



**ZONING COMMISSION
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
January 6, 2022**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CALL TO ORDER

ADD Motion to Approve Remote Participation Due to Extraordinary Circumstances.

POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONMENTS

5.	(123-142)	ZV-2020-02120 (1994-00053)	Delray Self Service Storage
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Attachment A- Request from Applicant to postpone.

MOTION: To postpone to Thursday, February 3, 2022.

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

3.	(21-58)	PDD-2021-01174 (2021-00073)	Johns West PUD
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MOTION: To pull Item #3 PDD-2021-01174 Johns West PUD from the Consent Agenda.

D. ZONING APPLICATION - NEW

4.	(59-122)	ZV/ABN/DOA-2021-01341	Hagen Commercial MUPD
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AMEND Engineering Condition Number 14 of Exhibit C-2 to read as follows:

The Property Owner shall fund the cost of signal installation, if warranted, as determined by the County Engineer on Hagen Ranch Rd at the northern project entrance. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition.

- a. No Building Permits shall be issued until the Property Owner provides acceptable surety to the Traffic Division in an amount as determined by the Director of the Traffic Division. (BLDGPMT: MONITORING - Engineering)
- b. In order to request release of the surety for the traffic signal at the above intersection, the Property Owner shall provide written notice to the Traffic Division stating that the final certificate of occupancy has been issued for this development and requesting that a signal warrant study be conducted at the intersection. The Traffic Division shall have 24 months from receipt of this notice to request the monies to construct the traffic signal. (ONGOING: ENGINEERING - Engineering) (Previous ENGINEERING Condition 14 of Resolution R-2017-697, Control No.2008-00421)

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

3. (21-58) PDD-2021-01174 (2021-00073) Johns West PUD

ADD Attachment B-E Documentation for New Owner, Disclosures and Consents

AMEND Engineering Condition Number 5 of Exhibit C to read as follows:

The Property Owner shall construct a...

Any and all costs...

- a. Permits required from the Florida Department of Transportation for this construction shall be obtained prior to the issuance of the first 339th building permit for residential units for sale. (BLDGPMT: MONITORING - Engineering)
- b. Construction shall be completed prior to issuance of the first 339th Certificate of Occupancy. (BLDGPMT/CO: MONITORING – Engineering)

DELETE Engineering Condition Number 7 of Exhibit C and renumber accordingly.

AMEND Engineering Condition Number 8 of Exhibit C to read as follows:

As a condition for access approval by the FDOT...

This construction shall be concurrent with the paving and drainage improvements...

- a. Permits required from FDOT for this construction shall be obtained prior to the issuance of the first 237th building permit for residential units for sale. (BLDGPMT: MONITORING - Engineering)
- b. Construction shall be completed prior to the issuance of the first 237th Certificate of Occupancy. (BLDGPMT/CO: MONITORING - Engineering)

AMEND Engineering Condition Number 9 of Exhibit C to read as follows:

~~The Property Owner shall: i) restripe the south approach U-turn lane on Lyons Rd at the project entrance to a standard left turn lane ii) construct a south approach left turn lane on Lyons Rd at Broad St, as approved by the County Engineer, if project access through 95th Ave S is not constructed iii) extend the west approach left turn lane on Glades Rd at 95th Ave to the maximum extent feasible if project access~~

~~through 95th Ave is constructed iv) extend the north approach left turn lane on 95th Ave S at Glades Rd to 375 ft plus 50 ft taper, or as approved by the County Engineer if project access through 95th Ave S is constructed. If project access through 95th Ave S is not required, the Property Owner shall: i) restripe the south approach U-turn lane on Lyons Rd at the project entrance to a standard left turn lane, and, ii) construct a south approach left turn lane on Lyons Rd at Broad St, as approved by the County Engineer. If project access through 95th Ave S. is required, the Property Owner shall: i) restripe the south approach U-turn lane on Lyons Road at the project entrance to a standard left turn lane, and, ii) extend the west approach left turn lane on Glades Rd at 95th Ave to the maximum extent feasible, and, iii) extend the north approach left turn lane on 95th Ave S at Glades Rd to 375 ft plus 50 ft taper, or as approved by the County Engineer. In the event the project access through 95th Ave. S is required, the Property Owner shall not be required to construct a south approach left turn lane on Lyons Road at Broad Street.~~

The above construction shall be concurrent...

AMEND Engineering Condition Number 10 of Exhibit C to read as follows:

The Property Owner shall fund the cost of partial signal installation, if warranted, as determined by the County Engineer at project entrance on Lyons Rd and fund the cost of full signal installation on SR-7 at the project entrance, if FDOT approves a full median opening at this location, and if warranted as determined by the County Engineer/FDOT. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. This signal surety shall only be required to be posted if no project access is provided through 95th Ave S.

....

DELETE Environmental Condition Number 1 of Exhibit C:

~~1. Prior to final approval by the Development Review Officer, the Plans shall be revised to identify a preserve area that is consistent with the area shown and described in the recorded conservation easement, which shall be reviewed and approved by the Department of Environmental Resources Management. (ONGOING: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)~~

DELETE Environmental Condition Number 2 of Exhibit C:

~~2. Prior to Final Approval by the Development Review Officer, a Phase II Environmental Site Assessment shall be submitted to the Department of Environmental Resources Management (ERM) If the results of the Phase II Environmental Site Assessment indicate areas of on-site contamination, the project shall be referred to the Florida Department of Environmental Protection (FDEP) for the development of a mitigation plan and to oversee the remediation on the site. (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT - Environmental Resources Management)~~

ADD Environmental Condition 1 to Exhibit C to read as follows:

1. Prior to final approval by the Development Review Officer, the Preserve boundaries reflected on the PMP shall be designated in a certified survey submitted to ERM for approval. The survey legal description and boundary sketch shall be reviewed by the Engineering Department Land Survey Section (DRO: ENVIRONMENTAL RESOURCES MANAGEMENT-Environmental Resources Management)

ADD Environmental Condition 2 to Exhibit C to read as follows:

2. Prior to Technical Compliance for the plat that includes the preserve area, a Conservation Easement with an approved survey must be recorded. (TC: ENVIRONMENTAL RESOURCES MANAGEMENT-Environmental Resources Management)

ADD Environmental Condition 3 to Exhibit C to read as follows:

3. The littoral area for Lake #1 shall be enhanced near the proposed preserve area, or as approved by ERM. (TC: ENVIRONMENTAL RESOURCES MANAGEMENT-Environmental Resources Management)



January 4, 2022

Lisa Amara
Zoning Director
Palm Beach County Zoning Division
Planning Zoning & Building Department
2300 N Jog Road
West Palm Beach, FL 33411

Re: POSTPONEMENT REQUEST – App. No. ZV-2020-2120, Delray Self Storage (Control No. 1994-00053)

Dear Ms. Amara,

We respectfully request a postponement of 30 days for the Delray Self Storage application (ZV-2020-2120). A postponement request was previously granted to postpone the application from the December to January hearing schedule. This postponement was necessary so that the Applicant could meet with the surrounding neighborhood associations and take into consideration any concerns. The Applicant successfully met with the Alliance of Delray Beach on December 14, 2021. Due to the holidays, we could not establish a meeting with the adjacent High Point community to the North.

Additional time is necessary in order to work with the adjacent High Point Homeowner's Association. We are respectfully requesting the postponement of this request from the January 6, 2022, Zoning Commission Hearing, to be heard at the February 3, 2022, Zoning Commission Hearing.

Should you have any questions regarding this request please do not hesitate to contact me. Thank you for your assistance with this matter.

Sincerely,

WGI

A handwritten signature in blue ink that reads 'Yoan Machado'. The signature is written in a cursive style.

Yoan Machado
Project Manager

Cc: Imene Haddad, PBC Zoning
Wendy Hernandez, PBC Zoning



Palm Beach County Zoning Division
2300 N. Jog Road
West Palm Beach, Florida 33411
Phone: (561) 233-5200
Fax: (561) 233-5165

GENERAL APPLICATION
PUBLIC HEARING AND DRO ADMINISTRATIVE PROCESSES

1. REQUEST(S)

Check Type(s) of Application Request(s) and complete as applicable:

PUBLIC HEARING REQUESTS:

- Official Zoning Map Amendment from ... Zoning District to ... Zoning District
With a Concurrent Land Use Amendment from ... Land Use to ... Land Use
Class A Conditional Use (CA) for ...
Class B Conditional Use (CB) for: ...
Development Order Abandonment (ABN) of Resolution No: ... which allowed ...
Expedited Application Consideration (EAC) for: ...
Development Order Amendment (DOA) to a previously approved:
COZ PDD/TDD Class A Class B Other: ...
Type 2 Variance: (Submit Form #43 Variance Supplemental) Concurrent Standalone
Subdivision Variance: (Submit Form #43 Variance Supplemental) Concurrent Standalone
PO Deviations: (Submit Form #92 PO Deviation) from Article(s) ...
Pre-Application Conference (PAC) IRO or PRA: With Questions? Yes No
Type 2 Waiver: (Submit Form #19 Waiver Supplemental) Concurrent Standalone
Unique Structure:
Other:

DRO ADMINISTRATIVE REQUESTS:

- Expedited Development Review Officer approval (DROE) (within 2 months of BCC/ZC approval)
Use subject to Development Review Officer (DRO) approval for ...
Pre-Application Conference (PAC) - Concurrent Review: With Questions? Yes No
Type 2 Concurrent Review: with Building Permit # or with Plat, Name/No.
Type 3 Concurrent Review (Zoning, Land Development and Building)
Administrative Modification to a Plan approved by the ZC / BCC / DRO for ...
Administrative Abandonment (ABN) of a DRO Approval ...
Subdivision ...
Transfer of Development Rights (TDR) (Submit Form #16 TDR Supplemental)
Type 1 Waiver (Submit Form #19 Waiver Supplemental) from Article for
Other

2. APPLICANT INFORMATION

Current Property Owner(s) Name: _____
Address: _____ **City:** _____
State: _____ **Zip:** _____
Phone: _____ **Cell Phone:** _____
Email Address: _____

Applicant's name (if other than property owner(s): _____
Address: _____ **City:** _____
State: _____ **Zip:** _____
Phone: _____ **Cell Phone:** _____
Email Address: _____

Check (✓) here if Applicant is a contract purchaser. Consent is required from the contract purchaser if a contract is pending to purchase the subject property. Home Owners Association (HOA) or Property Owners Association (POA) consent will be required if subject property is under common ownership or request is to modify any aspect of the project which applies to the entire development (i.e. condition of approval, internal roadway, etc.)

Agent:* _____ **Name of Firm:** _____
Address: _____ **City:** _____ **State:** _____ **Zip:** _____
Phone: _____ **Cell Phone #:** _____
Email Address: _____

Agent:* _____ **Name of Firm:** _____
Address: _____ **City:** _____ **State:** _____ **Zip:** _____
Phone: _____ **Cell Phone #:** _____
Email Address: _____

* All correspondence will be sent to the Agent(s) unless otherwise specified.

3. PROPERTY INFORMATION (* Required Fields)

A. *Property Control Number (PCN): <i>(List additional PCN(s) on separate sheet)</i>	
B. *Control Number:	
C. *Control Name :	
D. Application Number:	
E. *Application Name:	
F. Project Number:	
G. *Gross Acreage:	
H. Gross Acreage of affected area:	
I. *Location of subject property: <i>(proximity to closest major intersection/ road)</i>	
J. *Address:	
K. *BCC District:	
L. Overlay (Special Study Area):	
M. Tier	<input type="checkbox"/> U/S <input type="checkbox"/> R/EX <input type="checkbox"/> AGR <input type="checkbox"/> GLADES

4. LAND USE AND ZONING INFORMATION

Current Future Land Use designation:		Proposed Future Land Use designation:	
Current Zoning District:		Proposed Zoning District:	
Existing Use(s):		Proposed Use(s):	
Existing Square Footage:		Proposed Square Footage:	
Existing Number of Units:		Proposed Number of Units:	

5. ARCHITECTURAL REVIEW

This application is subject to the requirements of Article 5.C, Design Standards and request review of the proposed elevations concurrent with:

- Type 1 Projects Requiring BCC Approval
- Type 2 Projects Requiring ZC Approval
- Type 3 Projects Requiring DRO or Site Plan Approval
- Type 4 Projects Requiring Building Permit Approval

This application also includes request(s) for Elevation review and consideration, as indicated below:

- Revise previously approved Elevations;
- Non-conforming structures that are subject to Article 5.C, Percentage of Renovations;
- Approval for Green Architecture (*Type 1 Waiver*, Art.5.C.1.E.3)
- Approval for Unique Structure (Art.5.C.1.E.2)

Note: All application documents shall be consistent with the current Technical Manual, refer to the Zoning Web Page.

6. ADJACENT PROPERTIES

Complete the chart below to identify the Use and Zoning information for the surrounding properties to the project.

Adjacent Property	FLU	Zoning District	Existing Use (Res, Comm, Ind, etc.)	Approved Use (Res, Comm, Ind, etc.)	Existing Sq. ft. or DU/AC	Approved Sq. ft. or DU/AC	Control # (FKA Petition #)	Resolution # R _
EAST								
NORTH								
SOUTH								
WEST								

(see attached for detailed information)

7. COMPLIANCE

YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the property in compliance with all previous Conditions of Approval and applicable Code Requirements? <i>If no, please explain in the Justification Statement.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the property currently the subject of Code Enforcement action? <i>If yes, provide Code Enforcement Case Number: _____</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Will the request require modification(s) to a recorded plat or plat with Technical Compliance? <i>If yes, explain in the Justification Statement.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Is the subject property an existing legal lot of record? <i>If no, submit Legal Lot Review Application to the Land Development Division.</i>
YES <input type="checkbox"/> NO <input type="checkbox"/>	Does the proposed improvements exceed the allowable improvement value of the existing structure as identified in ULDC, Article 1? <i>If yes, comply with Article 1.F – Nonconformities.</i>

8. PROPOSED USE DETAILS

Building Name	Use(s) (as per ULDC)	Square Footage	Number of Units	Phase Name	Outparcel

9. CONCURRENCY

Concurrency Reservation

Concurrency Equivalency

Concurrency Exemption

A. Water Provider:			
B. Waste Water Provider:			
C. Drainage District:			
D. Traffic Provider:		Traffic Trips Existing:	
E. Mass Transit Provider:		Traffic Trips Proposed:	
F. Traffic Capacity:		Number of Gross Peak Hour Trips = <i>(If greater than 30; a traffic study will be required)</i>	
G. Public School:			
H. Public Health Provider:			Well /Septic tank :
I. Parks			
J. Fire Rescue			
K. Solid Waste:			
L. Check the proposed means of achieving access from the development site to a point of Legal Positive Outfall for storm water discharged from the site:			
<input type="checkbox"/> Property is contiguous to a natural waterway, or a canal owned and operated by a water control district.			
<input type="checkbox"/> Property owner has legally established drainage rights to convey storm water through all intervening properties between the development site and natural waterway or water control district canal.			
<input type="checkbox"/> Property abuts a road with a functioning drainage system, and property owner has obtained written confirmation from the entity responsible for maintaining the road that the proposed development is eligible to utilize the road drainage system, subject to meeting all permit requirements for drainage connection.			
<input type="checkbox"/> Other (specify): _____			

10. ENVIRONMENTAL ANALYSIS

ENVIRONMENTAL RESOURCE MANAGEMENT (ERM) – Art. 14.B.8.C

Is there Native Vegetation on Site? Yes No If yes; a **Pre-Application Appointment** with ERM is required; Enter date of PAA meeting with ERM _____;

General Vegetation Statement:

Existing and Proposed Grade/Elevation where existing Native Vegetation is to be preserved:

Is site in a Wellfield protection zone? Yes No If yes; submit **Wellfield Protection Affidavit**, available from ERM

HEALTH DEPARTMENT – Art.15

In Justification Statement, under heading “Hazardous Material”, address type(s) and amount of: **1)**all industrial, manufacturing, special or hazardous waste that may be generated; **2)** airborne pollutants that may be generated (i.e. dust or other unconfined particulates such as NOx, SOx, CO, VOC’s, heavy metals, etc.); and, **3)** any special handling of solid waste that may be required.

This application is not complete without the following documents as attachments:

- 1. Justification Statement:** to address the purpose, project history, intent and design objectives of this request, refer to Art.2.A.6.A.1 for the required information.
- 2. Status of Conditions of Approval (COA):**
 - a. Provide letter/document which includes the status of all current Conditions of Approval;
 - b. Include the exact language for any modification(s) to any Condition of Approval;
 - c. If the application request requires time extension for Commencement of Development or recording a Plat, then provide further explanation. (This explanation may be added to the Justification Statement.)

Note: Please refer to PZB Zoning Website for all ULDC Articles <http://www.pbcgov.com/uldc/index.htm> referenced in this document and the Technical Manual for helpful information <http://www.pbcgov.com/techmanual/index.htm>

Johns Property								
Adjacent Property	FLU	Zoning District	Existing Use	Approved Use	Existing SF or DU/Ac	Approved SF or DU/Ac	Control #	Resolution #
East	Inst	RS/SE (Public H.S.)	Public School - Olympic Heights H.S.	Public School - Olympic Heights H.S.	N/A	N/A	1968-00128	R-1989-1166 / 1167
	AR		PBC Owned	PBC Owned				
North	LR-3	RT/PUD	Residential - Brentwood Place "Boca Fontana"	Residential - Brentwood Place "Boca Fontana"	306 Units (2.89 DU/Acre)	306 Units 2.89 DU/Acre	1980-0009	R-1980-0224 / 0223
	HR8	PUD	Residential "Promenade at Boca" aka Savannahs Place	Residential "Promenade at Boca" aka Savannahs Place	188 Units (8 DU/Acre)	188 Units (8 DU/Acre)	1995-00088	R-1996-0396
	CL-O/5	MPUD	Glades Medical Center / Burdines	Medical Center & Commercial Use	28,950 SF	28,950 SF	1995-0002	R1995-1019
	MRS	RS	Residential "West Boca Estates"	Residential "West Boca Estates"	235 Units (4.4 DU/Acre) & Daycare - 9897 SF	235 Units (4.4 DU/Acre) & Daycare - 9897 SF	1982-0174	R-1998-2040 R-2000-0579
	MRS	RS	Residential - West Boca Estates - Phase V "Coral Lake"	Residential - West Boca Estates - Phase V "Coral Lake"	120 Units (12.9 DU/Acre)	120 Units (12.9 DU/Acre)	1982-0174	R-1998-2040 R-2000-0579
South	CH-3	MUPD	Shadowwood Square Including: Financial, Restaurant, Retail, General Theater, Fitness	Shadowwood Square Including: Financial, Restaurant, Retail, General Theater, Fitness	221,692 square feet of General Retail; 3,719 square feet for a Financial Institution, 10,000 square feet for General Repair and Maintenance; 53,873 square feet Theater; a 3,725-square foot Type I Restaurant with a drive-through lane; a 7,991-square foot Type II Restaurant and Medical Office and 19,391 square feet of Fitness Center	221,692 square feet of General Retail; 3,719 square feet for a Financial Institution, 10,000 square feet for General Repair and Maintenance; 53,873 square feet Theater; a 3,725-square foot Type I Restaurant with a drive-through lane; a 7,991-square foot Type II Restaurant and Medical Office and 19,391 square feet of Fitness Center	1973-00043	R-2008-0688 R-2011-1123
	LR-3	RTS / SE / PUD	Mission Bay Residential	Mission Bay Residential	1299 Units (2.563 DU/Acre)	1299 Units (2.563 DU/Acre)	1984-00099	R-2010-1164 / 1163
	CL	MUPD	Mission Bay Corporate Park	Mission Bay Corporate Park	5378 SF Funeral, 5877 SF Restaurant, 109,187 SF Retail, 1925 SF Vet Clinic	5378 SF Funeral, 5877 SF Restaurant, 109,187 SF Retail, 1925 SF Vet Clinic	1996-0007	R1996-1181 R1997-0013
West	CH3	CG/SE	Mission Bay Plaza	Mission Bay Plaza	233,235 SF Retail, 42,335 SF Fitness, 2161 SF Convenience, 12 Pump Gas Station, 1 Lane Car Wash, 13,150 SF Restaurant, 14,252 SF Bank	233,235 SF Retail, 42,335 SF Fitness, 2161 SF Convenience, 12 Pump Gas Station, 1 Lane Car Wash, 13,150 SF Restaurant, 14,252 SF Bank	1984-00099 F	R-2015-1348
	LR-3	RE/PUD	Boca Greens Country Club	Boca Greens Country Club	1387 Units (1.30 DU/Acre)	1387 Units (1.30 DU/Acre)	1977-00013	R-1985-0703 R-1994-1069 R-1995-0854 R-2012-0284 R-2012-0285

**PARTNERSHIP RESOLUTION
OF
BOCA RATON ASSOCIATES X, LLLP**

The undersigned, being the sole general partner of BOCA RATON ASSOCIATES X, LLLP, a Florida limited liability limited partnership (the "Partnership"), hereby adopts the following resolutions:

WHEREAS, BOCA RATON ASSOCIATES X, LLLP, a Florida limited liability limited partnership (the "Partnership") is developing a residential community on that certain property located in Palm Beach County, Florida, commonly known as "Johns West PUD" (the "Community"); and

WHEREAS, the Partnership intends to execute various plats and related documentation for and in connection with the development of the Community (collectively, the "Plats"), and thereafter, deliver such Plats to the applicable governmental and quasi-governmental bodies, authorities and agencies (individually a "Governmental Authority" and collectively the "Governmental Authorities") and to record such Plats in the public records of Palm Beach County, Florida; and

WHEREAS, the Partnership desires to appoint Kevin Ratterree for the sole and limited purpose to execute and deliver such Plats to the Governmental Authorities, for and on behalf of the Partnership.

NOW, THEREFORE, BE IT RESOLVED that Kevin Ratterree is hereby authorized and designated as an Authorized Signatory of Boca Raton X Corporation, as the general partner of the Partnership, for the sole and limited purpose of executing and delivering to the Governmental Authorities, for and on behalf of the Partnership, any and all Plats necessary for the development of the Community; and

BE IT FURTHER RESOLVED, that Kevin Ratterree is hereby further authorized and directed to do all such things and acts necessary or desirable in order to carry out the purpose and intent of these resolutions, and the same hereby are, in all respects, ratified, approved and confirmed; and

BE IT FURTHER RESOLVED, that any and all actions previously taken by Kevin Ratterree in connection with the execution and delivery of the Plats, for and on behalf of the Partnership, consistent with the authority granted herein is, in all respects, ratified, approved and confirmed.

EFFECTIVE as of the 3rd day of January, 2022.

BOCA RATON X CORPORATION, a Florida corporation, the sole general partner of Boca Raton Associates X, LLLP, a Florida limited liability limited partnership

By: 

Alan Fant, Vice President

DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY

TO: PALM BEACH COUNTY PLANNING, ZONING AND BUILDING EXECUTIVE DIRECTOR, OR HIS OR HER OFFICIALLY DESIGNATED REPRESENTATIVE

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, this day personally appeared N. Maria Menendez, hereinafter referred to as "Affiant," as Vice President of Boca Raton X Corporation, a Florida corporation, the general partner of Boca Raton Associates X, LLLP, a Florida limited liability limited partnership, who being by me first duly sworn, under oath, deposes and states as follows:

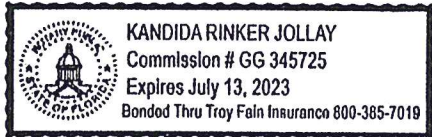
1. Affiant is the Vice President of Boca Raton X Corporation, a Florida corporation, the general partner of Boca Raton Associates X, LLLP, a Florida limited liability limited partnership, that holds an ownership interest in real property legally described on the attached Exhibit "A" (the "Property"). The Property is the subject of an application for Comprehensive Plan amendment or Development Order approval with Palm Beach County.
2. Affiant's address is: 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Attached hereto as Exhibit "B" is a complete listing of the names and addresses of every person or entity having a five percent or greater interest in the Property. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.
4. Affiant acknowledges that this Affidavit is given to comply with Palm Beach County policy, and will be relied upon by Palm Beach County in its review of application for Comprehensive Plan amendment or Development Order approval affecting the Property. Affiant further acknowledges that he or she is authorized to execute this Disclosure of Ownership Interests on behalf of any and all individuals or entities holding a five percent or greater interest in the Property.
5. Affiant further acknowledges that he or she shall by affidavit amend this disclosure to reflect any changes to ownership interests in the Property that may occur before the date of final public hearing on the application for Comprehensive Plan amendment or Development Order approval.
6. Affiant further states that Affiant is familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath.
7. Under penalty of perjury, Affiant declares that Affiant has examined this Affidavit and to the best of Affiant's knowledge and belief it is true, correct, and complete.

FURTHER AFFIANT SAYETH NAUGHT.

N. Maria Menendez

N. Maria Menendez, as Vice President of Boca Raton X Corporation, a Florida corporation, the general partner of Boca Raton Associates X, LLLP, a Florida limited liability limited partnership, Affiant

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 3 day of January 2022, by N. Maria Menendez, as Vice President of Boca Raton X Corporation, a Florida corporation, the general partner of Boca Raton Associates X, LLLP, a Florida limited liability limited partnership, who is personally known to me or who has produced _____ as identification and who did take an oath.



Kandida Rinker Jollay
Notary Public

Kandida Rinker Jollay
(Print Notary Name)

NOTARY PUBLIC

State of Florida at Large

My Commission Expires: July 13, 2023

EXHIBIT "A"**PROPERTY**

DESCRIPTION: (JOHNS WEST PARCEL)

ALL OF TRACTS 2 THROUGH 31 INCLUSIVE AND ALL OF TRACTS 34 THROUGH 63, INCLUSIVE AND THOSE PORTIONS OF TRACTS 1, 32, 33 AND 64, BLOCK 77, PALM BEACH FARMS COMPANY PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, LYING WEST OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD, ACCORDING TO OFFICIAL RECORDS BOOK 2934, PAGE 1767, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

THE NORTH 30.00 FEET OF SAID TRACT 1, THE NORTH 26.40 FEET OF SAID TRACTS 2 THROUGH 8, INCLUSIVE, THE NORTH 28.00 FEET OF SAID TRACT 9, THE NORTH 27.72 FEET OF SAID TRACT 10, THE NORTH 28.00 FEET OF SAID TRACT 11, THE NORTH 27.72 FEET OF SAID TRACTS 12, 13, 14 AND 15, THE NORTH 28.97 FEET OF SAID TRACT 16 AND THE WEST 60.72 FEET OF SAID TRACTS 16, 17, 48 AND 49.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING SOUTH OF SAID TRACTS 17 THROUGH 32 AND NORTH OF SAID TRACTS 33 THROUGH 48, SAID BLOCK 77, LESS AND EXCEPT THE WESTERLY 60.72 FEET THEREOF, ALSO LESS AND EXCEPT THE EASTERLY 29.00 FEET THEREOF.

TOGETHER WITH THAT ROAD, DYKE & DITCH RESERVATION 30 FEET IN WIDTH LYING EAST OF SAID TRACTS 9, 24, 31 AND 56 AND WEST OF SAID TRACTS 8, 25, 40 AND 57, SAID BLOCK 77, LESS AND EXCEPT THE NORTH 26.40 FEET OF THE EAST 15.00 FEET THEREOF, ALSO LESS AND EXCEPT THE NORTH 28.00 FEET OF THE WEST 15.00 FEET THEREOF.

ALSO, LESS AND EXCEPT THAT PARCEL OF LAND AS DESCRIBED IN OFFICIAL RECORDS BOOK 5773, PAGE 1000, SAID PUBLIC RECORDS AND DESCRIBED AS FOLLOWS:

BEING 60.938 ACRES OF LAND IN, OUT OF, AND A PART OF TRACTS 1, 2, 3, 4, 5, 6, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 AND 38 TOGETHER WITH A 30 FOOT PLATTED STREET, ALL LOCATED IN BLOCK 77, PALM BEACH FARMS PLAT NO. 3 AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, OF THE PUBLIC RECORDS OR PALM BEACH COUNTY, FLORIDA, SAID 60.938 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF LYONS ROAD AND THE SOUTH RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT BEING 30.0 FEET SOUTH OF THE NORTH LINE OF THE HERETOFORE MENTIONED TRACT 1 AND SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 60.938 ACRES OF LAND.

THENCE, SOUTH 00°02'05" WEST ALONG AND WITH THE WEST RIGHT-OF-WAY LINE OF SAID LYONS ROAD FOR A DISTANCE OF 1570.33 FEET TO A POINT 15.0 FEET MORE OR LESS NORTH OF AN EXTENSION OF THE TOP OF BANK OF AN EAST-WEST DRAINAGE AND IRRIGATION CANAL.

THENCE, NORTH 89°41'53" WEST ALONG A LINE 15.0 FEET MORE OR LESS NORTH OF AND PARALLEL WITH THE TOP OF BANK OF SAID EAST-WEST DRAINAGE AND IRRIGATION CANAL FOR A DISTANCE OF 1662.92 FEET TO A POINT.

THENCE, NORTH 00°02'05" EAST PARALLEL WITH SAID WEST RIGHT-OF-WAY LINE OF LYONS ROAD FOR A DISTANCE OF 1603.07 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF HERETOFORE MENTIONED LAKE WORTH DRAINAGE DISTRICT DITCH L-44, SAID POINT ALSO BEING ON THE NORTH LINE OF SAID BLOCK 77.

THENCE EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE, SAME BEING THE SAID NORTH LINE OF SAID BLOCK 77 FOR A DISTANCE OF 1361.94 FEET, TO A POINT.

THENCE, SOUTH ALONG AND WITH A WEST LINE OF SAID RIGHT-OF-WAY LINE OF LAKE WORTH DRAINAGE DISTRICT DITCH L-44 FOR A DISTANCE OF 30.00 FEET TO A POINT.

THENCE, EAST ALONG AND WITH SAID SOUTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 301.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 60.938 ACRES OF

LAND.

CONTAINING A TOTAL OF 259.515 ACRES, MORE OR LESS.

EXHIBIT "B"**DISCLOSURE OF OWNERSHIP INTERESTS - PROPERTY**

Affiant must identify all entities and individuals owning five percent or more ownership interest in the Property. Affiant must identify individual owners. For example, if Affiant is an officer of a corporation or partnership that is wholly or partially owned by another entity, such as a corporation, Affiant must identify the other entity, its address, and the individual owners of the other entity. Disclosure does not apply to an individual's or entity's interest in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, Florida Statutes, whose interest is for sale to the general public.

1. Itzhak Ezratti, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
2. Maya Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
3. Misha Ezratti, individually and/or through trusts for his interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.
4. Maxie Ezratti, individually and/or through trusts for her interests, having an address of 1600 Sawgrass Corporate Parkway, Suite 400, Sunrise, Florida 33323.

CONSENT

INSTRUCTIONS: Consent is required from the property owner(s) and contract purchaser(s), as applicable, to an agent if the property owner(s) or contract purchaser does not intend to attend all meetings and Public Hearings and submit in person all material pertaining to the application. A separate form is required from each owner/contract purchaser. Consent to a firm shall be deemed consent for the entire firm, unless otherwise specified. Consent is valid for one year from date of notary, unless otherwise specified. Attach a copy of last recorded warranty deed for the subject property.

Project Name: Johns West PUD

Submittal Date: January 3, 2022

This form shall serve as CONSENT for the agent identified below to prepare or have prepared and submit all documents for the following application(s) affecting property I have an ownership interest in:

- [X] BCC/ZC: (X) Rezoning () Conditional Use (X) DROE (X) DOA (X) PDD () TDD () Type 2 Variance () Type 2 Waiver
[X] DRO Applications: (X) Full DRO (X) Zoning Agency Review (ZAR)
[] Concurrence Reservation/Equivalency (Separate)
[] Temporary Use (indicate request):
[X] Tree Removal and Replacement
[] Type 1 Variance
[] Type 1 Waiver
[] Time Extension (Article 2.E)
[] Other (indicate request):

I hereby give CONSENT to Gladys DiGirolamo & Boca Raton Associates X, LLLP (type, stamp or print clearly full name of agent) to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application for the proposed use of: Re-zoning PUD

I hereby certify I have full knowledge of the property and I have an ownership interest in the subject property of this application. I further certify the statements or information made in any document(s) submitted herewith are true and correct to the best of my knowledge. I understand, this application, related material and all documents submitted become official records of the Planning, Zoning and Building Department of Palm Beach County, Florida, and will not be returned. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to Palm Beach County to publish, copy or reproduce any copyrighted document submitted as a part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

OWNER/CONTRACT PURCHASER: I am the [X] Owner [] Contract Purchaser (✓ one)
Boca Raton Associates X, LLLP; By:
Boca Raton X Corporation, General Partner
(Name - type, stamp or print clearly)
1600 Sawgrass Corporate Parkway
(Address)
Sunrise, FL 33323
(City, State, Zip)

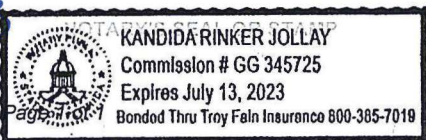
AGENT:
Gladys DiGirolamo & Boca Raton Associates X, LLLP
(Name - type, stamp or print clearly)
1600 Sawgrass Corporate Parkway
(Address)
Boca Raton Associates X, LLLP
(Name of firm)
Sunrise, FL 33323
(City, State, Zip)

NOTARY PUBLIC INFORMATION: STATE OF FLORIDA COUNTY OF PALM BEACH BROWARD

The foregoing instrument was acknowledged before me by means of [X] physical presence or [] online notarization, this 3 day of Jan., 2022 by Kevin Ratterree, as Authorized Signatory (name of person acknowledging). He/she is personally known to me or has produced (type of identification) as identification and did/did not take an oath (circle correct response).

Kandida Rinker Jollay (Name - type, stamp or print clearly)
Kandida Rinker Jollay (Signature)

My Commission Expires on July 13, 2023





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

THURSDAY, JANUARY 6, 2022

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. Adoption of the Minutes
- G. Swearing In
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. 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

JANUARY 6, 2022

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, January 27, 2022 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
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [DOA-2021-00418](#) Title: a Development Order Amendment application of Mattamy Palm Beach, LLC by Urban Design Studio, Agent. Request: to modify the Master Plan; add units; and, add access points

General Location: Located at the southwest corner of Lyons Road and Lantana Road, and continues south, on the east and west sides, approximately 1,900 feet north of Hypoluxo Road. **(Sherbrooke Estates PUD)** (Control 1976-00139)

Pages 1 - 2

Project Manager: Brenya Martinez

Size: 530.14 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, February 3, 2022.

MOTION: To postpone to Thursday, February 3, 2022.

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

2. [CA-2021-01156](#) Title: a Class A Conditional Use application of Jack Nelson by Land Research Management Inc., Agent. Request: to allow Limited Pet Boarding
General Location: South side of 76th Road North, approximately 246 feet east of Apache Boulevard. **(Palm Beach Dog Academy)** (Control 2021-00081)
 Pages 3 - 20
 Conditions of Approval Pages (8 - 9)
 Project Manager: Ed Tombari
 Size: 1.15 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 Class A Conditional Use to allow Limited Pet Boarding, subject to the Conditions of Approval as indicated in Exhibit C.

3. [PDD-2021-01174](#) Title: an Official Zoning Map Amendment application of G.L. Acquisitions, LLC, Johns Houston, LTD, E.F. Johns, LTD by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District
General Location: East of State Road 7, approximately 0.25 miles north of Glades Road. **(Johns West PUD)** (Control 2021-00073)
 Pages 21 - 58
 Conditions of Approval Pages (30 - 35)
 Project Manager: Imene Haddad
 Size: 259.52 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 recommend approval of a rezoning from Agricultural Residential (AR) to Planned Unit Development (PUD) District, subject to the Conditions of Approval as indicated in Exhibit C.

- 4. [ZV/ABN/DOA-2021-01341](#) Title: a Type 2 Variance application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to relocate foundation planting
Title: a Development Order Abandonment application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to abandon a Requested Use for a Type 1 Restaurant with Drive-through
Title: a Development Order Amendment application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to modify the Site Plan; add square footage; add, delete and modify Uses; and, modify Conditions of Approval
General Location: Northeast corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Hagen Commercial MUPD)** (Control 2008-00421)

Pages 59 - 122

Conditions of Approval Pages (68 - 77)

Project Manager: Imene Haddad

Size: 7.92 acres ±

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.

MOTION: To adopt a Resolution approving a Type 2 Variance to relocate foundation planting, subject to conditions of approval in Exhibit C-1.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Requested Use for a Type 1 Restaurant with Drive-through.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; add square footage; add, delete and modify Uses; and, modify Conditions of Approval, subject to Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

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

5. [ZV-2020-02120](#) Title: a Type 2 Variance application of West Atlantic Commercial Properties, LTD by WGINC, Agent. Request: to allow for the reduction in minimum lot size.

General Location: North side of West Atlantic Avenue, approximately 0.25 miles west of South Military Trail. **(Delray Self Service Storage)** (Control 1994-00053)

Pages 123 - 142

Conditions of Approval Pages (127 - 127)

Project Manager: Imene Haddad

Size: 4.53 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 allow for the reduction in minimum lot size, subject to the Conditions of Approval as indicated in Exhibit C.

6. [ZV-2021-01067](#) Title: a Type 2 Variance application of Maximum Nursery Services, LLC by Urban Design Studio, Agent. Request: to eliminate a portion of an Incompatibility Buffer; and, to reduce the rear setback for a structure

General Location: South side of Happy Hollow Road, approximately 0.31 miles west of Smith Sundry Road. **(Maximum Services)** (Control 2004-00369)

Pages 143 - 164

Conditions of Approval Pages (148 - 150)

Project Manager: James Borsos

Size: 5.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of a Type 2 Variance to eliminate a portion of an Incompatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-1. Staff recommends denial of a Type 2 Variance to reduce the rear setback for a structure.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a portion of an Incompatibility Buffer, subject to the conditions of Approval as indicated in Exhibit C-1. **MOTION:** To adopt a Resolution denying a Type 2 Variance to reduce the rear setback for a structure.

D. ZONING APPLICATIONS - NEW**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