

RESOLUTION NO. ZR-2025- 002

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD-2024-01280
(CONTROL NO. 1974-00122)
TYPE II VARIANCE (*CONCURRENT*)
APPLICATION OF El Car Wash, LLC, Christ Fellowship Church, Inc.
BY Cotleur & Hearing, Inc., AGENT
(EL CARWASH BOCA)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application ZV/PDD-2024-01280 was presented to the Zoning Commission at a public hearing conducted on February 6, 2025;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Type 2 Variance ;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application ZV/PDD-2024-01280 by the Board of County Commissioners;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Zoning Application ZV/PDD-2024-01280, the Application of El Car Wash, LLC, Christ Fellowship Church, Inc., by Cotleur & Hearing, Inc., Agent, for a Type 2 Variance to allow a reduction in minimum lot size for an MUPD on 4.21 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on February 6, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and Request described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Vinikoor moved for the approval of the Resolution.

The motion was seconded by Commissioner Caliendo and, upon being put to a vote, the vote was as follows:

Cheri Pavlik, Chair	-Abstained
Christopher Kammerer	-Aye
Claudia Mendoza	-Aye
Sam Caliendo	-Aye
Lori Vinikoor	-Aye
William Reicherter	-Absent
Vacant	-
Susan Kennedy	-Aye
James Williams	-Aye

The Chair thereupon declared that the resolution was duly passed and adopted on February 6, 2025.

Filled with the Palm Beach County Zoning Division on 02/11/2025.

This resolution shall only become effective upon the adoption of a resolution approving Zoning Application ZV/PDD-2024-01280 by the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

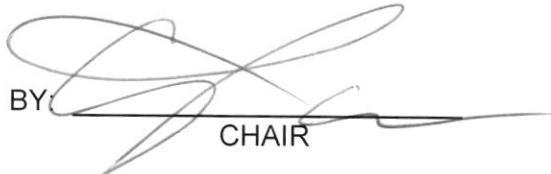
BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

THE EAST 60 FEET OF TRACT 94 AND ALL OF TRACT 95, LESS THE EAST 60 FEET THEREOF, BLOCK 77, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, LESS THE RIGHT OF WAY FOR STATE ROAD 808 CONVEYED BY DEEDS RECORDED IN DEED BOOK 917, PAGE 179 AND O.R. BOOK 2417, PAGE 507, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS ALSO BEING DESCRIBED AS FOLLOWS:

A PORTION OF TRACTS 94 AND 95, BLOCK 77, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 60.00 FEET OF SAID TRACT 94; THENCE N89°36'50"E ALONG THE NORTH LINE OF SAID BLOCK 77, A DISTANCE OF 330.00 FEET TO THE NORTHWEST CORNER OF THE EAST 60.00 FEET OF SAID TRACT 95; THENCE S00°28'42"E ALONG THE WEST LINE OF SAID 60.00 FEET, A DISTANCE OF 554.55 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY OF GLADES ROAD (STATE ROAD 808); THENCE S89°38'08"W ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 330.00 FEET TO THE POINT OF INTERSECTION WITH THE WEST LINE OF THE AFOREMENTIONED EAST 60.00 FEET OF TRACT 94; THENCE N00°28'42"W ALONG SAID WEST LINE, A DISTANCE OF 554.43 FEET TO THE POINT OF BEGINNING.

CONTAINING 182,981 SQUARE FEET/4.201 ACRES MORE OR LESS.

LYING IN SECTION 18, TOWNSHIP 47 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA

EXHIBIT B
VICINITY SKETCH

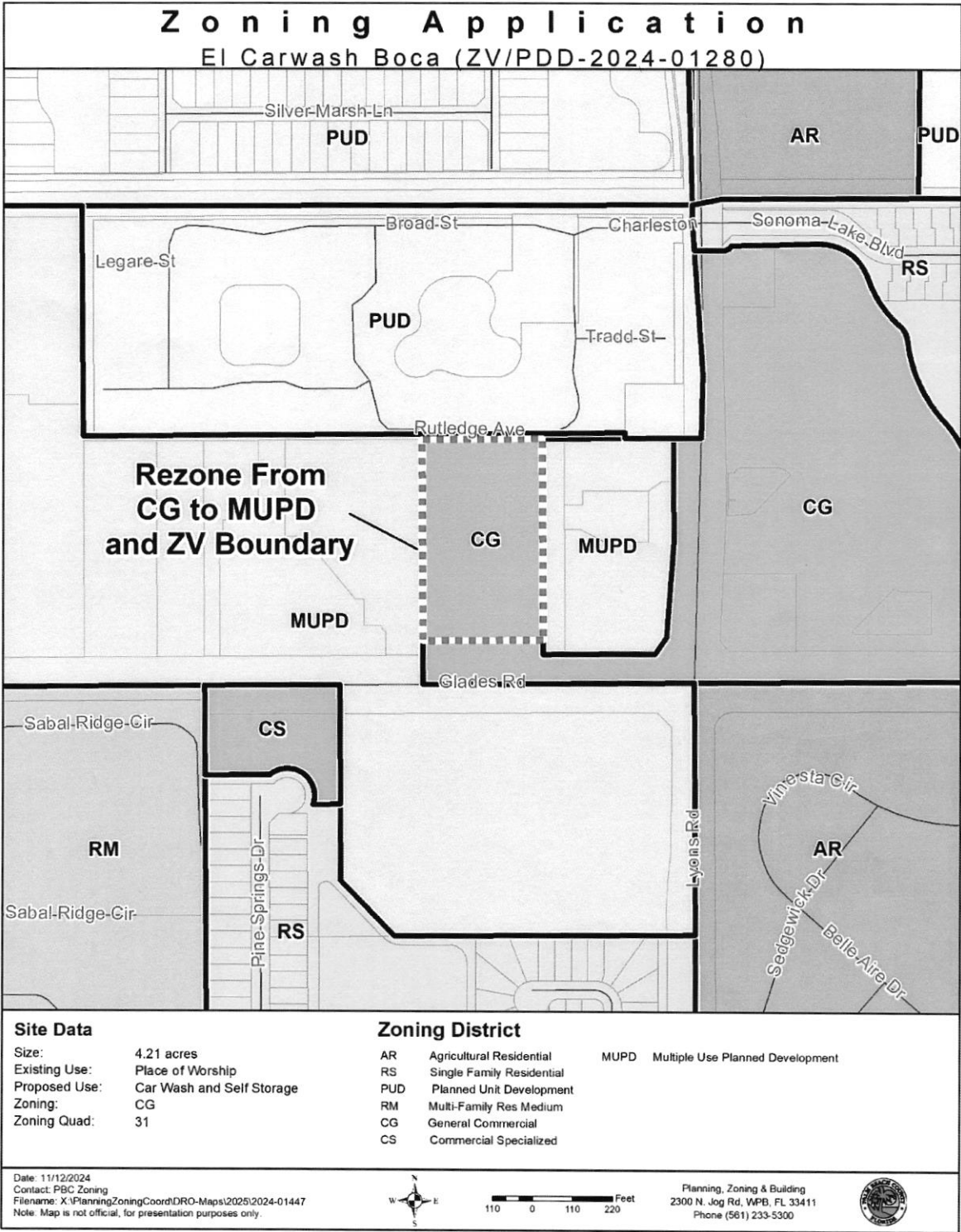


EXHIBIT C

CONDITIONS OF APPROVAL

Type 2 Variance – Concurrent

ALL PETITIONS

1. The Variance is approved based on the lot size as shown on the Preliminary Site Plan dated December 12, 2024. Modifications to the Development Order for the Type 2 Variance which is inconsistent with the Conditions of Approval or further reductions in lot size, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

VARIANCE

1. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDGPM: BUILDING DIVISION - Zoning)

2. Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance(s) and any associated Conditions of Approval shall be shown on the Final Site Plan. (DRO: ZONING - Zoning)

3. The Development Order for this Concurrent Variance shall be tied to the Time Limitations of the Development Order for ZV/PDD-2024-01280. (ONGOING: MONITORING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

- a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
- b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
- c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
- d. Referral to Code Enforcement; and/or
- e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

TYPE II VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
Table 3.E.3.D – MUPD Property Development Regulations	5-acre Minimum Lot Size	4.21-acres	Reduction of 0.79-acre for resulting 4.21-acres

SITUS ADDRESS:	9087 Glades Rd Boca Raton 33434		
OWNER NAME & ADDRESS:	El Car Wash West Boca Llc 2753 NW 87th Ave Doral, FL 33172-1608		
PCN:	00-42-43-27-05-077-0941		
ZONING DISTRICT:	CG		
BCC DISTRICT:	5		
LAND USE:	CH/5	S/T/R: 27-43-42	
CONTROL #:	1974-00122		
LOT AREA:	4.21 acres +/-		
REQUEST:	to allow a reduction in minimum lot size for an MUPD on 4.21 acres		