY OWNER(S) FOR EACH APPLICATION FOR COMPREHENSIVE PLAN AMENDMENT OR DEVELOPMENT ORDER]

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared J. O. Schlechter, hereinafter referred to as "Affiant," who being by me first duly sworn, under oath, deposes and states as follows:

- 1. Affiant is the [x] individual or [] [position - e.g., president, partner, trustee] of [name and type of entity - e.g., ABC Corporation, XYZ Limited Partnership] that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
- 2. Affiant's address is: P.O. Box 373, Belle Glade, FL 33430
- 3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
- 4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
- 5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
- 6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.

7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief, it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

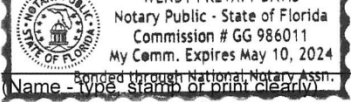
W.E. Schlechter
Affiant
(Print Affiant Name)

NOTARY PUBLIC INFORMATION:

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 17 day of December, 2020 by Wendy Prevatt Davis (name of person acknowledging). He/she is personally known to me or has produced _____ (type of identification) as

identification and did not take an oath (circle correct response).



Wendy Prevatt Davis
(Signature)

My Commission Expires on: 5/10/2024

NOTARY'S SEAL OR STAMP

EXHIBIT “A”

PROPERTY

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Exhibit E – Applicant’s Justification Statement, dated July 26, 2021



Justification Statement
W.E. Schlechter & Sons
Palm Beach County (PBC) Submittal
Rezoning Application Submittal
Original Submittal: January 4, 2021
Resubmittal: May 10, 2021

Applicant Requests

Schmidt Nichols (“Agent”), on behalf of the Applicant and Property Owner, J.O Schlechter & Eleanor Schlechter (“Applicant”) to seek a Rezoning approval from the site’s existing AR and CG zoning to IL.

Currently, the subject property supports a Future Land Use Atlas Designation of Industrial (IND) and falls within the Urban/Suburban (U/S) Tier according to the Growth Management Tier System Maps outlined in the Comprehensive Plan Future Land Use Element. The subject property has an Agricultural Residential (AR) zoning designation, which is not compatible with the site’s existing IND FLU designation, per Table 3.A.3.B in the Article 3 of the ULDC. The IL zoning district, which is proposed as part of this rezoning application, is consistent with the IND FLU designation, however. Furthermore, the applicant is proposing the following uses permitted in the IL zoning district: Repair & Maintenance, Heavy, and Storage. The remaining Vehicle or Equipment Sales and Rental, Heavy use is subject to DRO approval.

The 40.00-acre subject site is composed of one parcel, and a portion of a second parcel which is to be subdivided and combined into the first parcel, which includes the entire parcel (PCNs 00-37-43-30-00-000-3030) located on the east side of State Road 715, approximately 1,750 feet north of the intersection with NW Avenue P in unincorporated Palm Beach County, Florida (“subject properties”). The subject 23.86 acre parcel (PCN: 00-37-43-30-00-000-3030) is proposed to be combined together with a 16.14 acre portion of the adjacent parcel to the north (PCN: 00-37-43-30-00-000-3010) which is under the same ownership. This was mainly done to capture an existing driveway connection to S.R. 715 which partially straddled parcels 3030 and 3010 prior to the property unification. It should be noted, this does not result in any access issues to any of the neighboring properties. Specifically, the property to the east has a dedicated ROW that accesses the southern property line of said parcel. Finally, per Palm Beach County Subdivision, Platting, and Required Improvements standards as stated in Article 11, a lot meeting or exceeding 40 acres in size is exempt from the requirements of ULDC Article 11.

The proposed site plan (for information only) consists of proposed 18,450 S.F. building (including 1,650 s.f. of mezzanine) which will include 17,950 s.f. for Repair and Maintenance, Heavy uses, and 500 s.f. for Vehicle or Equipment Sales & Rental, Heavy, a DRO approved Conditional Use per the Glades Area Overlay portion of ULDC Article 3. Additionally, the Applicant is proposing a 1.35 acre (102,483 S.F.) bullpen storage area on the northern half of the site. Finally, a 13,510 s.f. Vehicle Display Area is proposed along the site’s frontage on S.R. 715. All of these proposed active uses are to be within a delineated 6.43 acre area, while the remainder 33.57 acres of the subject site will consist entirely of their existing bona-fide agricultural uses. Access is proposed via an existing access driveways to State Road 715 which are situated on the northern half of the site. The Vehicle or Equipment Sales & Rental, Heavy use being proposed by the applicant is subject to DRO approval once the subject rezoning is approved. The remainder of the uses being proposed on the site are uses permitted by right in the proposed IL zoning district. The site plan being provided with this application, although it is not required for a rezoning, is for reference in support of the Type II Variance request. The

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proposed site plan is for information only and should not be reviewed as a typical project that would be going through the DRO process.

Below is a summary of surrounding properties:

Adjacent Lands	FLU	Zoning	Uses
Subject Property	IND & CH/IND	AR & CG (Existing) IL (Proposed)	Agricultural Sales & Service (Existing) Repair & Maintenance, Heavy, Vehicle or Equipment Sales & Rental, Heavy, Storage (Proposed)
North	IND	AR	Bona-fide Agriculture
South	INST (Belle Glade)	A-1 (Belle Glade)	Public School Facilities
East	IND	AR	Bona-fide Agriculture
West	HR-8	AR	Bona-fide Agriculture

Project History

The main, southern portion of the subject property (23.86 acres) was previously part of a previous rezoning application from AR & CG to IL originally submitted on June 10, 2019. This previous application (App No. ZV/Z-2019-01095) included another parcel adjacent to the south (PCN: 00-37-43-30-00-000-3050) which had a split AR and CG zoning designation and several existing and nonconforming land uses which were to be memorialized. Further, this application requested 3 variances for site design related items. Overall, this application was withdrawn due to challenges with gaining access onto S.R. 715, a Florida Department of Transportation controlled ROW. As a result, the owner of the subject 23.86 acre property, who also owns the parcels to the north and east of it, decided to put together their own Rezoning and Type II Zoning Variance application, which you are seeing with the requests below.

Below is an outline of the required applications/requests:

- Request 1: Rezoning Request** (Request to rezone the subject property from AR to IL)
- Request 2: Type II Concurrent Zoning Variances** (To reduce the required trees in the Right-of-Way buffer along the west frontage by 23 trees and to eliminate the requirement for Outdoor Storage Areas to be screened from all property lines.)

Rezoning Request

The Applicant respectfully requests consideration to rezone both parcels (“subject property”) from the current zoning designations of Agricultural Residential (AR) to Light Industrial (IL). In doing so, the combination of the parcels into one parcel and the application of IL over the entirety of the new parcel does not result in a split-zoned parcel. Furthermore, the parcel

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adjacent to the rear of the site has direct access off of a public ROW located at its southwest corner, alleviating access concerns. Below are the specific standards for a rezoning:

Per ULDC 2.B.7.A.2: *When considering a Development Order application for rezoning to a standard zoning district, the BCC and ZC shall consider Standards a - g indicated below.*

a. Consistency with the Plan: *The proposed amendment is consistent with the Plan.*

Response: The subject property has a future land use (FLU) designation of IND which is not consistent with the existing AR zoning designation per 3.A.3.B in Article 3 of the ULDC. However, the proposed zoning designation of IL is consistent with the existing IND FLU designation. The proposed FAR is permissible with regard to the .45 maximum FAR set forth by the Comprehensive Plan. The Comprehensive Plan allows industrial uses within compatible industrial Zoning/FLU's.

Objective 1.2 of the Comprehensive Plan Future Land Use Element ("FLUE") states: *"this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services..."* Therefore, it is reasonable to rezone the property for the purposes of allowing industrial-type land uses, especially in this case where these uses are directly related to agricultural operations which provide the backbone of the economy in this portion of Palm Beach County.

Policy 2.2.4-a of the Comprehensive Plan FLUE states: *"The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County's economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated land."* This is an appropriate location for Industrial future land use and zoning adjacent to existing Industrial designated properties.

Policy 2.2.4-c further explains that *"The Industrial and Economic Development Center future land use designations are intended to accommodate industrial uses which are defined as uses engaged in the manufacturing, assembly, processing, research and development, wholesale distribution, or storage of products, related uses and services, including Office of an Industrial Nature the allowable uses in Industrial Designations"* The proposed zoning district of Light Industrial will allow for these types of uses to exist on the site.

b. Consistency with the Code: *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code*

Response: The proposed amendment and corresponding site plan are in compliance with ULDC Articles 2, 3, 4, 5, 6, 7 and 8 as detailed below:

Article 2: The proposed Rezoning is consistent with Article 2 as it relates to the public hearing procedures and application requirements. Complete applications have been filed for Rezoning and a Type II Variances.

Article 3: The proposed Rezoning is consistent with Article 3 as it relates to Overlays and Zoning Districts, specifically:

The subject property is located within the Glades Economic Development Overlay. The intent of this overlay is to provide *“flexibility or streamlined procedures for obtaining development approvals, critical to ensuring a timely response to development or redevelopment opportunities that may increase job opportunities and improve the economic vitality of the area. In addition, the GEDO may include regulations that recognize the character of the area.”* The Applicant is proposing to rezone the property from AR to IL for the purpose of providing farm equipment, implement, and vehicle sales, rental, leasing, repair, and maintenance services to the surrounding agricultural community. The IL district was chosen due to its allowance of these types of uses. Therefore, the subject rezoning will allow the site to potentially better serve the Glades community with agricultural equipment sales and services. This site is one of very few with similar uses, and thus is highly important to meeting the needs of residents, businesses, and agricultural operations which are pinnacle to the character of the Glades Economic Development Overlay.

The subject property is currently located within the AR zoning district, but is requesting a rezoning to the IL zoning district, which would be consistent with the existing IND Future Land Use Designation. The current zoning district is not consistent with the current zoning designation, therefore, the subject request is required to bring the property into compliance with the Comprehensive Plan.

The proposed site plan meets all the property development regulations for the IL zoning district. The proposed rezoning is consistent with Table 3.A.3.B as it relates to the FLU designation and corresponding standard zoning district as the proposed IL zoning district corresponds to the existing IND FLU designation.

The proposed amendment meets the intent of ULDC Table 3.D.1.A, Property Development Regulations, in that the site plan:

- Meets the minimum lot size of 1 acre (40.00 acres provided), minimum width and frontage of 100 feet (1,126 feet of frontage on State Road 715), and minimum depth of 200 feet (1246 feet of depth provided) for IL zoning district;
- Does not exceed the maximum building coverage of 45% for IL (1% building coverage provided);
- Does not exceed the maximum FAR of .45 for IL with IND FLU (.01 FAR provided);
- The site meets the minimum setbacks for IL as follows:
 - Front: 40 feet (236 feet provided);
 - Side Interior: 15 feet (290 feet provided); and
 - Rear: 20 feet (931' feet provided).

Article 4: The proposed Rezoning is consistent with Article 4 as it relates to the use regulations, specifically in Article 4. The applicant proposes two uses for the subject site, both of which are permitted in the proposed IL zoning district and are compatible with the sites' IND future land use designation. It should be noted, neither of these uses are

being requested as part of this application. The subject application being discussed in this request of this Justification Statement is for the Rezoning of the site from AR to IL to allow for these uses to be permitted.

Repair and Maintenance, Heavy:

An establishment engaged in the repair and maintenance of automobiles, recreational vehicles, boats, motorcycles, personal watercraft; or the repair and maintenance of heavy equipment or machinery, commercial vehicles or trailers, marine vessels, or similar; or, media blasting, paint stripping, and paint or body work.

Typical Uses: Heavy Repair and Maintenance may include but is not limited to:

- 1) Machine shops, welding services, engine and transmission shops, radiator shops*
- 2) Paint or body shops, collision damage repairs and frame straightening, fiberglass repair, media blasting or paint stripping, powder coating, and steam cleaning*
- 3) Garages for general engine type repair including rebuilding, repairing or removing engines, transmissions, starters, alternators, radiators, air conditioners, compressors, brake systems, hydraulics, fuel systems, cooling systems, exhaust, electrical or electronic systems, propulsion systems, drive train, and steering systems; or*
- 4) Any Light Repair and Maintenance Use, which involves any of the above or requires outdoor storage or activities.*

These uses will constitute approximately 17,950 square feet of space on the site and are permitted by right within the proposed IL district according to Table 4.B.2.A Commercial Use Matrix

Vehicle or Equipment Sales & Rental, Heavy

An establishment engaged in the sale, retail or wholesale, rental, or lease of new or used mobile homes or commercial vehicles, as may be defined by the Florida Department of Motor Vehicles, or equipment, including but not limited to the following: heavy trucks, truck tractors, road tractors, straight trucks, special mobile equipment, buses, school buses, farm tractors, farm implements, heavy equipment including construction and earth moving equipment, trailers, and semitrailers.

Typical Uses: Typical uses include independent dealers, franchise dealers, wholesale dealers, or mobile home dealers or brokers, or, moving truck or trailer rental, construction or farm equipment sales or rental yards, and large implement sales or rental.

The Applicant is proposing this use to constitute 500 square feet of space on the site. According to Table 4.B.2.A Commercial Use Matrix, this use is considered a Class A Conditional use subject to BCC approval. However, due to this site's location within the Glades Economic Development Overlay, ULDC Art. 3.B.4.D.2.b allows the use to change from a BCC approved use to a DRO approved use. Therefore, a DRO Use request application will be filed following the approval of the subject rezoning.

Article 5: The proposed rezoning is consistent with Article 5 Supplementary Use Standards. The Article 5.C architectural elevations will be reviewed and approved at time of building permit.

Article 6: The proposed Rezoning is consistent with Article 6 Parking, specifically the following:

The proposed amendment meets the standards listed in ULDC Art.6 (subject to the proposed variances), Parking, as follows:

- Per ULDC Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements, the project will provide the minimum off-street parking spaces for the uses as follows:
 - Vehicle or Equipment Sales & Rental
 - Parking
 - 1 Space / 250 s.f. @ 500 s.f. = 2 Spaces
 - Repair & Maintenance, Heavy
 - Parking
 - 1 Space / 250 s.f. @ 17,950 s.f. = 72 Spaces
 - Outdoor Sales
 - Parking:
 - 1 Space / 5,000 S.F. @ 13,510 s.f. = 3 Spaces

Required Parking: 77 spaces
Parking Provided: 78 Spaces

- Per ULDC Table 6.A.1.D, Parking Space for Persons Who Have Disabilities, the proposed amendment meets the required spaces for persons who have disabilities as follows:
 - **Required 4 ADA Spaces**
 - **Provided 4 ADA Spaces**

Per ULDC Art.6.B.1.E.1, Width, the loading spaces provided will be a minimum of 15 feet in width and per ULDC Art.6.B.1.E.2, Length, the loading spaces provided will be a minimum of 55 feet in length.

- **Required 15' x 55' Loading Spaces: 2 Spaces**
- **Provided 15' x 55' Loading Spaces: 2 Spaces**

Article 7: The proposed Rezoning is consistent with Article 7 Landscaping, specifically the following:

The proposed amendment meets the standards listed in ULDC Art.7, Landscaping (subject to variances), as follows:

- Per Table 7.C.2.A, Width of R-O-W Buffer, the project must provide a minimum of a 20-foot wide ROW landscape buffer along State Road 715 (see Type II Variance requests below);
- An 8' Compatibility Landscape Buffer is provided adjacent to compatible uses to the south per Article 7 requirements.
- Based on pre-application meetings with County staff, landscape buffers are not required between the remaining agricultural portions of the property to the adjacent agricultural properties surrounding the site.

Article 8: The proposed Rezoning is consistent with Article 8 Signage, specifically the following:

Per ULDC Table 8.G.1.A-4, Wall Sign Standards, the project is currently not proposing any new wall signage, but if proposed later, it will comply with the standards for the U/S Tier:

- **Maximum Sign Area:**
 - 1.0 square feet for each lineal foot of the front wall to which the sign is attached;
 - 0.5 square feet for each lineal foot of the side and rear wall to which the sign is attached; or
 - 0.25 square feet for each lineal foot of the wall to which the sign is attached if it faces a residential zoning district
 - Allowable facades: Front, Side and Rear if facing a street;

Per ULDC Table 8.G.2.A – Freestanding Sign Standards, the project is not currently proposing any new freestanding signs, but if proposed later, it will comply with the standards for the U/S Tier:

- **Maximum Number Per Project:** 3 Signs
- **Maximum Sign Area (per linear feet of frontage):** 1.0 square feet
- **Maximum Sign Area (per individual sign):** 200 square feet
- **Minimum setback:** 5 feet

- c. **Compatibility with Surrounding Uses:** *The proposed amendment is compatible, and generally consistent with existing uses and surrounding zoning districts, and is the appropriate zoning district for the parcel of land. In making this finding, the BCC may apply an alternative zoning district.*

Response: The rezoning of the subject property will be compatible with the surrounding land uses. The surrounding land uses are mainly industrial and non-residential with the exception of the use designations to the west across the State Road 715 right-of-way. The proposed rezoning would allow the applicant to develop Repair and Maintenance, Heavy and Vehicle or Equipment Sales & Rental, Heavy uses to better serve the surrounding agricultural community. Given the site's location within the Glades Economic Development Overlay, it being surrounded primarily by bona-fide agricultural uses, and the lack of similar businesses which sell, repair, and maintain large agricultural equipment and parts, the rezoning of the site will not create any more of an impact on surrounding land uses than what already exists.

- d. **Effect on the Natural Environment:** *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

Response: The subject properties do not support any significant habitats or Listed Species. It would not be reasonably expected for any Listed Species to be present based on the current commercial and agricultural operations existing on the site. Therefore, the proposed rezoning will not have a negative effect on the natural environment.

- e. **Development Patterns:** *The proposed amendment will result in a logical, orderly, and timely development pattern.*

Response: The subject property is currently zoned Agricultural Residential (AR). The applicant proposes the development of land uses consistent with the intent of the site's IND FLU designation, which is not compatible with the site's existing AR zoning designation. The uses proposed for the site are similar to those being performed on the adjacent parcel to the south, and are well suited to the site's location fronting S.R. 715, a major rural thoroughfare. The proposed rezoning and development of the subject property follows a logical, orderly and timely development that will be consistent with the Comprehensive plan and ULDC.

f. Adequate Public Facilities: The proposed amendment complies with Art. 2.F, Concurrency.

Response: There are no adverse impacts on public facilities anticipated from this development.

Traffic: The proposed project meets the County's Traffic Performance Standards. See Traffic Generation Statement prepared by Simmons & White.

Potable Water & Wastewater: Water and sewer is available to site and is provided by Palm Beach County.

Drainage: The Applicant has provided legal positive outfall via discharge to the SFCD LAT 1-2 Canal through a new control structure. See Drainage Statement prepared by Simmons & White.



g. Changed Conditions or Circumstances: There are demonstrated changed conditions or circumstances that necessitate the amendment.

Response: The site's current AR zoning and IND future land use designation are inconsistent with one another as stated in Article 3 of the ULDC. The subject site has frontage on S.R. 715, a major rural thoroughfare, and is located adjacent to a facility that performs similar agricultural equipment services as a being proposed for this site. The proposed rezoning request is required to bring the site's zoning and land use into compliance, and to allow for uses that are consistent with the IL zoning district, and that provide a necessary service to the agricultural community in the immediate vicinity of the site.

Type II Concurrent Variance Request:

The applicant (J.O. Schlechter & Eleanor Schlechter) respectfully requests consideration of one (1) Type II Concurrent Zoning Variance. These variances include 1) the reduction of required landscaping for the 562' of frontage along S.R. 715 by 23 canopy trees and 2) the elimination of requirement for Outdoor Storage Areas (A.K.A. the Bullpen Storage areas) to be screened from all property lines. The following chart is also on the site plan submitted with this request:

Variance Chart

	ULDC Section/Description	Required	Provided	Variance	Approval Date/Resolution No.
	Table 7.C.2.A - ROW Buffer Landscape Requirements	1 canopy tree per 25 linear feet @ 562' active use frontage = 23 trees	No canopy trees provided	To reduce the required canopy trees along the ROW buffer by 23 trees	N/A
	Article 5.B.1.A.3.d - Outdoor Storage Area Screening	Outdoor Storage Areas shall be completely screened from all property lines by landscaping, fences, walls, or buildings.	No screening provided.	To eliminate the requirement for Outdoor Storage Areas to be screened from all property lines.	N/A

Per Unified Land Development Code (ULDC) Art.2.B.3.E, Standards, applications for Type II Variances must take the following standards into consideration:

VIII. VARIANCE INFORMATION:

Per ULDC Article 2.B.3, requires a statement of special reason or the basis for the variance required. Article 2.A.3.E states that in order to authorize a variance, the Zoning Commission shall and must find that the conditions enumerated have been met. The Seven Standards below are one of the factors Staff uses in formulating their recommendations and opinions. Address each standard completely and attach additional information or documentation as necessary.

General Statement of Variance:

V1: Reduce the required number of trees for the 562' ROW buffer along the property's western frontage by 23 canopy trees. The applicant proposes an Outdoor Display Area along the active use portion of the site's frontage on State Road 715. This display area will be used to park vehicles and agricultural machinery in such a way to display them to the passing public. It should be noted, the subject site is entirely surrounded by agricultural or industrial uses, none of which will be affected by visual impacts caused by the proposed use. Therefore, there is no rational nexus for canopy trees to be planted along the subject ROW buffer. Furthermore, these required trees would block the view of the vehicles parked for display to the public, impacting the reasonable use of the subject site. Finally, the applicant proposes to install the required shrubs along the subject ROW buffer to improve the aesthetics of the property, and to match the existing landscape buffer in front of the neighboring site to the south.

V2: Eliminate Requirement for Outdoor Storage Areas to be screened from all Property Lines – This variance requests to allow the proposed Bullpen Storage areas to not have screening around all sides. The subject site is located in an area consisting entirely of bona-fide agricultural uses, and the portions of the Bullpen Storage area facing the S.R. 715 right-of-way are blocked by a vehicle display area, which will consist of much of the same equipment.

TYPE II VARIANCE SEVEN (7) STANDARDS
<p>1. SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST THAT ARE PECULIAR TO THE PARCEL OF LAND, BUILDING OR STRUCTURE, THAT ARE NOT APPLICABLE TO OTHER PARCELS OF LAND, STRUCTURES OR BUILDINGS IN THE SAME ZONING DISTRICT:</p> <p>RESPONSE: Special conditions and circumstances exist that are peculiar to the parcel of land, building or structure that are not applicable to other parcels of land, structures or buildings in the same district.</p> <p>V1: There are no anticipated impacts to the adjacent properties. The site is abutted by the Everglades Farm Equipment facility to the south which performs similar services to what is proposed for this site. To the north of the site is a bona-fide agriculture use under the same ownership as the subject property. To the west, across S.R. 715, a major rural highway, are more bona-fide agricultural uses. Generally, this property is surrounded by similar businesses and operations that complement the proposed Vehicle or Equipment Sales & Rental, Heavy and Repair & Maintenance, Heavy uses for purposes of selling, leasing, renting, repairing, and maintaining farm equipment, implements, and vehicles. The required canopy trees would only hinder the reasonable use of the site, by blocking visibility to the Outdoor Display Area, which is intended for the display of vehicles for sale or rent, which is an inherent feature of Vehicle Sales & Rental use.</p> <p>V2: The subject site being located in an area of the County called the Glades Area Overlay and surrounded by entirely bona-fide agricultural uses, save for a similar industrial use to the south, makes it subject to unique circumstances peculiar to this site. The area in which this site is located is very rural, and consists almost entirely of agricultural uses. Furthermore, the Glades Area Overlay seeks to preserve these agricultural uses as much as possible into the future, making it unlikely that any non-compatible uses will crop up in the future. Finally, it should be noted the lands to the north and east of the subject site have an Industrial (IND) Future Land Use designation which means they are likely to consist of similar uses to the subject site in the future. For these unique circumstances, it is reasonable to waive the requirement for screening the proposed Bullpen Areas because they would be getting screened from non-active uses or potential uses that are substantially compatible.</p>
<p>2. SPECIAL CIRCUMSTANCES AND CONDITIONS DO NOT RESULT FROM THE ACTIONS OF THE APPLICANT:</p> <p>RESPONSE: There are special circumstances and conditions that apply that are not a result of actions by the applicant. Furthermore,</p> <p>V1: For the proposed Vehicle or Equipment Sales & Rental, Heavy use to function properly, it is imperative for customers to be able to view the inventory on the lot as they drive past the site. This is not due to the actions of the applicant, but nature of the business, especially on such a major thoroughfare in a primarily agrarian portion of Palm Beach County.</p> <p>V2: The circumstances and conditions described above do not result from actions of the</p>

<p>applicant. The site's location in an entirely agricultural area of the County, and the application of compatible Future Land Use designations on neighboring parcels were not the result of actions of the applicant.</p>
<p>3. GRANTING THE VARIANCE SHALL NOT CONFER UPON THE APPLICANT ANY SPECIAL PRIVILEGE DENIED BY THE COMPREHENSIVE PLAN AND THIS CODE TO OTHER PARCELS OF LAND, BUILDINGS OR STRUCTURES IN THE SAME ZONING DISTRICT:</p> <p>RESPONSE: Granting the variance will not confer any special privilege upon the applicant denied by the Comprehensive Plan and this Code to other parcels of land, buildings or structures in the same zoning district.</p> <p>V1: The reduction of the landscape materials in the ROW buffer by 23 canopy trees does not confer any special privilege that would not be granted to other parcels. This property lies within the Glades Tier which supports heavy agricultural production uses and this existing use fits within that context without the need to buffer the Outdoor Display areas.</p> <p>V2: Granting the subject variance would allow the applicant to operate a portion of their site as bullpen storage for the proposed Vehicle or Equipment Sales & Rental, Heavy use in a manner that is reasonable considering the unique circumstances of the site. The subject variance allows for the maneuvering and storage of large farm equipment on a gravel lot that is located to the side and rear of the site, in an area that is not immediately visible by the public nor the neighboring parcels.</p>
<p>4. LITERAL INTERPRETATION AND ENFORCEMENT OF THE TERMS AND PROVISIONS OF THIS CODE WOULD DEPRIVE THE APPLICANT OF RIGHTS COMMONLY ENJOYED BY OTHER PARCELS OF LAND IN THE SAME ZONING DISTRICT, AND WOULD WORK AN UNNECESSARY AND UNDUE HARDSHIP:</p> <p>RESPONSE: Literal interpretation and enforcement of the terms and provisions of this code would deprive the applicant of rights commonly enjoyed by other parcels of land in the same zoning district and would work an unnecessary and undue hardship.</p> <p>V1: The literal interpretation would require the applicant to plant 23 canopy trees in front of the proposed Outdoor Display area, the visibility of which is required as a principal function of the business. This would significantly hinder the operation of the Vehicle or Equipment Sales & Rental, Heavy use, as the inventory available for sale, rent, or lease located in the Outdoor Display area would not be visible from S.R. 715 which directly fronts the property. Many of the agricultural production or ag retail uses do not typically have landscape similar to what you would see in the urban/suburban tier. Therefore, the literal interpretation of this code would work an undue hardship on the applicant.</p> <p>V2: Literal interpretation and enforcement of the subject code section would require the installation of an opaque fence or large hedges along the perimeter of the Bullpen Storage areas, each of which are more than an acre in size. As a result, maneuvering space would be hindered as designated points of entry would have to be created. Reducing the</p>

maneuvering space of the outdoor storage area hinders the reasonable operation of this site as the farm equipment being stored can vary in size and maneuverability, so the flexibility of an open storage area set to the side and rear of the site is ideal.

5. GRANTING OF THE VARIANCE IS THE MINIMUM VARIANCE THAT WILL MAKE POSSIBLE THE REASONABLE USE OF THE PARCEL OF LAND, BUILDING OR STRUCTURE:

RESPONSE: Granting these variances are the minimum needed for the reasonable use of the property.

V1: The reduction of the required landscaping material by 23 canopy trees is the minimum variance that will make reasonable use of the use and site. The variance requested includes on the portion of the site's frontage that is required to make the site reasonable usable for the proposed Vehicle or Equipment Sales & Rental, Heavy use.

V2: Granting of the subject variance is the minimum variance necessary that will make possible the reasonable use of the site. The Bullpen Storage area's location at the side and rear of the active portion of the subject parcel allows for some screening of these areas from the only point of public view into the site: from S.R. 715 right-of-way along the west property line. The positioning of the Outdoor Display area long the entire frontage of the active use area allows for screening of the Bullpen Storage Area from the public ROW. Furthermore, the flexibility of maneuvering agricultural equipment in the storage areas is paramount to their reasonable operation.

6. GRANTING OF THE VARIANCE WILL BE CONSISTENT WITH THE PURPOSES, GOALS, OBJECTIVES, AND POLICIES OF THE COMPREHENSIVE PLAN AND THIS CODE:

RESPONSE: Granting of the requested variances will be consistent with the purposes, goals, objectives and policies of the comprehensive plan and the ULDC.

V1: The granting of this variance is consistent with the Glades Tier and the comprehensive plan and applicable codes which govern this portion of the County. It is also important to note that the uses which are typically conditional uses in the balance of the County are classified as DRO uses based on the fact that this portion of the County inherently was built on these types of uses and they are not deemed as a negative impact to the surrounding properties.

V2: The granting of this variance is consistent with the Glades Area Overlay and the comprehensive plan and applicable codes which govern this county. The requirement for screening around such a large storage area for large pieces of agricultural equipment in the context of the surrounding agricultural context is unreasonable and not consistent with the goals of the GAO wherein agricultural production and their related uses are intended to be protected. Therefore, by allowing the reasonable use of the site, given surrounding contexts, granting of the subject variance is in compliance with the Comprehensive Plan and the ULDC.

7. GRANTING OF THE VARIANCE WILL NOT BE INJURIOUS TO THE AREA

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INVOLVED OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

RESPONSE: Granting of the requested variances will clearly not be injurious to the area involved or otherwise detrimental to the public welfare.

V1: The granting of the variance will not be injurious to the area involved as the proposed Vehicle or Equipment Sales & Rental use is substantially compatible with the surrounding area. The sale, rental, lease, repair, and maintenance of farm equipment, implements, and vehicles are services that are integral to the smooth operation of agricultural operations that provide the backbone of the economy in this portion of Palm Beach County. This variance if granted will maintain the operations of the business and be in keeping with the surrounding uses and needs of the community/customers.

V2: Granting of this variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The proposed Bullpen Storage areas are strategically located towards the side and rear of the active use area and are therefore screened by Outdoor Display area along S.R. 715. Furthermore, the Bullpen Storage areas are buffered by large swathes of fields to the east and north of the site, all under the same ownership and proposed to be within the same parcel through a lot combination. Finally, the property to the south is of a substantially similar and compatible land use with compatible FLU and Zoning designations and they do not have direct view into the storage areas as they are situated behind the proposed structure and a parking lot with all required interior landscaping.

Final Development Review Officer Use Request:

The applicant is proposing a Vehicle Sales and Rental, Heavy facility. This use typically requires Class A Conditional use approval within the IL zoning district, however, since the subject property is within the Glades Overlay and pursuant to Article 3.B.4.D.2.b.; conditional uses are to be approved by the DRO subject to compliance with the standards in Article 2.B.7.B.2.

- a. ***Consistency with the Plan: The proposed amendment is consistent with the Plan.***

Response: The proposed use is consistent with the current IND Future Land Use designation and the proposed IL zoning designation.

Objective 1.2 of the Comprehensive Plan Future Land Use Element ("FLUE") states: *"this tier [Urban/Suburban] is expected to accommodate the bulk of the population and its need for...goods and services..."* Therefore, it is reasonable to rezone the property for the purposes of allowing industrial-type land uses, especially in this case where these uses are directly related to agricultural operations which provide the backbone of the economy in this portion of Palm Beach County.

Policy 2.2.4-a of the Comprehensive Plan FLUE states: *"The County shall apply Industrial future land use categories at appropriate locations and intensities to satisfy the need for industrial space, provide opportunities for the retention and expansion of industrial and employment based economic activities, and to promote economic development consistent with the County's economic development directives. The County shall also encourage a broad range of employment opportunities and shall discourage Future Land Use Atlas amendments that result in the loss of industrially designated*

land.” This is an appropriate location for Industrial future land use and zoning adjacent to existing Industrial designated properties.

Policy 2.2.4-c further explains that “*The Industrial and Economic Development Center future land use designations are intended to accommodate industrial uses which are defined as uses engaged in the manufacturing, assembly, processing, research and development, wholesale distribution, or storage of products, related uses and services, including Office of an Industrial Nature the allowable uses in Industrial Designations*” The proposed zoning district of Light Industrial will allow for these types of uses to exist on the site.

- b. Consistency with the Code:** *The proposed amendment is not in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code*

Response: The proposed amendment and corresponding site plan are in compliance with ULDC Articles 2, 3, 4, 5, 6, 7 and 8 as detailed below:

Article 2: The applicant is proposing a Vehicle Sales and Rental, Heavy facility. This use typically requires Class A Conditional use approval within the IL zoning district, however, since the subject property is within the Glades Overlay and pursuant to Article 3.B.4.D.2.b.; conditional uses are to be approved by the DRO subject to compliance with the standards in Article 2.B.7.B.2.

Article 3: The proposed Rezoning is consistent with Article 3 as it relates to Overlays and Zoning Districts, specifically:

Response: The subject property is located within the Glades Economic Development Overlay. The intent of this overlay is to provide “*flexibility or streamlined procedures for obtaining development approvals, critical to ensuring a timely response to development or redevelopment opportunities that may increase job opportunities and improve the economic vitality of the area. In addition, the GEDO may include regulations that recognize the character of the area.*”

The proposed use request meets the intent of ULDC Table 3.D.1.A, Property Development Regulations, in that the site plan:

- Meets the minimum lot size of 1 acre (40.00 acres provided), minimum width and frontage of 100 feet (1,126 feet of frontage on State Road 715), and minimum depth of 200 feet (1246 feet of depth provided) for IL zoning district;
- Does not exceed the maximum building coverage of 45% for IL (1% building coverage provided);
- Does not exceed the maximum FAR of .45 for IL with IND FLU (.01 FAR provided);
- The site meets the minimum setbacks for IL as follows:
 - Front: 40 feet (236 feet provided);
 - Side Interior: 15 feet (290 feet provided); and
 - Rear: 20 feet (931' feet provided).

Article 4: The proposed Heavy Vehicle Sales and Rental is consistent with Article 4 as it relates to the use regulations, specifically in Article 4. The proposed use for the subject site, is permitted subject to DRO approval in the proposed IL zoning district and is compatible with the sites' IND future land use designation.

Vehicle or Equipment Sales & Rental, Heavy

An establishment engaged in the sale, retail or wholesale, rental, or lease of new or used mobile homes or commercial vehicles, as may be defined by the Florida Department of Motor Vehicles, or equipment, including but not limited to the following: heavy trucks, truck tractors, road tractors, straight trucks, special mobile equipment, buses, school buses, farm tractors, farm implements, heavy equipment including construction and earth moving equipment, trailers, and semitrailers.

Typical Uses: Typical uses include independent dealers, franchise dealers, wholesale dealers, or mobile home dealers or brokers, or, moving truck or trailer rental, construction or farm equipment sales or rental yards, and large implement sales or rental.

The Applicant is proposing this use to constitute 500 square feet of space on the site. According to Table 4.B.2.A Commercial Use Matrix, this use is considered a Class A Conditional use subject to BCC approval. However, due to this site's location within the Glades Economic Development Overlay, ULDC Art. 3.B.4.D.2.b allows the use to change from a BCC approved use to a DRO approved use. Therefore, a DRO Use request application will be filed following the approval of the subject rezoning.

Article 5: The proposed rezoning is consistent with Article 5 Supplementary Use Standards. The Article 5.C architectural elevations will be reviewed and approved at time of building permit.

Article 6: The proposed Rezoning is consistent with Article 6 Parking, specifically the following:

The proposed amendment meets the standards listed in ULDC Art.6 (subject to the proposed variances), Parking, as follows:

- Per ULDC Table 6.A.1.B, Minimum Off-Street Parking and Loading Requirements, the project will provide the minimum off-street parking spaces for the uses as follows:
 - Vehicle or Equipment Sales & Rental
 - Parking
 - 1 Space / 250 s.f. @ 500 s.f. = 2 Spaces
 - Repair & Maintenance, Heavy
 - Parking
 - 1 Space / 250 s.f. @ 17,950 s.f. = 72 Spaces
 - Outdoor Sales
 - Parking:
 - 1 Space / 5,000 S.F. @ 13,510 s.f. = 3 Spaces

Required Parking: 77 spaces
Parking Provided: 78 Spaces

- Per ULDC Table 6.A.1.D, Parking Space for Persons Who Have Disabilities, the proposed amendment meets the required spaces for persons who have disabilities as follows:
 - **Required 4 ADA Spaces**
 - **Provided 4 ADA Spaces**

Per ULDC Art.6.B.1.E.1, Width, the loading spaces provided will be a minimum of 15 feet in width and per ULDC Art.6.B.1.E.2, Length, the loading spaces provided will be a minimum of 55 feet in length.

- **Required 15' x 55' Loading Spaces: 2 Spaces**
- **Provided 15' x 55' Loading Spaces: 2 Spaces**

Article 7: The proposed use is consistent with Article 7 Landscaping, specifically the following:

The proposed amendment meets the standards listed in ULDC Art.7, Landscaping (subject to variances), as follows:

- Per Table 7.C.2.A, Width of R-O-W Buffer, the project must provide a minimum of a 20-foot wide ROW landscape buffer along State Road 715 (see Type II Variance requests below);
- An 8' Compatibility Landscape Buffer is provided adjacent to compatible uses to the south per Article 7 requirements.
- Based on pre-application meetings with County staff, landscape buffers are not required between the remaining agricultural portions of the property to the adjacent agricultural properties surrounding the site.

Article 8: The proposed use is consistent with Article 8 Signage, specifically the following:

Per ULDC Table 8.G.1.A-4, Wall Sign Standards, the project is currently not proposing any new wall signage, but if proposed later, it will comply with the standards for the U/S Tier:

- *Maximum Sign Area:*
 - *1.0 square feet for each lineal foot of the front wall to which the sign is attached;*
 - *0.5 square feet for each lineal foot of the side and rear wall to which the sign is attached; or*
 - *0.25 square feet for each lineal foot of the wall to which the sign is attached if it faces a residential zoning district*
 - *Allowable facades: Front, Side and Rear if facing a street;*

Per ULDC Table 8.G.2.A – Freestanding Sign Standards, the project is not currently proposing any new freestanding signs, but if proposed later, it will comply with the standards for the U/S Tier:

- *Maximum Number Per Project: 3 Signs*
- *Maximum Sign Area (per linear feet of frontage): 1.0 square feet*
- *Maximum Sign Area (per individual sign): 200 square feet*
- *Minimum setback: 5 feet*

c. Compatibility with Surrounding Uses:

Response: The proposed use is compatible, and generally consistent with existing uses and surrounding uses, as the adjacent parcel to the south supports heavy vehicle sales and rental as well as service, therefore, this proposed use will be complimentary to the neighboring property. Additionally, the proposed use serves the entire Glades Area Overlay farming community and without this use the farming operations within the area would be underserved.

The proposed use of the subject property is compatible with the surrounding land uses. The surrounding land uses are mainly industrial and non-residential with the exception of the use designations to the west across the State Road 715 right-of-way. The proposed use would allow the applicant to develop Vehicle or Equipment Sales & Rental, Heavy uses to better serve the surrounding agricultural community. Given the site's location within the Glades Economic Development Overlay, it being surrounded primarily by bona-fide agricultural uses, and the lack of similar businesses which sell, repair, and maintain large agricultural equipment and parts, the rezoning of the site will not create any more of an impact on surrounding land uses than what already exists.

d. Effect on the Natural Environment: *The proposed amendment will not result in significantly adverse impacts on the natural environment, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.*

Response: The subject properties do not support any significant habitats or Listed Species. It would not be reasonably expected for any Listed Species to be present based on the current commercial and agricultural operations existing on the site. Therefore, the proposed rezoning will not have a negative effect on the natural environment.

e. Development Patterns: *The proposed amendment will result in a logical, orderly, and timely development pattern.*

Response: The subject property is currently zoned Agricultural Residential (AR). The applicant proposes the development of land uses consistent with the intent of the site's IND FLU designation, which is not compatible with the site's existing AR zoning designation. The uses proposed for the site are similar to those being performed on the adjacent parcel to the south, and are well suited to the site's location fronting S.R. 715, a major rural thoroughfare. The proposed rezoning and development of the subject property follows a logical, orderly and timely development that will be consistent with the Comprehensive plan and ULDC.

f. Adequate Public Facilities: *The proposed amendment complies with Art. 2.F, Concurrency.*

Response: There are no adverse impacts on public facilities anticipated from this development.

Traffic: The proposed project meets the County's Traffic Performance Standards. See Traffic Generation Statement prepared by Simmons & White.

Potable Water & Wastewater: Water and sewer is available to site and is provided by Palm Beach County.

Drainage: The Applicant has provided legal positive outfall via discharge to the SFCD LAT 1-2 Canal through a new control structure. See Drainage Statement prepared by Simmons & White.

- g. Changed Conditions or Circumstances: There are demonstrated changed conditions or circumstances that necessitate the amendment.***

Response: The site's current AR zoning and IND future land use designation are inconsistent with one another as stated in Article 3 of the ULDC. The subject site has frontage on S.R. 715, a major rural thoroughfare, and is located adjacent to a facility that performs similar agricultural equipment services as what is being proposed for this site. Subject to the approval of the rezoning from AR to IL to bring the site into conformance with the Code and Plan, the proposed use for the site is consistent with the change in zoning which permits such commercial uses as Vehicle & Equipment Sales & Rental, Heavy.

On behalf of the Applicant, J.O. Schlechter & Eleanor Schlechter, Schmidt Nichols respectfully requests your approval of this Rezoning & Type II Variance application for W.E. Schlechter & Sons.

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