



**ZONING COMMISSION HEARING
AMENDMENTS TO THE AGENDA
OCTOBER 5, 2023**

CONSENT AGENDA

3. PDD/CA-2021-00829, Delray Self Storage

ADD – Non-Residential Planned Development District - Conditions of Approval to add Disclosure Condition 1, in Exhibit C-1 with the added text underlined as shown below:

DISCLOSURE

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

4. ZV-PDD-CA-2023-00378, Erickson Boynton Beach CCRC

AMEND – Type 2 Variance – Concurrent Conditions of Approval to modify Conditions of Approval in Exhibit C-1 with the deleted text struck out and added text underlined as shown below:

ALL PETITIONS

1. This Variance is approved based on the layout as shown on the Preliminary Site Plan dated August 10, ~~2013~~ 2023. Only minor modifications by ~~Board of County Commissioners~~ Zoning Commission or Development Review Officer shall be permitted provided the changes are consistent with this Preliminary Site Plan. (ONGOING: ZONING-Zoning)

VARIANCE

2. The Development Order for this Concurrent Variance shall be tied to the Time Limitations of the Development Order for ZV/PDD/CA-2023-00378. The Property Owner shall secure a Building Permit or Commencement of Development to vest this Variance. (~~ONGOING: ZONING – Zoning~~)

3. 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 ~~Preliminary Site Plan~~ Final Site Plan. (DRO: ZONING-Zoning)

~~4. 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)~~

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 ~~Board of County Commissioners~~ Zoning Commission for review under the compliance Condition of ~~this~~ Approval. (ONGOING: ZONING - Zoning)



ZONING COMMISSION MEETING

Thursday, October 5, 2023

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

2300 N. Jog Road, West Palm Beach, FL 33411

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer 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
- I. Disclosures for All Items on Agenda
- J. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT

REGULAR

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
OCTOBER 5, 2023

CALL TO ORDER

- A. Roll Call - 9:00 a.m.
- B. Opening Prayer 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 / Remands

B. Withdrawals

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. Requests to pull items from Consent

B. Zoning Applications

1. [Z/CA-2023-00648 West Palm Dog](#) (Control 1987-00122)

Zoning Application of Benjamin Probst, Margaret Hohmann by Land Research Management Inc., Agent.

Location: West side of Colbright Road, approx. 0.30 miles north of Lantana Road

Project Manager: Donna Adelsperger/ Larry D'Amato

BCC District: 3

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 Residential Transitional Suburban (RTS) Zoning District to the Agricultural Residential (AR) Zoning District on 1.09 acres

MOTION: To recommend approval of item 1.a.

b. **Title:** a Class A Conditional Use **Request:** to allow Limited Pet Boarding on 1.09 acres

MOTION: To recommend approval of item 1.b

2. [ZV-2023-00888 Forest Oaks Residential PUD – POD A](#) (Control 1970-00009)

Zoning Application of Mattamy Palm Beach LLC by Design and Entitlement Consultants LLC., Agent.

Location: Southside of Lake Worth Road, approx. .61 miles west of Jog Road.

Project Manager: Zubida Persaud

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 Type 2 Variance **Request:** to allow a reduction of the front setback (lots 35 to 39), and the rear setback (lots 33 to 39), within 9.52 acres of Pod A

MOTION: To adopt a resolution approving item 2.a

3. [PDD/CA-2021-00829 Delray Self Service Storage](#) (Control 1994-00053)

Zoning Application of West Atlantic Commercial Properties, LTD. by WGINC, Agent.

Location North side of Atlantic Avenue, approx. 0.25 miles west of Military Trail

Project Manager: Imene Haddad

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 4.53 acres

MOTION: To recommend approval of item 3.a.

- b. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant on 4.53 acres

MOTION: To recommend approval of item 3.b

4. [ZV/PDD/CA-2023-00378 Erickson Boynton Beach CCRC](#) (Control 2018-00187)

Zoning Application of Mazzone William TRS & Mazzone William A TR by JMorton Planning and Landscape Architecture, Agent.

Location: South side of Boynton Beach Boulevard, approx. 0.63 miles east of Lyons Road

Project Manager: Joyce Lawrence

BCC District: 5

DISCLOSURE

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

- a. **Title:** a Type 2 Variance **Request:** to allow 100% buffer overlap within a preserve area on 93.51 acres

MOTION: To adopt a resolution approving item 4.a

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 93.51 acres

MOTION: To recommend approval of item 4.b

- c. **Title:** a Class A Conditional Use **Request** to allow a Congregate Living Facility on 93.51 acres

MOTION: To recommend approval of item 4.c

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

B. Zoning Applications

5. [ABN/DOAW-2022-00155 Indian Trail Groves](#) (Control 2002-90045)

Zoning Application of Palm Beach West Associates I LLLP by G.L. Homes, Urban Design Studio, Agents.

Location: West side of 180^t Avenue North, south of Hamlin Blvd., and southeast corner of 200th Trail North and 60th St. N.

Project Manager: Imene Habbad

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C1 and C-2.

- a. **Title:** a Development Order Amendment **Request:** to modify the Master Plan to delete land area, units, uses, and square footage; and to modify Conditions of Approval 4,817.57 acres

MOTION: To recommend approval of item 5.b

- c. **Title:** a Development Order Amendment **Request** to modify a previously approved Type 2 waiver to delete land area (5.46 acres) from a 4,871.57 prior approval and allowing for more than 40% of local streets to terminate in a cul-de-sac or dead end on the remaining 4,866.10 acres

MOTION: To recommend approval of item 5.c

6. [DOA-2022-00203 Hyder AGR-PUD](#) (Control 2005-00455)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: West side of Lyons Road, approx. 1.5 miles south of Atlantic Avenue

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (23.84 acres) from an existing 1836.79 acre approval, and to modify the Master Plan for the remaining 1812.96 acres

MOTION: To recommend approval of item 6.a

- b. **Title:** Release of conservation Easement **Request:** to allow the partial release of the Conservation Easement recorded in OR 283760, Page 1020 for 23.84 acres from the previously approved 124.27 acre Conservation Easement, for a remaining 100.43 acres

MOTION: No motion required for item 6.b

7. [DOA-2022-00204 Lyons West AGR-PUD](#) (Control 2005-00003)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (370.01 acres) from an existing 1043.066 acre approval, and to modify the Master Plan for the remaining 673.06 acres

MOTION: To recommend approval of item 7.a

- b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 23125, Page 1122 for 370.01 acres

MOTION: No motion required for item 7.b

8. [DOA-2022-00205 Canyon Isles AGR-PUD](#) (Control 2002-00068)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (23.42 acres) from an existing 511.584 acre approval, and to modify the Master Plan for the remaining 488.17 acres

MOTION: To recommend approval of item 8.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1456 for 23.42 acres

MOTION: No motion required for item 8.b

9. [DOA-2022-00206 Canyon Lakes AGR-PUD](#) (Control 2002-00067)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of Lyons Road and West side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (19.09 acres) from an existing 517.001 acre approval, and to modify the Master Plan for the remaining 497.92 acres

MOTION: To recommend approval of item 9.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1437 for 19.09 acres

MOTION: No motion required for item 9.b

10. [DOA-2022-00207 Canyon Springs AGR-PUD](#) (Control 2002-00069)

Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of Lyons Road, approx. 1.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (25.76 acres) from an existing 507.566 acre approval, and to modify the Master Plan for the remaining 481.81 acres

MOTION: To recommend approval of item 10.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1068 for 25.76 acres

MOTION: No motion required for item 10.b

11. [DOA-2023-00269 Whitworth AGR-PUD](#) (Control 2021-00031)

Zoning Application of Boynton Beach Associates 30 LLLP, 156th Court South Associates, LLC by G.L. Homes, Agents.

Location: East side of State Road 7, approx. 1.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (90.44 acres) from an existing 721.513 acre approval, and to delete units and modify the Master Plan for the remaining 631.075 acres

MOTION: To recommend approval of item 11.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of Conservation Easements for Hyder West Preserve parcel #4 recorded in OR 33505, Page 182, and Hyder West Two Preserve 11 recorded in OR 34355, Page 1203 for a total of 90.44 acres

MOTION: No motion required for item 11.b

12. [ZV/PDD-2022-00143 Hyder West AGR-PUD](#) (Control 2022-00005)

Zoning Application of G.L. Homes of Palm Beach Associates LTD, Lake Worth Drainage District by G.L. Homes, Agents.

Location: West side of State Road 7/US 441, approx. 0.6 miles north of Clint Moore Road

Project Manager: Timothy Haynes

BCC District: 5

DISCLOSURE

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

b. **Title:** a Type 2 Zoning Variance **Request:** to eliminate a portion of the east and west perimeter buffers of the proposed wetlands preserve area on 581.92 acres

MOTION: To adopt a resolution approving item 12.a

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District and the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 581.92 acres

MOTION: To recommend approval of item 12.b

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT

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Location: West side of Colbright Road, approx. 0.30 miles north of Lantana Road

Project Manager: Donna Adelsperger/ Larry D'Amato

BCC District: 3

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 Residential Transitional Suburban (RTS) Zoning District to the Agricultural Residential (AR) Zoning District on 1.09 acres

MOTION: To recommend approval of item 1.a.

b. **Title:** a Class A Conditional Use **Request:** to allow Limited Pet Boarding on 1.09 acres

MOTION: To recommend approval of item 1.b

2. [ZV-2023-00888 Forest Oaks Residential PUD – POD A](#) (Control 1970-00009)

Zoning Application of Mattamy Palm Beach LLC by Design and Entitlement Consultants LLC., Agent.

Location: Southside of Lake Worth Road, approx. .61 miles west of Jog Road.

Project Manager: Zubida Persaud

BCC District: 3

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Location North side of Atlantic Avenue, approx. 0.25 miles west of Military Trail

Project Manager: Imene Haddad

BCC District: 5

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MOTION: To recommend approval of item 3.a.

- b. **Title:** a Class A Conditional Use **Request:** to allow a Type 1 Restaurant on 4.53 acres

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Location: South side of Boynton Beach Boulevard, approx. 0.63 miles east of Lyons Road

Project Manager: Joyce Lawrence

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MOTION: To recommend approval of item 4.b

- c. **Title:** a Class A Conditional Use **Request** to allow a Congregate Living Facility on 93.51 acres

MOTION: To recommend approval of item 4.c

- END OF CONSENT AGENDA -

REGULAR AGENDA

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Location: West side of 180^t Avenue North, south of Hamlin Blvd., and southeast corner of 200th Trail North and 60th St. N.

Project Manager: Imene Habbad

BCC District: 6

DISCLOSURE

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Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: West side of Lyons Road, approx. 1.5 miles south of Atlantic Avenue

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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Project Manager: Donna Adelsperger

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MOTION: To recommend approval of item 8.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1456 for 23.42 acres

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Zoning Application of G.L. Homes of Palm Beach Associates LTD by G.L. Homes, WGI, Agents.

Location: East side of Lyons Road and West side of State Road 7/US 441, approx. 0.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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

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MOTION: To recommend approval of item 10.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of the Conservation Easement recorded in OR 25867, Page 1068 for 25.76 acres

MOTION: No motion required for item 10.b

11. [DOA-2023-00269 Whitworth AGR-PUD](#) (Control 2021-00031)

Zoning Application of Boynton Beach Associates 30 LLLP, 156th Court South Associates, LLC by G.L. Homes, Agents.

Location: East side of State Road 7, approx. 1.5 miles south of Boynton Beach Boulevard

Project Manager: Donna Adelsperger

BCC District: 5

DISCLOSURE

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 delete land area (90.44 acres) from an existing 721.513 acre approval, and to delete units and modify the Master Plan for the remaining 631.075 acres

MOTION: To recommend approval of item 11.a

b. **Title:** Release of conservation Easement **Request:** to allow the full release of Conservation Easements for Hyder West Preserve parcel #4 recorded in OR 33505, Page 182, and Hyder West Two Preserve 11 recorded in OR 34355, Page 1203 for a total of 90.44 acres

MOTION: No motion required for item 11.b

12. [ZV/PDD-2022-00143 Hyder West AGR-PUD](#) (Control 2022-00005)

Zoning Application of G.L. Homes of Palm Beach Associates LTD, Lake Worth Drainage District by G.L. Homes, Agents.

Location: West side of State Road 7/US 441, approx. 0.6 miles north of Clint Moore Road

Project Manager: Timothy Haynes

BCC District: 5

DISCLOSURE

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

b. **Title:** a Type 2 Zoning Variance **Request:** to eliminate a portion of the east and west perimeter buffers of the proposed wetlands preserve area on 581.92 acres

MOTION: To adopt a resolution approving item 12.a

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District and the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 581.92 acres

MOTION: To recommend approval of item 12.b

- END OF REGULAR AGENDA -

COMMENTS

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

ADJOURNMENT

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