

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

**Application No.:** Z-2022-00675  
**Application Name:** George Parker Rezoning  
**Control No./Name:** 2022-00016 (George Parker Rezoning)  
**Applicant:** George Parker  
**Owners:** George Parker  
**Agent:** CWB Associates - Wes Blackman  
**Telephone No.:** (561) 308-0364  
**Project Manager:** Cody Sisk, Senior Site Planner

**TITLE:** an Official Zoning Map Amendment **REQUEST:** to allow a rezoning from the Single Family Residential (RS) Zoning District to the Light Industrial (IL) Zoning District on 1.00 acres

**APPLICATION SUMMARY:** Proposed is an Official Zoning Map Amendment for the 1.00 acres George Parker development. The site has no prior Board of County Commission (BCC) approvals and is currently being utilized as a Single Family Residence.

The request is to allow a rezoning from Single Family Residential (RS) to Light Industrial (IL) Zoning District. As the site is rezoning to a Standard Zoning District, no Site Plan has been provided at this time for review and approval and will require Zoning Approval at time of Building Permit.

**SITE DATA:**

<b>Location:</b>	South side of Wallis Road, approx. 260 feet west of Tall Pines Road
Property Control Number(s)	00-42-43-27-05-005-2030
Future Land Use Designation:	Industrial (IND)
Existing Zoning District:	Single-Family Residential District (RS)
Proposed Zoning District:	Light Industrial (IL)
Total Acreage:	1.00 acres
Tier:	Urban/Suburban
Overlay District:	Palm Beach International Airport Overlay
Neighborhood Plan:	Haverhill Neighborhood Plan
CCRT Area:	N/A
Municipalities within 1 Mile	Greenacres
Future Annexation Area	Haverhill, West Palm Beach
Commissioner District	District 2, Commissioner Gregg K. Weiss

**RECOMMENDATION:** Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C.

**PUBLIC COMMENT SUMMARY:** At the time of publication, Staff had received no contacts from the public regarding this application.

**PROJECT HISTORY:** There have been no prior approvals by the Board of County Commissioners (BCC) for this site.

**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 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 has been the subject of one of previous County initiated future land use amendment, Jog Road Corridor 96-64 Com 1 (Ord. 1996-037), that amended the land use from CL-O to IND, and was adopted without conditions.

- *Intensity:* The request for a rezoning from RS to IL does not include a site plan. The IND future land use would permit a maximum FAR of 0.85. For the subject one acre (43, 560 sq.ft.) site the maximum intensity that could be permitted is 37,026 sq.ft. (43,560 sq.ft. or 1 acre X 0.85 FAR = 37,026 sq. ft.)

- *Special Overlay District/Neighborhood Plan/Planning Study Area:* The request is located within the Comprehensive Plan's PBI Approach Path Conversion Area Overlay, the 1995 Jog Road Corridor Study, and the 1992 Haverhill Neighborhood Plan. The request to rezone is not inconsistent with the recommendations contained in the Overlays or Special Study areas, which view this area as intended for Industrial type uses.

**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.*

The subject site is currently zoned Residential Single Family (RS) which is inconsistent with the Future Land Use (FLU) designation of Industrial (IND). The proposed rezoning to Light Industrial (IL) is consistent with the existing IND FLU pursuant to Table 3.A.3.B – Future Land Use (FLU) Designation and Corresponding Standard Zoning Districts. As the site is rezoning to a Standard Zoning District, no use is proposed at this time with a corresponding site plan Zoning Approval for the use would be in accordance with Art. 4.B and the required process for that use. There is a single family dwelling unit that is on site but is not being utilized. Staff has confirmed with the Applicant it is the intention of the Property Owner to demolish the structure and not use the structure as Single Family dwelling. ,

- *Property Development Regulations:* As proposed, the property meets the requirements as indicated under Table 3.D.1.A Property Development Regulations for minimum lot dimensions of 1 ac. lots, 100 ft. of width and frontage, and 200 ft. of depth, as the site is a 1.00 acre lot, has 100 ft. of width and frontage, and is 200 ft. in depth.

**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 proposed amendment to the zoning is compatible, and generally consistent with existing uses and surrounding zoning districts. The surrounding zoning districts are light industrial to the north and east. The west adjacent property is residential use but has an IND FLU and to the south, it has a zoning district of single family residential with a commercial high/ underlying IND FLU. The rezoning will bring the site into consistency with the exiting future land use. The IL zoning district is an appropriate zoning district for the subject parcel because it is consistent with the surrounding parcels.

**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.*

- *Vegetation Protection:* No native vegetation species are being removed as a result of this application.

- *Wellfield Protection Zone:* This property is not located 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 Palm Beach County Mandatory Year-Round Landscape Irrigation Conservation Measures Ordinance, Ordinance No. 2022-007. 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 surrounding area consists of mainly industrial uses and zoning districts. The future land use for the surrounding parcels are a mix of Commercial High and IND. The surrounding zoning districts are light industrial to the north and east. The west adjacent property is residential use but has an IND FLU and to the south, it has a zoning district of single family residential with a commercial high/ underlying IND FLU. The proposed amendment will result in a logical, orderly, and timely development pattern with the adjacent properties, and will bring the zoning into consistency with the land use established for the property.

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

ENGINEERING COMMENTS:

Though a final plan of development has not been determined yet, traffic analysis has been done using the maximum potential of the site with rezoning. It is expected that the maximum potential of 28,314 sq. ft. of Light Industrial development will generate 126 net new daily trips, 18 net new AM peak hour trips, and 16 net new PM peak hour trips. The build out of the project is expected to happen by 2025.

The additional traffic will have insignificant impacts on the area network, as per the definition in Palm Beach County Traffic Performance Standards. Also, since the peak hour trips are less than 20, no detailed analysis is required. Site access and site related improvements will be addressed when a specific site plan is finalized and submitted to the County for review at a later stage of the development approval process.

The Property Owner shall dedicate ROW to be consistent with a non-residential use and configure the property into a legal lot of record prior to the issuance of the building permit.

PALM BEACH COUNTY HEALTH DEPARTMENT: This project has met the Florida Department of Health's requirements.

FIRE PROTECTION: Staff has reviewed this application and have no comment. The subject site is within the boundaries of PBC Fire Station #34



SCHOOL IMPACTS: The School Board has no comment regarding this non-residential application.

PARKS AND RECREATION: Non-residential project therefore, Park and Recreation ULDC requirements 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 areas surrounding the subject site between Wallis Road and Southern Boulevard, indicate areas designated for Industrial uses, more specifically between North Cleary Road and Tall Pines Road. The proposed Zoning Amendment will allow the exiting FLU and zoning district to be consistent with each other. Therefore, Staff has determined that the amendment is necessary to obtain the required zoning approvals and allowing other possible Industrial Uses compliant with staff Conditions of Approval.

**CONCLUSION:** Staff has evaluated the Applicant's justification and responses for Standards 1-7 of Article 2.B.1.B, and has determined that the need of the requested change balanced the potential impacts generated by the request. Therefore, Staff is recommending approval of the request subject to the Condition of Approval in Exhibit C.

## CONDITIONS OF APPROVAL

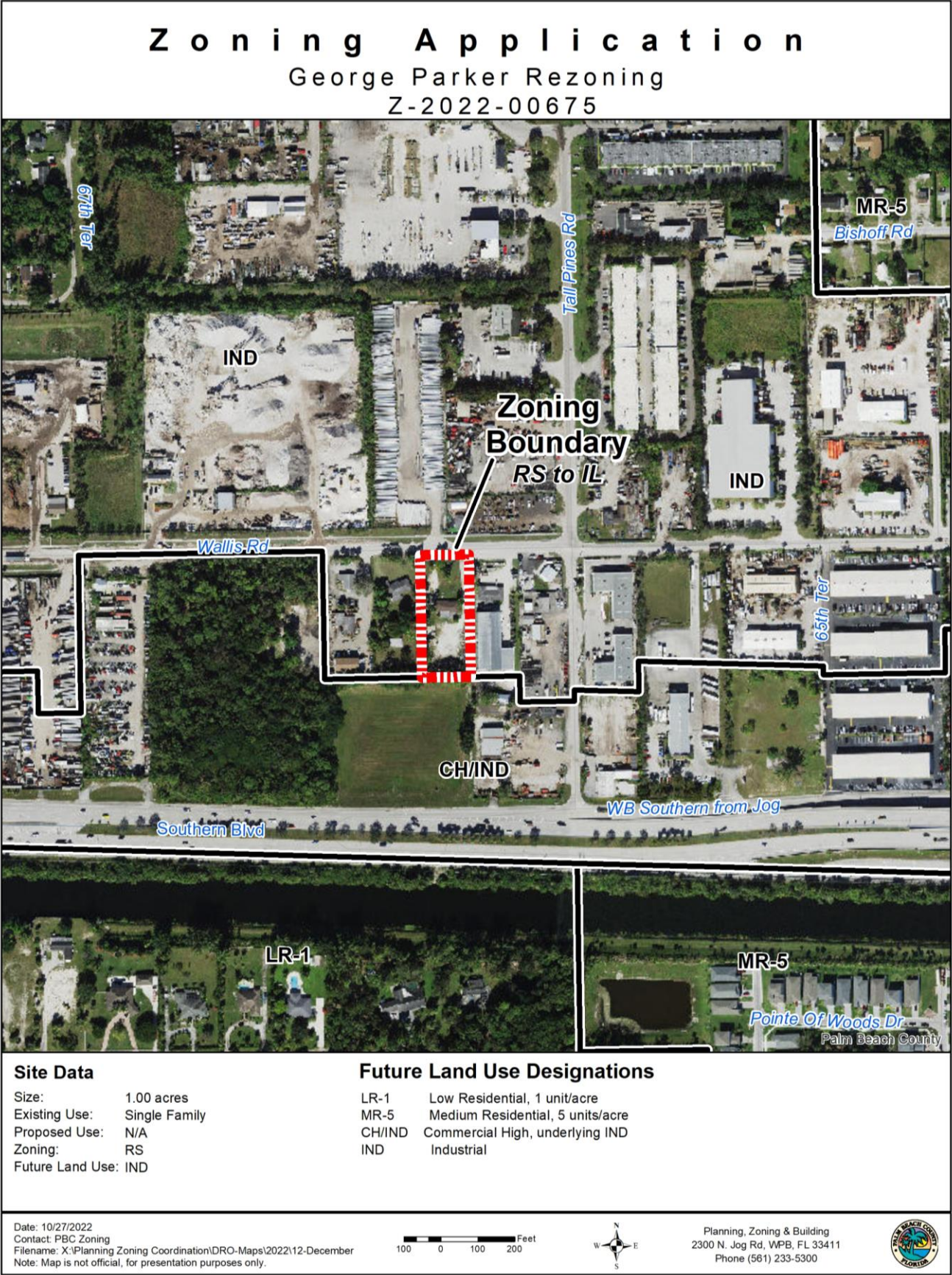
### **EXHIBIT C-1 - Official Zoning Map Amendment acreage - 1.00 acres**

#### **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



Zoning Commission

Application No. Z-2022-00675

George Parker

December 1, 2022

Page 5

### Figure 2 - Zoning Map

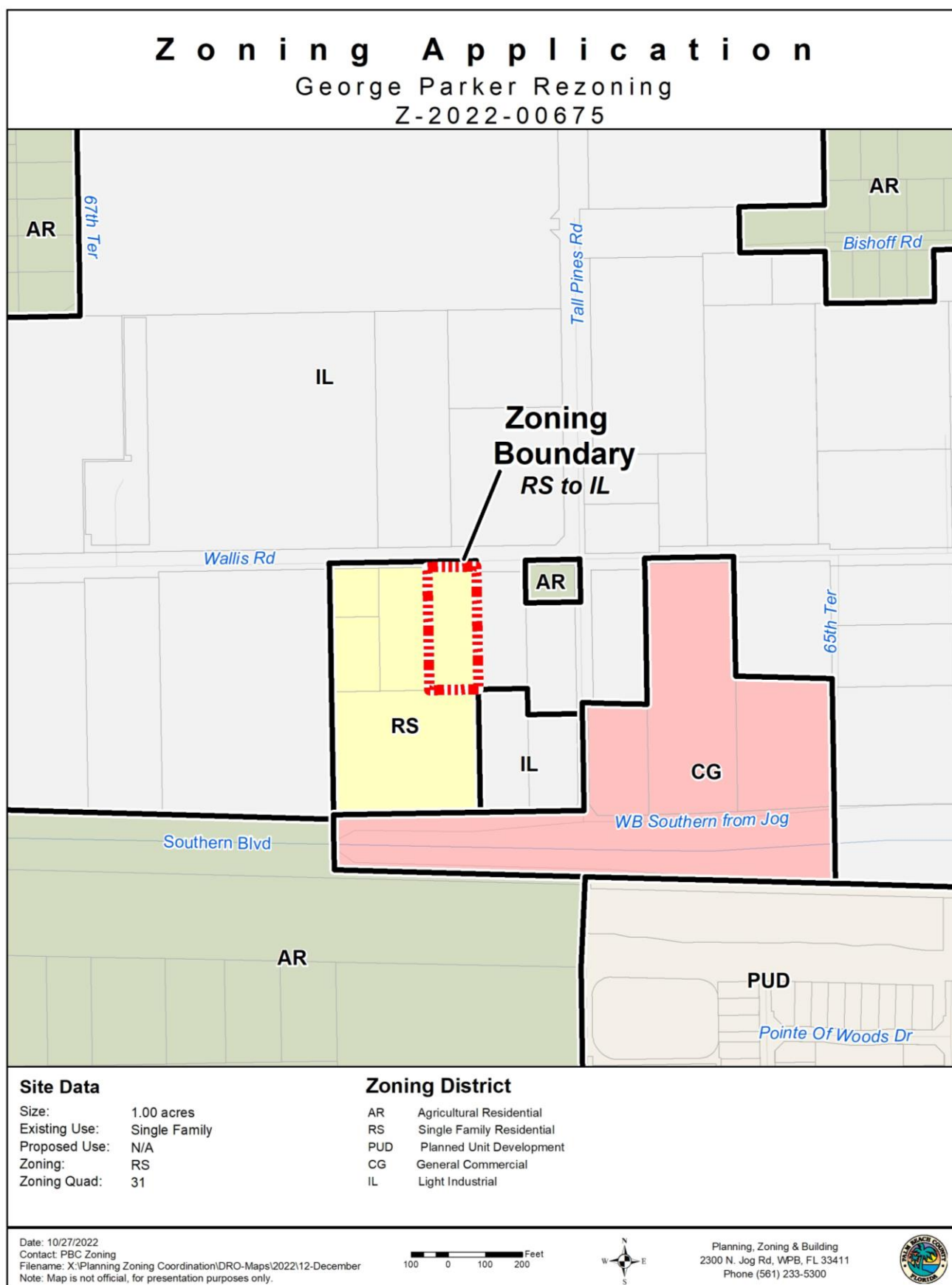




Exhibit D – Disclosure of Ownership

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 George Parker \_\_\_\_\_, 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: 6606 Wallis Road \_\_\_\_\_  
West Palm Beach, Florida 33413 \_\_\_\_\_  
\_\_\_\_\_
- 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.

George Parker  
George Parker, 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 16 day of August, 2022 by George Parker (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).

Shelby Severini  
(Name - type, stamp or print clearly)

Shelby Severini  
(Signature)

My Commission Expires on: 4/4/26





**EXHIBIT "A"**

**PROPERTY**

**LEGAL DESCRIPTION:**

THE WEST 132 FEET OF THE EAST 264 FEET OF THE WEST 528 FEET OF THE NORTH HALF OF TRACT 67, BLOCK 5, THE PALM BEACH FARMS, PLAT NO. 3, ACCORDING TO THE PLAT THEREIN FILED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 45 AND 54, INCLUSIVE.

EXHIBIT "B"

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. 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.

Name	Address
	<u>George Parker 6606 Wallis Road, West Palm</u>
	<u>Beach, Florida 33412</u>