

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. Construction shall be completed prior to issuance of the first Certificate of Occupancy within the commercial portion of the site. (BLDGPMT/CO:MONITORING – Engineering)



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

THURSDAY MARCH 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

MARCH 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, March 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

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

- 1. [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)

Pages 1 - 19

Conditions of Approval Pages (7 - 7)

Project Manager: Timothy Haynes

Size: 1.32 acres ±

BCC District: 1

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

MOTION: To recommend approval of a Class A Condition Use to allow a Limited Pet Boarding facility accessory to a Single Family Residence.

- 2. [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)

Pages 21 - 36

Conditions of Approval Pages (25 - 25)

Project Manager: Joanne Keller

Size: 0.91 acres ±

BCC District: 3

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

MOTION: To adopt a Resolution approving a Subdivision Variance to allow access from a 30-foot Right-of-Way, subject to the Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

3. [DOA-2020-00775](#) Title: a Development Order Amendment application of Divosta Homes by Urban Design Kilday Studios, Agent. Request: to modify the Master Plan; and, to delete land area and units.

General Location: East and west sides of Polo Road, approximately 700 feet south of Lake Worth Road (also partially bounded by 47th Place South and the Lake Worth Drainage District (LWDD) Canal to the south, and Hooks Road and the LWDD E-2W Canal/Florida's Turnpike to the east). **(Fields at Gulfstream Polo PUD)** (Control 2005-00594)

Pages 37 - 81

Conditions of Approval Pages (45 - 56)

Project Manager: Ryan Vandenburg

Size: 221.56 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan; and, to delete land area and units, subject to the Conditions of Approval as indicated in Exhibit C.

4. [ZV/PDD/CA-2020-00788](#) Title: a Type 2 Variance application of Haley Farms LLC, Dears Farm LLC, Palm Tree Farms LLC, Divosta Homes by JMorton Planning & Landscape Architecture, Agent. Request: to eliminate a Type 2 Incompatibility Buffer.
- Title: an Official Zoning Map Amendment application of Haley Farms LLC, Dears Farm LLC, Palm Tree Farms LLC, Divosta Homes by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Residential Transitional (RT) and Planned Unit Development (PUD) Zoning Districts to the Multiple Use Planned Development (MUPD) District.
- Title: a Class A Conditional Use application of Haley Farms LLC, Dears Farm LLC, Palm Tree Farms LLC, Divosta Homes by JMorton Planning & Landscape Architecture, Agent. Request: to allow a Transfer of Development Rights (TDR); a Workforce Housing Program (WHP) Density Bonus greater than 50 percent; and, a Type 1 Restaurant with Drive-through.
- General Location: Southeast corner of Lake Worth Road and Polo Club Road. **(Polo Gardens MUPD)** (Control 2013-00296)

Pages 83 - 171

Conditions of Approval Pages (99 - 110)

Project Manager: Ryan Vandenburg

Size: 25.79 acres ±

BCC District: 6

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

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a Type 2 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Transition (RT) and Planned Unit Development (PUD) Zoning Districts to the Multiple Use Planned Development (MUPD) District, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-through, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Class A Conditional Use to allow a Transfer of Development Rights, subject to the Conditions of Approval as indicated in Exhibit C-4.

MOTION: To recommend approval of a Class A Conditional Use to allow a Workforce Housing Program (WHP) Density Bonus greater than 50 percent, subject to the Conditions of Approval as indicated in Exhibit C-5.

5. [DOA-2020-00116](#) Title: a Development Order Amendment to a Planned Development District and a Requested Use application of M.C.T. Properties, Inc. by WGINC, Agent. Request: to reconfigure the Site Plan; modify uses and square footage; add children (Daycare); and, amend Conditions of Approval.
General Location: Southwest corner of Kimberly Boulevard and Hampton Drive, approximately 0.5 miles east of State Road 7. (**Hamptons Square**) (Control 1978-00005)

Pages 173 - 191

Conditions of Approval Pages (178 - 182)

Project Manager: Travis Goodson

Size: 982.66 acres ±

BCC District: 5

(affected area 4.20 acres ±)

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

MOTION: To recommend approval of a Development Order Amendment to a Planned Development District and a Requested Use to reconfigure the Site Plan; modify uses and square footage; add children (Daycare); and, amend Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

6. [SV/CA-2020-01097](#) Title: a Subdivision Variance application of La Hacienda WF WPB LLC by Insite Studio, Agent. Request: to allow access from a 50-foot ingress/egress easement.

Title: a Class A Conditional Use application of La Hacienda WF WPB LLC by Insite Studio, Agent. Request: to allow more than 24 units on a parcel in the Multifamily Residential (RM) Zoning District with a Medium Residential 5 (MR-5) Future Land Use designation; a Transfer of Development Rights (TDR); and, a Workforce Housing Program (WHP) density bonus greater than 50 percent.

General Location: Terminus of 24th Place South, approximately 260 feet west of Military Trail and 0.2 miles south of Purdy Lane (north of the Lake Worth Drainage District (LWDD) L-9 Canal). (**La Hacienda**) (Control 2019-00146)

Pages 193 - 219

Conditions of Approval Pages (203 - 209)

Project Manager: Timothy Haynes

Size: 2.75 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibits C-1 through C-4.

MOTION: To adopt a Resolution approving a Subdivision Variance to allow access from a 50-foot ingress/egress easement, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of Class A Conditional use to allow more than 24 units on a parcel in the Multi-family Residential (RM) Zoning District with a Medium Residential 5 (MR-5) Future Land Use designation, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Workforce Housing Program (WHP) density bonus greater than 50 percent, subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Class A Conditional use to allow a Transfer of Development Rights (TDR), subject to the Conditions of Approval as indicated in Exhibit C-4.

7. [ZV-2020-02113](#) Title: a Type 2 Variance application of Palm Medical Holdings, LLC - Eric Rogers, Opportunity Inc Of Palm Beach County by Schmidt Nichols, Agent. Request: to allow for a reduction of parking spaces and minimum lot depth.
General Location: Southwest corner of Westgate Avenue and Quail Drive. **(PMH 1713 Quail, LLC)** (Control 2001-00039)

Pages 221 - 251

Conditions of Approval Pages (225 - 225)

Project Manager: Timothy Haynes

Size: 1.01 acres ±

BCC District: 7

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 allow for a reduction of minimum lot depth and parking spaces.

8. [Z-2020-01715](#) Title: an Official Zoning Map Amendment application of Solid Waste Authority, Palm Beach County by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Residential Estate (RE) Zoning Districts to the Public Ownership (PO) Zoning District.

General Location: North side of Lantana Road, approximately .40 miles east of State Road 7/ US 441. **(PBC Mosquito Control Complex Redevelopment)** (Control 1983-00090)

Pages 253 - 261

Conditions of Approval Pages (258 - 258)

Project Manager: Brenya Martinez

Size: 92.80 acres ±

BCC District: 3

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 Agricultural Residential (AR) and Residential Estate (RE) Zoning Districts to the Public Ownership (PO) Zoning District, subject to the Condition of Approval as indicated in Exhibit C.

9. [DOA-2020-01883](#) Title: a Development Order Amendment application of Palm Beach MRI, LLC by Managed Land Entitlements LLC, Agent. Request: to reconfigure the Site Plan; add square footage; and, modify and/or delete Conditions of Approval.

General Location: Southeast corner of South Jog Road and Hypoluxo Road. **(Fidelity Federal at Jog and Hypoluxo MUPD)** (Control 1989-00131)

Pages 263 - 288

Conditions of Approval Pages (270 - 276)

Project Manager: Brenya Martinez

Size: 3.85 acres ±

BCC District: 3

(affected area 0.85 acres ±)

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add square footage; and, modify and/or delete Conditions of Approval, 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**

10. [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 Road on the west side of Park Lane Road (**BET Holdings**) (Control 2020-00066)

Pages 289 - 303

Conditions of Approval Pages (294 - 294)

Project Manager: Joanne Keller

Size: 5.19 acres ±

BCC District: 6

Staff Recommendation: Staff recommends Denial of the request due to failure to meet submittal deadlines pursuant to F.S. 125.022 and due to outstanding review issues not addressed by the applicant. However, should the Zoning Commission recommend approval of the request, staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

11. [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)

Pages 305 - 324

Conditions of Approval Pages (310 - 310)

Project Manager: Joanne Keller

Size: 10.03 acres ±

BCC District: 6

Staff Recommendation: Staff recommends Denial of the request due to failure to meet submittal deadlines pursuant to F.S. 125.022 and due to outstanding review issues not addressed by the applicant. However, should the Zoning Commission recommend approval of the request, staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

- 12. [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)

Pages 325 - 343

Conditions of Approval Pages (330 - 330)

Project Manager: Joanne Keller

Size: 9.53 acres ±

BCC District: 6

Staff Recommendation: Staff recommends Denial of the request due to failure to meet submittal deadlines pursuant to F.S. 125.022 and due to outstanding review issues not addressed by the applicant. However, should the Zoning Commission recommend approval of the request, staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

- 13. [Title: Zoning Commission Annual Organizational Meeting and Election of Chair and Vice Chair](#)

Pages 345 - 348

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT