



**ZONING COMMISSION
AMENDMENTS TO THE AGENDA
AUGUST 1, 2024**

AMEND – To modify the Agenda to revise the “Call To Order” section to remove letter ~~“C. Zoning Commission Annual Election of Chair and Vice Chair”.~~

CONSENT AGENDA

B. Zoning Applications

1. DOA-2023-0952 Salvation Army (1997-00088)

AMEND – To modify Development Order Amendment Conditions of Approval in Exhibit C as shown with the deleted text struck out and added text underlined:

ALL PETITIONS

1. Previous ALL PETITIONS Condition 1 of Resolution R-2017-965, Control No.1997-00088, which currently states:

All previous conditions of approval applicable to the subject property, as contained in Resolution R-2001-440 (Control 1997-088) have been consolidated as contained herein. The petitioner 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-2017-965 (Control 1997-088) have been consolidated as contained herein. The petitioner shall comply with all previous conditions of approval and deadlines previously established ~~by Section 5.8 of the ULDC~~ by Article 2.E of the Unified Land Development Code and the Board of County Commissioners, unless expressly modified. (ONGOING: MONITORING - Zoning)

ENGINEERING

~~2. Previous ENGINEERING Condition 2 of Resolution R-2017-965, Control No.1997-00088, which currently states:~~

Prior to issuance of a building permit for additional building square footage, the Property Owner shall legally create the lot in accordance with Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering) Previous ENGINEERING Condition 2 of Resolution R-2017-965, Control No.1997-00088)

~~**Is hereby amended to read:**~~

~~Prior to issuance of the next building permit, the Property Owner shall legally create the lot in accordance with Article 11 of the Unified Land Development Code. (BLDGPMT: MONITORING - Engineering)~~

2. DOA-2023-01335 Palm Beach Logistics Center (1988-00019)

DELETE – To delete Development Order Amendment Conditions of Approval in Exhibit C and renumber accordingly as shown with the deleted text struck out:

ENGINEERING

~~14. Prior to the approval of the Site Plan by the Development Review Officer, the Property Owner shall revise the site plan to properly show the 10 foot non-exclusive utility easement around the proposed cul-de-sac right-of-way. (DRO: ENGINEERING-Engineering)~~

AMEND – To modify Development Order Amendment Conditions of Approval in Exhibit C as shown with the deleted text struck out and added text underlined:

ENVIRONMENTAL

1. Prior to the issuance of the excavation ~~permit~~ approval and/or the storm water management system permit, the applicant shall provide documentation to ERM that the area(s) of the proposed excavation(s) and the surrounding 300 feet thereof does not contain any known contaminants that exceed state clean-up levels, as regulated by FDEP. (BLDG/PMT/ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)

2. Prior to ~~Building Permit~~ issuance of the first Warehouse Facility building permit, the applicant shall ~~demonstrate compliance with the distance criteria and construction standards identified in the ULDC, Article 4.B.10~~ provide ERM a copy of the Soil Management Plan (SMP) submitted to FDEP, the FDEP SMP Approval letter, and a signed and sealed certification from the Applicant’s Florida licensed Professional Engineer or Professional Geologist that the applicant is in compliance with the SMP and the Contaminated Site Cleanup Criteria Rule per Ch. 62-780 Florida Administrative Code. (BLDG/PMT/ONGOING: MONITORING - Environmental Resources Management)

3. **SV/CA-2024-00590 Project Charlie** (2024-00043)

AMEND – To modify the Zoning Commission Agenda Item 3a to update the Subdivision Variance Request as shown with the added underlined text:

Request: to allow access from a local residential street without sidewalks and a reduction in pavement width

AMEND – To modify the Staff Report Application Summary to update the Subdivision Variance Request as shown with the added underlined text:

Request: to allow access from a local residential street without sidewalks and a reduction in pavement width

AMEND – To modify the Subdivision Variance in Exhibit B to add the Subdivision Variance Chart as shown with the added underlined text:

<u>ULDC Article</u>	<u>Required</u>	<u>Proposed</u>	<u>Variance</u>
<u>11.E.2.A.2 Minimum Legal Access</u>	<u>5ft sidewalk Required on both sides of Lexington Avenue</u>	<u>No sidewalks on Lexington Avenue</u>	<u>No sidewalks on Lexington Avenue</u>
<u>11.E.2.A.4.b Double Frontage Lots and Corner Lots - Non Residential Lots</u>	<u>Minimum 24ft of pavement width and sidewalk on both sides of Golf Street</u>	<u>Minimum 18.5ft of pavement width with no sidewalk on Golf Street</u>	<u>5.5ft of pavement width with no sidewalk on Golf Street</u>

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



ZONING COMMISSION HEARING

Thursday, August 1, 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
AUGUST 1, 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. [DOA-2023-00952 The Salvation Army \(1997-00088\)](#)
Zoning Application of The Salvation Army - Philip Swyers by Insite Studio **Location:** West side of N Military Trail, approximately 0.25 mile south of Elmhurst Avenue
Project Manager: Joyce Lawrence, Senior Site Planner
BCC District: 2
Staff Recommendation: Staff recommends approval of the request, subject to the Condition of Approval as indicated in Exhibits C-1 and C-2.
 - a. **Title:** a Development Order Amendment **Request:** to modify the Site Plan for a previously approved Conditional Use for a Congregate Living Facility, to add square footage and residents/beds, and amend and delete Conditions of Approval on 9.04 acres.
MOTION: To recommend approval of item 1.a
 - 2. [DOA-2023-01335 Palm Beach Logistics Center \(1988-00019\)](#)
Zoning Application of Paris Del Rio by Schmidt Nichols
Location: West side of N Benoist Farms Road, approximately 0.11 miles south of Belvedere Road
Project Manager: Nancy Frontany Bou, Senior Site Planner
BCC District: 2
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 Site Plan for a previously approved Conditional Use to add land area (5.35 acres), add square footage, and to modify and delete Conditions of Approval on 29.35 acres. **MOTION:** To recommend approval of item 2.a
 - 3. [SV/CA-2024-00590 Project Charlie \(2024-00043\)](#)
Zoning Application of O'Connor Property Management, LLC - William Q O'Connor, The Salvation Army - James Seller by WGINC
Location: West side of N. Military Trail approx. 1,700 feet south of Belvedere Road
Project Manager: Matthew Boyd, Site Planner II
BCC District: 2
Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.
 - a. **Title:** a Subdivision Variance **Request:** to allow access from a local residential street without sidewalks on 3.42 acres.
MOTION: To adopt a resolution approving item 3.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Heavy Repair and Maintenance on 3.42 acres.

MOTION: To recommend approval of item 3.b

4. [ABN/Z/DOA-2024-00312 Chabad Lubavitch Synagogue \(1997-00068\)](#)

Zoning Application of Chabad Lubavitch of Boynton, Inc. by Urban Design Studio

Location: West side of El Clair Ranch Road, approximately 0.3 miles north of Woolbright Rd

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 5

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

a. **Title:** a Development Order Abandonment **Request:** to abandon a Place of Worship on 2.37 acres

MOTION: No action required for item 4.a

b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to Single Family Residential (RS) on 2.37 acres

MOTION: To recommend approval of item 4.b

c. **Title:** a Development Order Amendment **Request:** to modify the Site Plan, to add land area (2.37 acres), to add square footage, to increase the Day Care number of children, and to add an access point on a total of 4.74 acres

MOTION: To recommend approval of item 4.c

5. [PDD/CA-2022-01922 Boynton Place MUPD \(2022-00112\)](#)

Zoning Application of Carl Jobson, Job-Man Development, LLC - Daniel Mancini by Schmidt Nichols

Location: North side of Boynton Beach Blvd, approximately 600 feet east of Jog Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1 through C-5.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 8.86 acres.

MOTION: To recommend approval of item 5.a

b. **Title:** a Class A Conditional Use **Request:** to allow a Type I Restaurant with drive-through on 8.86 acres.

MOTION: To recommend approval of item 5.b

c. **Title:** a Class A Conditional Use **Request:** to allow Light Vehicle Sales and Rental on 8.86 acres.

MOTION: To recommend approval of item 5.c

d. **Title:** a Class A Conditional Use **Request:** to allow an Car Wash on 8.86 acres.

MOTION: To recommend approval of item 5.d

e. **Title:** a Class A Conditional Use **Request:** to allow a Limited Self-Service Storage Facility on 8.86 acres.

MOTION: To recommend approval of item 5.e

6. [PDD/DOA-2023-01002 All Seasons Delray Beach \(2012-00424\) and Bedner Oaks / Ag Marketplace \(2007-00357\)](#)

Zoning Application of Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

Location: Northeast corner of Lyons Road and Linton Boulevard (development parcel); Southwest corner of Lee Rd and State Rd 7 (new preserve parcel)

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development-Preserve (MUPD-P) Zoning District on 5.0 acres.

MOTION: To recommend approval of item 6.a

b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for the MUPD to delete land area (5.0 acres) and add land area (5.0 acres) and modify Conditions of Approval on 14.73 acres.

MOTION: To recommend approval of item 6.b

c. **Title:** a Development Order Amendment **Request:** to modify the previously approved Site Plan for a Class A Conditional Use for an Agricultural Marketplace to delete land (76.88 acres) reconfigure the Site Plan for the existing Agriculture Marketplace, and modify Conditions of Approval on the remaining 5 acres.

MOTION: To recommend approval of item 6.c

7. [PDD-2023-00971 Bedner - Lee Industrial \(2023-00075\)](#)

Zoning Application of Bedner Bros Farms, Inc. by JMorton Planning & Landscape Architecture

Location: Northwest corner of State Road 7 and Lee Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Multiple Use Planned Development - Preserve (MUPD-P) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 5.0 acres.

MOTION: To recommend approval of item 7.a

8. [PDD-2023-00972 Bedner Oaks Commerce \(2023-00072\)](#)

Zoning Application of Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

Location: West side of State Road 7, approximately 415 feet south of Lee Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 9.0 acres.

MOTION: To recommend approval of item 8.a

C. SUBDIVISION VARIANCE

9. [SV-2023-01594 Fearnley Road Subdivision \(2016-00103\)](#)

Zoning Application of Lloyd Thompson by Arc Development Global LLC **Location:**

West side of Fearnley Road, approximately 0.14 miles north of Lantana Road **Project**

Manager: Werner Vaughan, Professional Senior Engineer

BCC District: 3

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

a. Title: a Subdivision Variance **Request:** to allow access from the existing 40-foot Right-of-Way with no curb and gutter, and no sidewalk on 4.91 acres.

MOTION: To adopt a resolution approving item 9.a

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY

B. PLANNING DIRECTOR

C. ZONING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT