

PALM BEACH COUNTY
PLANNING, ZONING AND BUILDING DEPARTMENT
ZONING DIVISION



ZONING COMMISSION HEARING

Thursday, November 7, 2024

9:00 a.m., 1st Floor Vista Center,

2300 N Jog Rd, West Palm Beach, 33411

CALL TO ORDER

- A. Roll Call
- B. Invocation and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Swearing In
- G. Approval of the Minutes
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - Motion to adopt the Agenda
- I. Disclosures for All items on Agenda
- J. 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
NOVEMBER 7, 2024

CALL TO ORDER

- A. Roll Call – 9:00 AM.
- B. Invocation 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 proposed applications and staff recommendations pursuant to 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.

- D. 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.

- E. Proof of Publication - **Motion** to receive and file
- F. Swearing In - County Attorney
- G. Approval of the Minutes - **Motion** to approve the minutes
- H. Amendments to the Agenda
 - Presentation of Add/Delete
 - Request to Pull Items from Consent
 - **Motion** to adopt the Agenda
- I. Disclosures for all items on Agenda
- J. 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-2024-00932 Mohanty Residence \(2010-00145\)](#)

Zoning Application of Elizabeth Mohanty, Jyoti Mohanty by 2GHO Inc.

Location: East side of Palmwood Road, approx. 600 feet north of Fredrick Small Road

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests 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 Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 1.32 acres

MOTION: To recommend approval of item 1.a.

2. [DOA-2023-01093 SmartStop Self Storage \(1996-00004\)](#)

Zoning Application of Smartstop Storage Advisors, LLC - Alex Giangrande, SST II 8135 Lake Worth Rd, LLC by BOHLER Engineering

Location: North side of Lake Worth Road, approximately 455 feet west of The Florida's Turnpike

Project Manager: Imene Haddad, Senior Site Planner

BCC District: 6

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 reconfigure the Site Plan, to add building square footage and modify Conditions of Approvals on 17.28 acres

MOTION: To recommend approval of item 2.a

3. [CA-2023-01741 H.I.D Plaza \(1993-00003\)](#)

Zoning Application of Shree Ashapuri Mataji Donut Corporation - Hitesh Patel, Boca Center Inc. - Jonas Steinberg by Insite Studio

Location: West side of South State Road 7, approximately 1.5 miles south of West Palmetto Park Road

Project Manager: Lorraine Fuster Santana, Site Planner II

BCC District: 5

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

- a. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant with a drive-through on 3.33 acre

MOTION: To recommend approval of item 3.a

4. [CA-2024-00219 Waste Pro of Florida \(1994-00036\)](#)

Zoning Application of Waste Pro Of Florida Inc by Schmidt Nichols

Location: East on Pike Road, approximately 1000 feet south of the intersection of Belvedere Road and Pike Road

Project Manager: Michael Birchland, Site Planner II

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 Class A Conditional Use **Request:** to allow a Recycling Plant on 14.29 acres

MOTION: To recommend approval of item 4.a

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Requests to pull items from Consent

B. Zoning Applications

5. [DOA-2024-00313 PBA Holdings Inc. \(1989-00052\)](#)

Zoning Application of PBA Holdings Inc. by Carlton Fields P.A.

Location: North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

Project Manager: Zubida Persaud, Senior Site Planner

BCC District: 6

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 Site Plan to delete land area (64.46 acres) from the approved Conditional Use for a Type 3 Excavation (5,096.22 acres) and to modify Conditions of Approval on 5,031.76 acres

MOTION: To recommend approval of item 5.a

6. [ZV/PDD/DOA/W-2024-00309 Central Park Commerce Center MUPD \(2015-00085\)](#)

Zoning Application of PBA Holdings, Inc. by Urban Design Studio

Location: North side of Southern Boulevard, west of the L-8 Canal, approximately 3.4 miles west of Seminole Pratt Whitney Road

Project Manager: Zubida Persaud, Senior Site Planner

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-4.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Special Agricultural (SA) Zoning District to Multiple Use Planned Development (MUPD) Zoning District on 64.46 acres

MOTION: To recommend approval of item 6.a

b. **Title:** a Development Order Amendment **Request:** to modify the overall MUPD Master Plan to add land area (64.46 acres) and to modify Conditions of Approval on 202.67 total acres

MOTION: To recommend approval of item 6.b

C. ULDC Revisions

7. Agriculture Marketplace in Preserve

Summary: The item before the Board is a privately proposed revision to the Unified Land Development Code (ULDC) to implement the privately proposed amendment Bedner’s Market (LGA 2024-003) to the Comprehensive Plan adopted by Ord. 2024-017 to allow an Agriculture Marketplace within an Agricultural Reserve Preserve Area of a Multiple Use Planned Development (AGR-MUPD), including associated revisions.

Staff Recommendation:

- a. To recommend approval of the proposed ULDC revision; and
- b. To recommend that the proposed ULDC revision is found to be consistent with the Comprehensive Plan.

BCC Permission to Advertise: On August 22, 2024, the BCC approved Request for Permission to Advertise by a vote of 5 to 1.

MOTION:

- a. To approve Staff recommendation for item 7.a.
- b. The Zoning Commission, serving as the Land Development Regulation Commission pursuant to 163.3194, F.S., approves Staff recommendation for item 7.b.

8. Flood Damage Prevention Ordinance

Summary: The item before the Board is a proposed revision to the Palm Beach County Unified Land Development Code (ULDC). These changes are to implement the floodplain management regulations necessary to maintain compliance with the requirements of the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP), the NFIP Community Rating System (CRS) program and the Florida Building Code (FBC), and to clarify or codify existing floodplain development policies and procedures. Specifically, the changes propose to:

- Add and revise terminology related to floodplain development;
- Modify the title of the authority designated to interpret the provisions of Article 18 – Flood Damage Prevention from “Flood Damage Prevention Administrator” to “Floodplain Administrator”; and
- Add and revise floodplain development regulations and variance criteria pursuant to FEMA policy and program updates.

Staff Recommendation:

- a. To recommend approval of the proposed ULDC revision; and
- b. To recommend that the proposed ULDC revision is found to be consistent with the Comprehensive Plan.

BCC Permission to Advertise: On October 24, 2024, the BCC approved Request for Permission to Advertise by a vote of 6 to 0.

MOTION:

- a. To approve Staff recommendation for item 8.a.
- b. The Zoning Commission, serving as the Land Development Regulation Commission pursuant to 163.3194, F.S., approves Staff recommendation for item 8.b.

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT