



**ZONING COMMISSION
ZONING HEARING
AMENDMENTS TO THE AGENDA
Thursday, February 4, 2021**

AGENDA

ITEM # PAGE # APPLICATION AND CONTROL #S APPLICATION NAME

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

AMEND Agenda to Postpone Item No. 8, as follows:

- 8. (Agenda Pg. 5) PDD/DOA-2020-00268 (2019-00176) Tuscan Gardens of Delray Beach

Staff Recommendation: To postpone to Thursday, March 4, 2021 (see attached February 2, 2021 Postponement letter request).

MOTION: To postpone to Thursday, March 4, 2021.

CONSENT AGENDA

D. ZONING APPLICATIONS – NEW

AMEND Agenda to Reorder Item No. 10 from Consent to Regular Agenda, as follows:

A. ITEMS PULLED FROM CONSENT

- 10. (Agenda Pg. 6) ABN/PDD-2020-01459 (1979-00288) Ranger Sansbury’s Way MUPD

REGULAR AGENDA

- 11. (Agenda Pg. 7) ZV/ABN/CA/W-2019-01324 (1978-00207) 7-Eleven @ 5960 S Military Trail #34967

DELETE additional incomplete Motion, as follows:

MOTION: ...

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

- 10. Page 131 ABN/PDD-2020-01459 (1979-00288) Ranger Sansbury’s Way MUPD

AMEND Landscape – Perimeter Condition 1 of Exhibit C, to read as follows:

LANDSCAPE - PERIMETER-SOUTH ~~AND EAST~~ PROPERTY LINES ~~ABUTTING SOUTHERN BOULEVARD AND SANSBURY'S WAY~~

1. The Landscape Buffers along the south ~~and east~~ property lines abutting Southern Boulevard ~~and Sansbury's Way~~ shall be upgraded to include:
 - ~~a. A two (2) to two and one half (2.5) foot high undulating berm (unless specified otherwise);~~
 - ~~b~~ a. One (1) palm or pine tree for each twenty (20) linear feet of the property line; and,
 - ~~c~~ b. One (1) specimen ~~Medjool or~~ Canary or Date Palm, or equivalent Royal, Bismark, Phoenix, or similar palm species shall be provided on each side of the ~~northern access point from Sansbury's Way, the south side of the southern access point from Sansbury's Way, and on both sides of the~~ access point from Southern Boulevard. (BLDGPMT/ONGOING: ZONING - Zoning)

AMEND Landscape – Perimeter Condition 2 of Exhibit C, to read as follows:

2. Prior to Final Approval by the Development Review Officer (DRO), the Final Site Plan shall be revised to indicate a six foot high wall, combined with an eight foot high hedge on the exterior side of the wall, placed atop the berm within the Eastern R-O-W Buffer as follows:
 - a. Extending from the ~~north property line~~ south line of the LWDD L-4 Canal Reservation to the north side of the northernmost access point from Sansbury's Way (or ~~corner~~ sight corner setback, if applicable), a distance of approximately ~~300~~ 260 feet; and,
 - b. Extending from the south facade of Building 2 to the north facade of Building 3, a distance of approximately 180 feet. (DRO: ZONING - Zoning)

ADD Landscape – Perimeter Condition 3 of Exhibit C, as follows:

LANDSCAPE - PERIMETER- EAST PROPERTY LINE ABUTTING SANSBURY'S WAY

3. The Landscape Buffer along the east property line abutting Sansbury's Way shall be upgraded to include:
 - a. A two (2) to two and one half (2.5) foot undulating berm (unless specified otherwise);
 - b. One (1) palm or pine for each twenty (20) linear feet of the property line; and,
 - c. One (1) specimen Canary or Date Palm, or equivalent Royal, Bismark, Phoenix, , or similar palm species shall be provided on each side of the northern and southern access points from Sansbury's Way. (BLDGPMT/ONGOING: ZONING - Zoning)

REGULAR AGENDA

D. ZONING APPLICATIONS – NEW

11. Page 159 **ZV/ABN/CA/W-2019-01324 (1978-00207) 7-Eleven @ 5960 S Military Trail #34967**

ADD Variance Condition 4 of Exhibit C-1, as follows:

4. The height of the wall along the eastern and northern Type 2 Incompatibility Landscape Buffer shall be maintained at eight (8) feet. (ONGOING: ZONING – Zoning).



**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY, FEBRUARY 4, 2021

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 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. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

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

FEBRUARY 4, 2021

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 Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, February 25, 2021 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.
- 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 requirements:
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. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [SV-2020-01539](#) Title: a Subdivision Variance application of A&D Property Investments LLC by Land Research Management Inc., Agent. Request: to allow access from a 30-foot Right-of-Way

General Location: north of Melaleuca Lane on the east side of Gulfstream Road. **(A and D Investments)** (Control 2017-00050)

Page 1

Project Manager: Joanne Keller

Size: 0.91 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, March 4, 2021.

MOTION: To postpone to Thursday, March 4, 2021.

- 2. [SW-2020-01268](#) Title: a Subdivision Waiver application of BET Holdings LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Approximately 0.16 miles south of Heritage Farms Rd on the west side of Park Lane Road **(BET Holdings)** (Control 2020-00066)

Page 3

Project Manager: Joanne Keller

Size: 5.19 acres ±

BCC District: 6

Staff Recommendation: Staff recommends postponement to Thursday, March 4, 2021.

MOTION: To postpone to Thursday, March 4, 2021.

- 3. [SW-2020-01270](#) Title: a Subdivision Waiver application of East Glade Holdings, Inc by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Approximately 0.245 mile north of Heritage Farms Road on the east side of Park Lane Road. **(Dixie Landscape)** (Control 2020-00067)

Page 3

Project Manager: Joanne Keller

Size: 10.03 acres ±

BCC District: 6

Staff Recommendation: Staff recommends postponement to Thursday, March 4, 2021.

MOTION: To postpone to Thursday, March 4, 2021.

- 4. [SW-2020-01659](#) Title: a Subdivision Waiver application of H Farms LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.
General Location: northeast corner of Park Lane Road & Heritage Farms Road, west of SR 7. **(Bermuda Landscape and Design)** (Control 2020-00074)

Page 3

Project Manager: Joanne Keller

Size: 9.53 acres ±

BCC District: 6

Staff Recommendation: Staff recommends postponement to Thursday, March 4, 2021.

MOTION: To postpone to Thursday, March 4, 2021.

- 5. [CA-2020-01099](#) Title: a Class A Conditional Use application of Rachel Williams by Land Research Management Inc., Agent. Request: to allow a Limited Pet Boarding facility accessory to a Single Family Residence.
General Location: Northeast corner of 78th Drive North and 165th Street North. **(DogSmith Pet Boarding)** (Control 2020-00092)

Page 5

Project Manager: Timothy Haynes

Size: 1.32 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday, March 4, 2021.

MOTION: To postpone to Thursday, March 4, 2021.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 6. [ZV-2020-01528](#) Title: a Type 2 Variance application of 23233, LLC by Insite Studio, Agent. Request: to reduce the number of parking spaces.
General Location: West side of State Road 7/US 441, approximately 170 feet south of Southwest 18th Street. **(AutoZone SR 7)** (Control 2018-00130)

Pages 7 - 25

Conditions of Approval Pages (11 - 11)

Project Manager: Brenya Martinez

Size: 1.02 acres ±

BCC District: 5

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

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce the number of parking spaces, subject to the Conditions of Approval as indicated in Exhibit C.

- 7. [PDD/DOA/CA-2020-00882](#) Title: an Official Zoning Map Amendment application of Ranch House Realty, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from Multifamily Residential High Density (RH) Zoning District to the Multiple Use Planned Development (MUPD) District.
Title: a Development Order Amendment application of Ranch House Realty, LLC by Schmidt Nichols, Agent. Request: to reconfigure the Site Plan to add land area, uses, square footage and an access point; and, modify Conditions of Approval.
Title: a Class A Conditional Use application of Ranch House Realty, LLC by Schmidt Nichols, Agent. Request: to allow Light Vehicle Sales and Rental.
General Location: East side of Congress Avenue, north and south side of Ranch House Road. **(CHS PROPERTIES MUPD)** (Control 1998-00089)

Pages 27 - 81

Conditions of Approval Pages (35 - 49)

Project Manager: Ryan Vandenburg

Size: 27.29 acres ±

BCC District: 2

(affected area 10.51 acres ±)

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from Multifamily Residential High Density (RH) Zoning District to the Multiple Use Planned Development (MUPD) District, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan to add land area, uses, square footage and an access point; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow Light Vehicle Sales and Rental, subject to the Conditions of Approval as indicated in Exhibit C-3.

8. [PDD/DOA-2020-00268](#) Title: an Official Zoning Map Amendment application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment to a Planned Development District and a Requested Use application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to reconfigure the Master Plan and Site Plan; add land area; add residents/beds; and, modify Conditions of Approval.

General Location: West side of Sims Road, approximately 0.5 miles north of Atlantic Avenue. **(Tuscan Gardens of Delray Beach)** (Control 2005-00506)

Pages 83 - 109

Conditions of Approval Pages (89 - 96)

Project Manager: Travis Goodson

Size: 12.78 acres ±

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.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District, subject to the Condition of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to a Planned Development District to reconfigure the Master Plan; add land area; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to a Requested Use to reconfigure the Site Plan; add residents/beds; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-3.

9. [Z-2020-01527](#) Title: an Official Zoning Map Amendment application of 101 Sansburys Way, LLC by Urban Design Studio, Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District.

General Location: Northwest corner of Southern Boulevard and Sansbury's Way. **(Cypress Point MUPD Rezoning)** (Control 2007-00242)

Pages 111 - 122

Conditions of Approval Pages (115 - 115)

Project Manager: Travis Goodson

Size: 6.04 acres ±

BCC District: 6

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Light Industrial (IL) Zoning District, subject to the Condition of Approval as indicated in Exhibit C.

- 10. [ABN/PDD-2020-01459](#) Title: a Development Order Abandonment application of 101 Sansburys Way, LLC by Urban Design Studio, Agent. Request: to abandon a Special Exception to allow a heliport.
Title: an Official Zoning Map Amendment application of 101 Sansburys Way, LLC by Urban Design Studio, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
General Location: Northwest corner of Southern Boulevard and Sansbury's Way. **(Ranger Sansburys Way MUPD)** (Control 1979-00288)

Pages 123 - 147

Conditions of Approval Pages (129 - 132)

Project Manager: Travis Goodson

Size: 32.80 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow a heliport.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA**A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS****D. ZONING APPLICATIONS - NEW**

11. [ZV/ABN/CA/W-2019-01324](#) Title: a Type 2 Variance application of 7-Eleven, Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to reduce the Right-of-Way Buffer width, and the setback for a wall or fence in a Landscape Buffer.

Title: a Development Order Abandonment application of 7-Eleven, Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to abandon a Special Exception for a Gasoline Service Station, as amended by Resolution R-1987-0892.

Title: a Class A Conditional Use application of 7-Eleven, Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.

Title: a Type 2 Waiver application of 7-Eleven, Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a Residential Future Land Use designation or Use.

General Location: Northeast corner of Military Trail and Lantana Road. **(7-Eleven @ 5960 S Military Trail #34967)** (Control 1978-00207)

Pages 149 - 209

Conditions of Approval Pages (159 - 163)

Project Manager: Travis Goodson

Size: 1.39 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests for the Type 2 Variance and Class A Conditional Use, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

Staff recommends denial of the request for a Type 2 Waiver. Should the Zoning Commission recommend approval of the Type 2 Waiver, staff recommends the request be subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval a Type 2 Variance to reduce the Right of Way Buffer width, and the setback for a wall or fence in a Landscape Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: ...

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend denial of a Type 2 Waiver to allow 24 hour operations within 250 feet of a Residential Future Land Use designation or Use.

E. SUBDIVISION VARIANCE**F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

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

ADJOURNMENT