



**THURSDAY MAY 5, 2022  
MINUTES**

**CALL TO ORDER**

**A. Roll Call 9:00 AM**

Commissioner Marcelle Griffith Burke, Chair	Present
Commissioner John Kern, Vice Chair	Present
Commissioner Cheri Pavlik	Present
Commissioner Michael Kelley	Present
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Alex Brumfield	Present (arrived 9:04 am)
Commissioner Mark Beatty	Present
Commissioner Jess Sowards	Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

**Motion to receive and file, approved by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**F. Adoption of the Minutes**

**Motion to approve the Minutes with a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

- G. Swearing In
- H. Amendments to the Agenda

Attachment #1, Minutes from the April 7, 2022.

Wendy N. Hernandez, Deputy Zoning Director, read into the record a request for postponement for item #9, ZV/ABN/CA-2021-00797 Palm Elite Car Wash to July 7, 2022 by the Applicant. Applicant to give a verbal explanation of extenuating circumstances prior to start of the Consent Agenda.

Item #4 Terra Nova modifications related to Staff Report and Staff’s recommendation, including revisions to the Conclusion of the Findings on page 8. Additionally, Variance Condition #2 in Exhibit C-1 deleted for duplicity.

Item #5, Broward Motor Sports, the All Petition Condition #1 of Exhibit C-1 amended,

Item #8, Delray Self-Service Storage, All Petition Condition #2 of Exhibit C to be deleted for duplicity and remaining conditions renumbered.

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

Item #10, PGA Waterfront, delete Environmental Condition C-1 in Exhibit C-2, amend All Petition Condition #1 of Exhibit C-3, and amend Compliance Condition #1 of Exhibit C-3.

Item #11, Fount MUPD, amend Compliance Condition #1 and Revise and Replace the Motion for the Type 2 Variance. Additionally, Mrs. Hernandez read into the record for the Subdivision Variance, C-1 the word "shall" to be inserted after "Property Owner", a revision for Exhibit C-2, Landscape General #1 to read as follows "At time of submittal for Final Approval by the Development Review Officer, the Property Owner shall the Landscape detail for the Right Of Way buffer along Okeechobee Road to show a maximum 12 foot easement overlap. In additional the plan shall include a cross section of the buffer to indicate the grades LWDD easement and the adjacent buildings."

I. Motion to adopt the Agenda, as amended with the Add-Delete

**Motion approved by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

J. Disclosures

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
10	10	10		8,10,11	10,	10		

K. Conflicts/Recusal

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

- ZV-2021-01937** Title: a Type 2 Variance application of Richard Critchfield by Dunay Miskel and Backman LLP, Agent. Request: to reduce setbacks for the outdoor storage area

Title: a Type 2 Variance application of Richard Critchfield by Dunay Miskel and Backman LLP, Agent. Request: to reduce the side and rear setbacks for Buildings B and C

General Location: Approximately 0.12 mile north of Happy Hollow Road and approximately 0.1 mile west of Lyons Road (**Critchfield Holdings**) (Control 2004-00206)

Pages 1 - 2

Project Manager: Donna Adelsperger

Size: 4.90 acres ±

BCC District: 5

Staff Recommendation: Staff recommends postponement to June 2, 2022.

**MOTION:** No motion required.

No motion was required as Staff administratively approved the extension due to the timing of the request.

- ABN/CA-2021-00797** Title: a Development Order Abandonment application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to abandon a Type 2 Waiver to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and, increase the setback from the build-to-line

Title: a Class A Conditional Use application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow a Car Wash

General Location: Northeast corner of South Military Trail and Vermont Avenue (**Palm Elite Car Wash**) (Control 2013-00200)

Pages 1 - 20

Conditions of Approval Pages (6 - 7)

Project Manager: James Borsos

Size: 0.93 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the request, without prejudice, for failure to meet Art. 2.B.7.B.2. Conditional Use/Development Order Amendment Standards c. Compatibility with Surrounding Uses and d. Design Minimizes Adverse Impacts.

Should the Zoning Commission move to recommend approval of the request, Staff recommends Conditions of Approval as indicated in Exhibit C.

**MOTION:** To postpone to July 7, 2022.

**People who spoke on this application:**

The Applicant and Agent were not present to state their extenuating circumstances. Lisa Amara, Zoning Director, spoke for the Applicant on item #9 ABN/CA-2021-00797, Palm Elite Car Wash, requesting a Motion to postpone to July 7, 2022, to address outstanding issues that had been raised by Staff prior to hearing.

**Motion to postpone item #9 to July 7, 2022 ABN/CA-2021-00797, Palm Elite Car Wash approved by a vote of 9-0-0.**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

2. **CA-2020-02103 (Evergreen Townhouse)**

Five cards were received in opposition for item #2 on the Consent Agenda.

**Motion to move item #2 CA-2020-02103, Evergreen Townhouse, to the Regular Agenda approved by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved		Second				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

3. **Z-2021-02038 (Elizabeth Street at Square Lake)**

Five cards were received in opposition for item #3 on the Consent Agenda.

**Motion to move item #3 Z-2021-02038, Elizabeth Street at Square Lake, to the Regular Agenda approved by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second				Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 4. **ZV/ABN/DOA-2021-01954** Title: a Type 2 Variance application of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent. Request: to reduce the width of divider medians and relocate foundation planting Title: a Development Order Abandonment application of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent. Request: to abandon a Type 1 Restaurant with drive-through Title: a Development Order Amendment application of Principal Commercial Group LLC, Principal Development Group LLC by AJP Consulting Services LLC, WGINC, Agent. Request: to modify the Site Plan; add square footage; delete and modify uses General Location: Approximately .06 mile northwest of Atlantic Avenue and Hagen Ranch Road (**Terra Nova MUPD**) (Control 2004-00457)

Pages 1 - 44  
 Conditions of Approval Pages (9 - 17)  
 Project Manager: Imene Haddad  
 Size: 17.67 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 adopt a resolution approving a Type 2 Zoning Variance to reduce the width of divider medians and relocate foundation planting subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Adopted a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to modify the Site Plan; add square footage; delete and modify uses subject to the Conditions of Approval as indicated in Exhibits C-2 and C-3.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.**

- 5. **ZV/ABN/DOA-2021-00997** Title: a Type 2 Variance application of Broward Motorsports of Palm Beach, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to increase the Build to Line setback Title: a Development Order Abandonment application of Broward Motorsports of Palm Beach, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a partial abandonment of a Special Exception for Repair Facility Title: a Development Order Amendment application of Broward Motorsports of Palm Beach, LLC by Gentile Glas Holloway O'Mahoney & Associates Inc., Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to modify the Site Plan, add building square footage, and modify the Conditions of Approval General Location: Southwest corner of Okeechobee Boulevard and North Congress Avenue (**Broward Motorsports of Palm Beach**) (Control 1987-00006)

Pages 1 - 36

Conditions of Approval Pages (8 - 15)

Project Manager: James Borsos

Size: 3.87 acres ±

BCC District: 7

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

**MOTION:** To adopt a resolution approving a Type 2 Variance to increase the Build to Line setback subject to the Conditions of Approval as indicated in Exhibit C-1

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Adopted a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.**

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

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.**

- 6. **ZV/ABN/DOA-2021-02048** Title: a Type 2 Variance application of VC6 Acquisition LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to eliminate a Type 1 Compatibility Buffer Title: a Development Order Abandonment application of VC6 Acquisition LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to abandon a Type 3 Congregate Living Facility Title: a Development Order Amendment application of VC6 Acquisition LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to amend the Master Plan and modify uses General Location: Located at the terminus of Vista Parkway, approximately .63 mile northeast of Okeechobee Boulevard and N. Jog Road. (**Vista Center Parcel 6**) (Control 1984-00130)

Pages 1 - 48  
Conditions of Approval Pages (9 - 20)  
Project Manager: Imene Haddad  
Size: 493.73 acres ±  
(affected area 22.10 acres ±)

BCC District: 7

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 eliminate a Type 1 Compatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Adopted a Type 2 Variance (with conditions) by a vote of 9-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to amend the Master Plan and modify uses subject to the Conditions of Approval as indicated in Exhibit C-2.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.**

**E. CORRECTIVE RESOLUTIONS**

- 7. **CRZ-2022-00612** Title: a Corrective Resolution - ZC application of JJ Gilbane, LLC, FLM Jupiter Gardens, LLC by Shutts and Bowen LLP, Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to correct Conditions of Approval contained in Resolution ZR-2022-004  
General Location: South side of Jupiter Gardens Boulevard, approximately 320 feet west of Central Boulevard (**Jupiter Gardens Apartments**) (Control 2021-00092)

Pages 1 - 1  
Conditions of Approval Pages (1 - 1)  
Project Manager: James Borsos  
Size: 4.65 acres ±

BCC District: 1

Staff Recommendation: To recommend approval of a Resolution to correct Conditions of Approval in ZR-2022-004.

**MOTION:** To adopt a Resolution to correct Conditions of Approval contained in Resolution ZR-2022-004.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Adopted a Corrective Resolution by a vote of 9-0-0.**

**F. ABANDONMENTS**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

2. **CA-2020-02103** Title: a Class A Conditional Use application of Evergreen 1 LLC. by Brahm Development LLC, Agent. Request: to allow over 24 Multifamily units in the Multifamily Residential (RM) Zoning District Title: a Class A Conditional Use application of Evergreen 1 LLC. by Brahm Development LLC, Agent. Request: to allow Workforce Housing Program Density Bonus greater than 50 percent  
General Location: West side of Old Military Trail, approximately 600 feet north of Orlando Avenue (**Evergreen Townhouse**) (Control 2019-00177)

Pages 1 - 25

Conditions of Approval Pages (8 - 11)

Project Manager: Brenya Martinez

Size: 4.52 acres ±

BCC District: 2

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

**People who spoke on this application:**

Dave Persaud, Agent

Five Comment Cards received in opposition. Two members of the public spoke, Ms. Cathy Roberson and Mr. Joe Garrett.

Ms. Cathy Roberson submitted documents for the record.

**Motion to receive and file letter and photos from Cathy Roberson approved by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**MOTION:** To recommend approval of a Class A Conditional Use Request to allow over 24 Multifamily units in the Multifamily Residential (RM) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
					Second			Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use Request to allow Workforce Housing Program Density Bonus greater than 50 percent in a Standard Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
					Second			Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.**

3. **Z-2021-02038** Title: an Official Zoning Map Amendment application of Neil Hannon by AJ Entitlements & Plannings LLC, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District

General Location: West side of S Elizabeth Ave., approximately 0.67 miles south of Northlake Boulevard and 0.39 miles west of N Military Trail (**Elizabeth Street at Square Lake**) (Control 1973-00079)

Pages 1 - 16  
 Conditions of Approval Pages (4 - 4)  
 Project Manager: Jerome Ottey  
 Size: 2.37 acres ±

BCC District: 1

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

**People who spoke on this application:**

Neil Hannon, Applicant

Three Comment Cards received in opposition received. Three members of the public spoke, David Wiitala, Ms. Jill Gavagni, and Susan Anderson,

**MOTION:** To recommend a Resolution approving an Official Zoning Map Amendment from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second	Moved						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 8. **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 1 - 13  
 Conditions of Approval Pages (4 - 4)  
 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.

**People who spoke on this application:**

Scott Backman, Agent

**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.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved a Type 2 Variance as amended (with conditions) by a vote of 9-0-0.**

**D. ZONING APPLICATIONS - NEW**

- 10. **PDD/DOA/CA-2021-01612** Title: an Official Zoning Map Amendment application of Nicholas Smith, PGA Partners 100 LLC, Cameron Ferris, Michael Ferris, Betty Ferris, PGA Waterway Condos LLC -



Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a rezoning from a Multifamily Residential (RM) Zoning District to the Planned Unit Development (PUD) Zoning District Title: a Development Order Amendment application of Nicholas Smith, PGA Partners 100 LLC, Cameron Ferris, Michael Ferris, Betty Ferris, PGA Waterway Condos LLC - Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to modify the Site Plan; add land area, units, and uses; and, modify Conditions of Approval Title: a Class A Conditional Use application of Nicholas Smith, PGA Partners 100 LLC, Cameron Ferris, Michael Ferris, Betty Ferris, PGA Waterway Condos LLC - Dan Catalfumo by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to allow a Marina  
General Location: Southwest corner of PGA Boulevard and Ellison Wilson Road (**PGA Waterfront Residential PUD**) (Control 1984-00159)

Pages 1 - 60

Conditions of Approval Pages (9 - 16)

Project Manager: Timothy Haynes

Size: 10.97 acres ±

BCC District: 1

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

**People who spoke on this application:**

Josh Nichols

One Comment Card in opposition received. Comments were received and filed to the electronic record. Nobody from the public spoke.

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

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second							Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to modify the Site Plan; add land area, units and uses; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2, as amended.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second							Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Development Order Amendment as amended by a vote of 9-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Marina, subject to the Conditions of Approval as indicated in Exhibit C-3, as amended.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second							Moved
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use as amended by a vote of 9-0-0.**

11. **SV/ZV/ABN/PDD/CA-2021-00533** Title: a Subdivision Variance application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: To allow an increase Projected Daily Trips for a 60-foot Right-of-Way (Elmhurst Road) Title: a Type 2 Variance application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow for a 12-foot overlap of an easement into a 20-foot Right of Way Landscape Buffer Title: a Development Order Abandonment application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to abandon a Special Exception to allow a Fraternal Organization and Club Facilities; and, a Special Exception for a Governmental Service and Accessory Buildings and structures, including Recreation and Club facilities Title: an Official Zoning Map Amendment application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District Title: a Class A Conditional Use application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow a Transfer of Development Rights (TDR) Title: a Class A Conditional Use application of Town of Palm Beach, CRE Fund at Okeechobee Boulevard, LLC - Carlos Gonzales by Schmidt Nichols, Agent. Request: to allow Workforce Housing Program (WHP) Density Bonus greater than 50 percent  
General Location: South side of Okeechobee Boulevard, approximately 0.38 miles west of Haverhill Road (**Fount MUPD**) (Control 1979-00268)

Pages 1 - 120

Conditions of Approval Pages (14 - 21)

Project Manager: Imene Haddad

Size: 27.66 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-5.

**People who spoke on this application:**

Josh Nichols, Agent

Joe Ullo, Jr. P.E., Environmental Council for AHS

One Comment Card in opposition received from the public. Larry Diegert spoke.

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow an increase Projected Daily Trips for a 60-foot Right-of-Way (Elmhurst Road) subject to the Conditions of Approval as indicated in Exhibit C-1.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved a Subdivision Variance as amended (with conditions) by a vote of 9-0-0.**

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow a reduction in the number of parking spaces; the width of the Right-of-Way buffer, and to allow a 15-foot overlap of an easement into a 20-foot R-O-W landscape buffer, subject to the Conditions of Approval as indicated in Exhibit C-2.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approved a Type 2 Variance as amended (with Conditions) by a vote of 9-0-0.**

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential High Density (RH) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 9-0-0.**

**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.

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.**

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

**Motion carried by a vote of 9-0-0**

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
	Second			Moved				
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.**

**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 10:49 AM**

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