



**ZONING COMMISSION MEETING**  
**Minutes for Thursday, September 7, 2023**

**CALL TO ORDER**

A. Roll Call (9:00AM)

Commissioner Jess Sowards, <b>Chair</b>	Present
Commissioner Cheri Pavlik, <b>Vice Chair</b>	Present
Commissioner John Kern	Present
Commissioner Michael Kelley	Absent
Commissioner Glenn Gromann	Present
Commissioner Sheri Scarborough	Present
Commissioner Lisa Reves	Present
Commissioner Alex Brumfield	Present
Commissioner Mark Beatty	Absent

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Notice

E. Proof of Publication

**Motion to receive and file approved by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Motion		Second				
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

F. Swearing In

G. **Approval of the Minutes**

**Motion to approve the Minutes by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Motion				Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

H. **Amendments to the Agenda**

Wendy Hernández, Deputy Zoning Director, read into the record from the amendments to the Agenda for items 1, 3, 4 and 6

Patrick Rutter, Assistant County Administrator, spoke: Congratulating Whitney Carroll for the promotion to the permanent position as the Executive Director of Planning, Zoning and Building.

**Motion to adapt the Agenda as Amended by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

I. Disclosures for All Items on Agenda

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
-------	------	-------------	---------	--------	--------	-----------	--------	---------

N/A	N/A	N/A	Item 1	N/A	Absent	N/A	Absent	N/A
-----	-----	-----	--------	-----	--------	-----	--------	-----

J. Conflicts/Recusals

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
N/A	N/A	N/A	N/A	N/A	Absent	N/A	Absent	N/A

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

- A. POSTPONEMENTS / REMANDS
- B. WITHDRAWALS

**- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. Requests To Pull Items From Consent**

No items were pulled from the Consent Agenda

**B. Zoning Applications**

1. [DOA-2022-1119 Southampton PUD](#) (Control 1973-00215)

**Zoning Application of** Southampton A Condominium Association, Inc., KL Reflection Bay LLC, Southampton B Condominium Association, Inc., Southampton C Condominium Association, Inc., Benenson Capital Co by WGINC, Agent.

**Location:** Southeast corner of Century Road and Haverhill Road, approximately 630 feet north of Okeechobee Boulevard

**Project Manager:** Imene Haddad

**BCC District:** 2

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

- a. **Title:** a Development Order Amendment **Request:** to modify the Master and Site Plans; add land area, units, and access points; and to modify Conditions of Approval on 80.98 acres

**MOTION:** To recommend approval of item 1.a

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 1.a., by a vote of 7-0-0**

2. [DOA-2022-01227 Mt. Carmel Missionary Baptist Church](#) (Control 1995-00049)

**Zoning Application of** Mt Carmel Baptist Church by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent.

**Location:** North side of Church Street, approximately 0.25 mile west of N. Central Blvd.

**Project Manager:** Larry D'Amato

**BCC District:** 1

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

- a. **Title:** a Development Order Amendment **Request:** to delete land area (2.99 acres) from and existing 8.15 acre approval; and to reconfigure the Site Plan for the remaining 5.16 acres

**MOTION:** To recommend approval of item 2.a

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 2.a., by a vote of 7-0-0**

3. [DOA-2022-01078 Tree Top Academy](#) (Control 1989-00066)

**Zoning Application of** Treetop Academy of Jupiter LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent.

**Location** North side of Church Street, approximately 0.26 miles west of N. Central Boulevard

**Project Manager:** Larry D'Amato

**BCC District:** 1

**Staff Recommendation:** Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C.

- a. **Title:** a Development Order Amendment **Request:** to add land areas (2.99 acres) for a total of 4.49 acres; to reconfigure the Site Plan, to modify Conditions of Approval; and to increase the number of students

**MOTION:** To recommend approval of item 3.a.

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 3.a., by a vote of 7-0-0**

4. [DOA-2023-00658 BrandX Pointe](#) (Control 2005-00370)

**Zoning Application of** HRC Investment Group LLC by WGINC, Agent.

**Location:** Southeast corner of Congress Avenue and Donnely Drive

**Project Manager:** Vincent Stark

**BCC District:** 2

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

- a. **Title:** a Development Order Amendment **Request** to delete the Conditions of Approval and remove the Conditional Overlay Zone (COZ) on 4.08 acres

**MOTION:** To recommend approval of item 4.a

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 4.a., by a vote of 7-0-0**

- b. **Title:** a Release of Restrictive Covenant **Request** to allow the Release of the Restrictive Covenant on 4.08 acres

**MOTION:** No motion required for item 4.b

5. [ZV/DOA-2022-01932 Chick-Fil-A at Western Plaza](#) (Control 1977-00048)

**Zoning Application of** Chick Fil A Inc. by Interplan LLC, Agent.

**Location:** Southeast corner of Southern Boulevard and SR 7/US 441

**Project Manager:** Donna Adelsperger

**BCC District:** 6

**Staff Recommendation:** Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-3.

- a. **Title:** a Type 2 Variance **Request:** to allow a reduction in divider median width and eliminate the tree within the landscape island on 0.97 acres

**MOTION:** To adopt a resolution approving item 5.a

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To adopt a resolution approving of item 5.a., by a vote of 7-0-0**

- b. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan and add building square footage for the MUPD on the 32.86 acres

**MOTION:** To recommend approval of item 5.b

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 5.b., by a vote of 7-0-0**

- c. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan; and, add square footage and drive-through lanes for a Type 1 Restaurant on 0.97 acres

**MOTION:** To recommend approval of item 5.c

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 5.c., by a vote of 7-0-0**

**- END OF CONSENT AGENDA -**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. Zoning Applications**

6. [DOA/CA/W-2022-00995 Tropical World Nursery](#) (Control 2005-00452)

**Zoning Application of** KT Boynton Tropical LLC by Cotleur & Hearing Inc., Agent.

**Location:** West side of Hagen Ranch Road, approximately 0.5 miles south of Woolbright Road

**Project Manager:** Joyce Lawrence

**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-3.

- a. **Title:** a Development Order Amendment **Request:** to reconfigure the Master and Site Plans; add and delete uses; and to modify Conditions of Approval on 8.94 acres

**People who spoke on this application:**

Agent Don Hearing of Cotleur & Hearing Inc., Spoke on this application. Zoning Commission did not required a presentation from Staff.

**MOTION:** To recommend approval of item 6.a

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval for item 6.a., by a vote of 7-0-0**

- b. **Title:** a Class A Conditional Use **Request** to allow a Congregate Living Facility on 8.94 acres

**MOTION:** To recommend approval of item 6.b

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 6.b., by a vote of 7-0-0**

- c. **Title:** a Type 2 Waiver **Request** to reduce the separation between Congregate Living Facilities on 8.94 acres

**MOTION:** To recommend approval of item 6.c

**Motion carried by a vote of 7-0-0**

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**Decision: To recommend approval of item 6.c., by a vote of 7-0-0**

**- END OF REGULAR AGENDA -**

**COMMENTS**

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. PLANNING DIRECTOR

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**Motion to Adjourn**

**Motion carried by a vote of 7-0-0**

<b>Reves</b>	<b>Kern</b>	<b>Scarborough</b>	<b>Sowards</b>	<b>Pavlik</b>	<b>Beatty</b>	<b>Brumfield</b>	<b>Kelley</b>	<b>Gromann</b>
	Second		Motion					
Yes	Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes

**ADJOURNMENT 9:12 a.m.**