



**ZONING COMMISSION HEARING
AMENDMENTS TO THE AGENDA
SEPTEMBER 1, 2022**

CONSENT AGENDA

D. ZONING APPLICATIONS - NEW

1. PDD/DOA-2021-01373 , Sussman AGR-PUD (2000-00032)

AMEND - Development Order Amendment: All Petitions Condition 1 in Exhibit C-2

1. Previous ALL PETITIONS Condition 1 of Resolution R-2017-1641, Control No.2000-00032, which currently states:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution 2016- 01236 (Control No. 2000-00032) have been consolidated as contained herein. The applicant shall comply with all previous Conditions of Approval and deadlines previously established by Section 5.8 of the ULDC and the Board of County Commissioners, unless expressly modified.

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolution R- 2017-01236(Control 2000-00032), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners ~~or Zoning Commission,~~ unless expressly modified. (ONGOING: ZONING - Zoning)

2. PDD/CAW-2021-0136 Atlantic AGR Commercial and Self Storage (2021-00083)

AMEND Official Zoning Map Amendment: All Petitions Condition 1of Exhibit C-1 to read as follows:

1. The approved Site Plan is dated July 15, 2022. 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 Board of County Commissioners ~~or the Zoning Commission.~~ (ONGOING: ZONING - Zoning)

AMEND Official Zoning Map Amendment: Architectural Review Condition 1 of Exhibit C-1 to read as follows:

1. Prior to final Development Review Officer (DRO) approval, architectural elevations shall be submitted in accordance with Article 5.C. for ~~all~~ proposed buildings ~~A, B, C and D.~~ (DRO: ZONING - Zoning)

DELETE Official Zoning Map Amendment: Engineering Condition Number 2 of Exhibit C-1 as follows:

~~2. The Property Owner shall construct right turn lane west approach on Atlantic Ave at project entrance (at the existing directional median opening).~~

~~This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.~~

~~a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the first building permit. (BLDG/PMT: MONITORING - Engineering)~~

~~b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (BLDG/PMT/CO: MONITORING - Engineering)~~

DELETE Official Zoning Map Amendment: Landscape – General Condition 1 of Exhibit C-1 as follows:

~~1. Prior to the issuance of Building Permit, the Landscape Plans shall provide 1 canopy tree per 20 linear feet at 18 feet in height along the eastern property line abutting the residential, commencing at the southernmost corner of Building F, extending northward for approximately 652 feet to the 12 foot high wall provided at the north side of Building C. Hedges shall also be installed within this same area at 12 feet in height in accordance with Art.7.D.4.A.4.A Landscape Barriers (Hedges). (BLDGPMT: ZONING - Zoning)~~

DELETE Official Zoning Map Amendment: Use Limitations Condition 1 of Exhibit C-1 as follows:

~~1. Any use of loudspeakers on site at any time during or outside of business hours shall be strictly prohibited. No vehicular loudspeaker music shall be permitted at any time. (ONGOING: CODE ENF - Zoning)~~

AMEND Class A Conditional Use Class A Conditional Use:: All Petitions Condition 1 of Exhibit C-2 to read as follows:

1. The approved Site Plan is dated July 15, 2022. 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 Board of County Commissioners ~~or the Zoning Commission~~. (ONGOING: ZONING - Zoning)

DELETE Class A Conditional Use (Self Service Storage): Site Design Condition 1 of Exhibit C-2 as follows:

~~1. Prior to final Development Review Officer (DRO) approval, the Site Plan shall be modified to indicate an 8 ft. high wall between Building C and E and between Building E and F. (DRO: ZONING - Zoning)~~

DELETE Class A Conditional Use (Self Service Storage): Site Design Condition 2 of Exhibit C-2 as follows:

~~2. Prior to final Development Review Officer (DRO) approval, the Site Plan shall be modified to extend the 12 foot high wall commencing from the north side of Building C, extending northward for 127 feet, to the south side of Building B. (DRO: ZONING - Zoning)~~

AMEND Class A Conditional Use (Car Wash): All Petitions Condition 1 of Exhibit C-3 to read as follows:

1. The approved Site Plan is dated July 15, 2022. 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 Board of County Commissioners ~~or the Zoning Commission~~. (ONGOING: ZONING - Zoning)

AMEND Type 2 Waiver: All Petitions Condition 1 of Exhibit C-4 to read as follows:

1. The approved Site Plan is dated July 15, 2022. 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 Board of County Commissioners ~~or the Zoning Commission~~. (ONGOING: ZONING - Zoning)

DELETE Type 2 Waiver: Site Design Condition 1 of Exhibit C-4 as follows:

~~1. Prior to the issuance of Building Permit, the Landscape Plans shall provide 1 canopy tree per 20 linear feet at 18 feet in height along the eastern property line abutting the residential, commencing at the southernmost corner of Building F, extending northward for approximately 652 feet to the 12 foot high wall provided at the north side of Building C. Hedges shall also be installed within this same area at 12 feet in height in accordance with Art.7.D.4.A.4.A Landscape Barriers (Hedges). (BLDGPMT: ZONING - Zoning)~~

AMEND Type 2 Waiver: Site Design Condition 2 of Exhibit C-4 to read as follows:

2. Prior to final Development Review Officer (DRO) approval, the Site Plan shall be modified to incorporate a landscape barrier in the form of a solid opaque fence or wall opaque hedge at six (6) feet in height along the southern 224 feet of the eastern property line. ~~The fence or wall material and design shall be consistent with the proposed building structures on site.~~ (DRO/ONGOING: ZONING - Zoning)

4. DOA/CA-2021-01947, Calvary Chapel, Control 2000-00018

AMEND - Development Order Amendment: All Petitions Condition 3 of Exhibit C-1 to read as follows:

3. Previous ALL PETITIONS Condition 1 of Resolution R-2007-85, Control No.2000-00018, which currently states:

All previously approved conditions of approval continue to apply unless expressly modified herein

Is hereby amended to read:

All previous Conditions of Approval applicable to the subject property, as contained in Resolutions R-2007-085 and R-2000-1562 (Control 2000-00018), have been consolidated as contained herein. The Property Owner shall comply with all previous Conditions of Approval and deadlines previously established by Article 2.E of the Unified Land Development Code and the Board of County Commissioners ~~or Zoning Commission~~, unless expressly modified. (ONGOING: ZONING – Zoning)

AMEND - Development Order Amendment: Environmental Condition 1 of Exhibit C-1 to read as follows:

2. ~~Previous ENVIRONMENTAL Condition 2 of Resolution R-2000-1562, Control No.2000-00018 which currently states:~~

The native vegetation in the undeveloped south portion of the site shall remain intact pursuant to Article 9.5.F. of the Unified Land Development Code (ULDC). The size and location of the native upland preserve shall remain 0.37 acres and be located pursuant to Article 9.5.F. of the ULDC. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management) ~~(Previous ENVIRONMENTAL Condition 2 of Resolution R-2000-1562, Control No.2000-00018)~~

~~**Is hereby deleted.** [REASON: no longer applicable as the requirements have been codified in ULDC.]~~



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

THURSDAY SEPTEMBER 1, 2022

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

SEPTEMBER 1, 2022

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, West Palm Beach, FL, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, September 22, 2022 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

Notice:

- D. Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- E. Proof of Publication - Motion to receive and file.
- F. Swearing In -CountyAttorney
- G. Adoption of the [Minutes](#)
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

1. [PDD/DOA-2021-01373](#) Title: an Official Zoning Map Amendment application of JDR Development, LLC - Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 10.20 acres
Title: a Development Order Amendment application of JDR Development, LLC - Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to modify the Master Plan to delete land area (9.89 acres) and to add land area (10.20 acres) for a final DO total of 743.33 acres
General Location: East side of State Road 7, approximately 700 feet south of W Atlantic Avenue (**Sussman AGR-PUD**) (Control 2000-00032)

Project Manager: Imene Haddad

Size: 743.33 acres +
(affected area 10.20 acres +)

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map amendment from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan to add and delete land area subject to the Conditions of Approval as indicated in Exhibit C-2.

2. [PDD/CA/W-2021-01361](#) Title: an Official Zoning Map Amendment application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 9.89 acres
Title: a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a Multi-Access and Limited Access Self-Service Storage Facility on 9.89 acres
Title: a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a Car Wash on 9.89 acres
Title: a Type 2 Waiver application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow an alternative Type 3 Incompatibility Buffer on 9.89 acres
General Location: South side of Atlantic Avenue, approximately 783 feet east of Lyons Road (**Atlantic AGR Commercial and Self Storage**) (Control 2021-00083)

Project Manager: Timothy Haynes

Size: 9.89 acres ±

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Multi-Access and Limited Access Self-Service Storage Facility, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval a Class A Conditional Use to allow a Car Wash, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval a Type 2 Waiver to allow an Alternative Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-4

3. [ZV/PDD-2022-00120](#) Title: a Type 2 Variance application of William Kennedy, 6690 S Military Trail Llc, MG3 Alf Military LLC, Ray Marcinkoski, Pulte Home Company, LLC - Aimee Caarlson, George Homrich by Insite Studio, Agent. Request: to eliminate the Compatibility and Type 1 Incompatibility Buffers (north, east and west property lines of preserve area) on 27.21 acres
Title: an Official Zoning Map Amendment application of William Kennedy, 6690 S Military Trail Llc, MG3 Alf Military LLC, Ray Marcinkoski, Pulte Home Company, LLC - Aimee Caarlson, George Homrich by Insite Studio, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 27.21 acres
General Location: East side of S. Military Trail approximately 0.3 miles north of Hypoluxo Road. (**Winchester Assemblage PUD**) (Control 2021-00123)

Project Manager: Jerome Ottey

Size: 27.21 acres ±

BCC District: 2

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

MOTION: To adopt a Resolution to approve a Type 2 Variance to eliminate the Compatibility and Type 1 Incompatibility Buffers (north, east and west property lines of preserve area) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [DOA/CA-2021-01947](#) Title: a Development Order Amendment application of First Romanian Baptist Church of WPB, Inc., Calvary Chapel of the Palm Beaches, Inc. by Cotleur & Hearing Inc., Agent. Request: to modify or delete Conditions of Approval; to reconfigure the Site Plan; and, to add square footage on the 4.96 acre DO
Title: a Class A Conditional Use application of First Romanian Baptist Church of WPB, Inc., Calvary Chapel of the Palm Beaches, Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a General Day Care on 4.96 acres
General Location: South side of Melaleuca Lane approximately 1,700 feet west of Haverhill Road (**Calvary Chapel Church of the Palm Beaches**) (Control 2000-00018)

Project Manager: Donna Adelsperger

Size: 4.96 acres ±

BCC District: 3

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

MOTION: To recommend approval of a Development Order Amendment to modify or delete Conditions of Approval; to reconfigure the Site Plan; and, to add square footage, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a General Day Care subject to the Conditions of Approval as indicated in Exhibit C-2.

- 5. [Z/CA-2021-00466](#) Title: an Official Zoning Map Amendment application of Americo Development Group LLC by Coteleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District on 1.08 acres
Title: a Class A Conditional Use application of Americo Development Group LLC by Coteleur & Hearing Inc., Agent. Request: to allow a Medical or Dental Office on 1.08 acres
General Location: South side of Northlake Boulevard, approximately 0.04 miles west of North Elizabeth Avenue (**Americo Center**) (Control 2009-02399)

Project Manager: Brenya Martinez

Size: 1.08 acres ±

BCC District: 1

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Medical or Dental Office subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**
- E. SUBDIVISION VARIANCE**
- F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

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

ADJOURNMENT