

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION



ZONING COMMISSION HEARING

Tuesday, July 2, 2024

**9:00 a.m., 1st Floor Vista Center,
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Zoning Commission Annual Election of Chair and Vice Chair
- D. Remarks of the Chair
- E. Notice
- F. Proof of Publication
- G. Swearing In
- H. Approval of the Minutes
- I. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - Motion to adopt the Agenda
- J. Disclosures for All items on Agenda
- 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
JULY 2, 2024

CALL TO ORDER

- A. Roll Call – 9:00 AM.
- B. Opening Prayer and Pledge of Allegiance
- C. Zoning Commission Annual Election of Chair and Vice Chair
- D. Remarks of the Chair

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista enter, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, West Palm Beach, FL, to consider proposed applications and staff recommendations pursuant to and other actions the Palm Beach County Unified Land Development Code. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on 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 applications not subject to Zoning Commission final action.

- E. Notice

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:

- 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.

- F. Proof of Publication - **Motion** to receive and file
- G. Swearing In - County Attorney
- H. Approval of the Minutes - **Motion to approve the Minutes**
- I. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda
- J. Disclosures for all items on Agenda
- 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. Zoning Applications
 - 1. [Z-2024-00162 NorWest Pointe \(2023-00047\)](#)

Zoning Application of One Mile Properties LLC, Michael Crabb, Anthony Amante by JMorton Planning & Landscape Architecture

Zoning Application of CH76 Investment LLC by PLACE Planning & Design

Location: Northwest corner of Westgate Avenue and Tallahassee Drive

Project Manager: Jerome Small, Senior Site Planner

BCC District: 7

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

 - a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Commercial Neighborhood (CN) Zoning District on 0.27 acres and Residential High Density (RH) Zoning District on 0.27 acres to the Residential Multifamily (RM) Zoning District on 0.54 acres.

MOTION: To recommend approval of item 1.a
 - 2. [DOA-2023-01761 Adolph & Rose Levis JCC \(1984-00139\)](#)

Zoning Application of Jewish Community Facilities Corporation by WGINC

Location: South and east side of Ruth and Baron Coleman Blvd, approx. 600 feet west of 95th Ave. S

Project Manager: Michael Birchland, Site Planner II

BCC District: 5

 - a. **Title:** a Development Order Amendment **Request:** to modify the overall Master Plan and to modify Conditions of Approval on 115.77 acres

MOTION: To recommend approval of item 2.a

 - b. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan to add and delete uses and to modify Conditions of Approval on 40.22 acres

MOTION: To recommend approval of item 2.b
 - 3. [DOA-2023-00520 Windsor Place MXPD \(2003-00079\)](#)

Zoning Application of Hatzlacha-WP Holdings, LLC by WGINC

AJP Consulting Services LLC

Location: Northwest corner of Hypoluxo Road and Lyons Road

Project Manager: Imene Haddad, Senior Site Planner

BCC District: 6

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 modify the overall Master Plan and Site Plan for the Commercial Pod to add a building, reduce square footage, reconfigure the site layout, and modify uses and Conditions of Approval on 40.0 acres.

MOTION: To recommend approval of item 3.a

b. **Title:** a Development Order Amendment **Request:** to modify the Class A Conditional Use Type I Restaurant with drive-through to reduce square footage, relocate to a single building, and modify Conditions of Approval on 40.0 acres.

MOTION: To recommend approval of item 3.b

4. [ABN/PDD/CA-2023-00832 Spring Haven MUPD \(1973-00033\)](#)

Zoning Application of West Palm Beach Lodge # 1352 by Schmidt Nichols

Location: Southeast corner of Belvedere Road and 62nd Drive North

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibits C1 and C2.

a. **Title:** a Development Order Abandonment **Request:** to abandon a Special Exception for a Fraternal Organization approved by Resolution R-73-401 on 11.64 acres

MOTION: To recommend approval of item 4.a

b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 11.64 acres

MOTION: To recommend approval of item 4.b

c. **Title:** a Class A Conditional Use **Request:** to allow a combined density increase through the Workforce Housing Program (WHP) and Transfer of Development Rights (TDR) in excess of 2 units per acre 71 (an additional 105 WHP and TDR units) 11.64 acres

MOTION: To recommend approval of item 4.c

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. ULDC Revisions

5. [PPR-2024-0290 Beachfront Properties Waiver – PPR Phase 2](#)

Summary: The item before the Board is a Privately Proposed Revision (PPR) to the Unified Land Development Code (ULDC) as summarized below:

- To establish a Type 2 Waiver process for applicants to request a reduction in front setback and the additional height setback in order to allow for redevelopment of multifamily residential properties abutting the Atlantic Ocean.

Staff Assessment: The proposed PPR would allow Property Owners with existing multi-family uses along the County's coastline to apply for a Type 2 Waiver for approval by the BCC to request a reduction in setbacks. The Waiver is proposed to be limited to sites proposing the redevelopment of multifamily structures that are currently built over 35 feet in height with existing RM or RH Zoning. The proposed waiver process will allow the Board to consider the unique attributes of each subject site during the development review process, and will accommodate the redevelopment of sites to reflect changes to the Building Code and FEMA regulations and allow for existing structures to be replaced

with buildings more resistant to erosion and flooding along the coast. Staff has worked with the Applicant and applicable County Agencies to provide a more targeted and detailed revision in Phase 2. If approved for Permission to Advertise, this item will be presented to the Zoning Commission for a Comprehensive Plan consistency recommendation, then subsequently be presented for final approval by the BCC.

Staff Recommendation: Zoning staff recommend approval of request, and the Planning Division recommends a finding of consistency with the Comprehensive Plan pursuant to 163.3194, F.S., serving as the Land Development Regulation Commission.

ZC Initiation Recommendation: Recommended to approve Phase 1 and to initiate Phase 2 by a vote of 7-0 on April 4, 2024.

BCC Initiation: On April 25, 2024, the BCC approved initiation of Phase 2 by a vote of 7-0.

BCC Permission to Advertise: On June 20, 2024, the BCC approved Request for Permission to Advertise by a vote of 7-0.

MOTION: To approve Staff recommendation for item 5.

C. Zoning Applications

6. [ABN/PDD/CA-2023-00996 Cypress Creek PUD \(1977-00052\)](#)

Zoning Application of Alex Martin, True Shot LLC - William Marcacci, Shot True by WGINC

Location: East side of S Military Trail, approx. 0.30 miles north of Old Boynton Road

Project Manager: Imene Haddad, Senior Site Planner

BCC District: 2

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

a. Title: a Development Order Abandonment **Request:** to abandon Special Exception to allow a Golf Course, Clubhouse and accessory facilities on 130.30 acres

MOTION: To recommend approval of item 5.a

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District on 122.56 acres

MOTION: To recommend approval of item 5.b

c. Title: a Class A Conditional Use **Request:** to allow Type 2 Excavation with removal of more than ten percent of the extracted material from the site on 122.56 acres

MOTION: To recommend approval of item 5.c

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT