



THURSDAY
OCTOBER 6, 2022
Minutes

CALL TO ORDER

A. Roll Call - **9:00 A.M.**

Commissioner Marcelle Griffith-Burke, Chair	Present
Commissioner John Kern, Vice Chair	Absent
Commissioner Cheri Pavlik	Present
Commissioner Michael Kelley	Absent
Commissioner Sam Caliendo	Absent
Commissioner Sheri Scarborough	Present
Commissioner Alex Brumfield	Present
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 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
Second		Moved						
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

- F. Swearing In
- G. Adoption of the Minutes

Motion to approve the Minutes by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
Second								Moved
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

H. Amendments to the Agenda

Wendy Hernandez, Deputy Director, read into the record for items #5 and #6 and requested a postponement to work with the residents surrounding the property, both need to be postponed and a motion will be necessary.

Wendy continued reading the Amendments to the Consent agenda item #1 has several Amendments to the conditions of approval, and item #2, has an amended condition for lighting. And #4 has a deleting of variance condition. Motion to adopt the agenda as modified. Commissioner Scarborough made the motion which was seconded by commissioner Brumfield and the motion passed 6-0-0.

I. **Motion to adopt the Agenda**

Motion to adopt the Agenda as amended with a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
---------	----------	-------------	-------	------	--------	-----------	--------	--------

s	o	h	e			d		
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

J. Disclosures

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
N/A	Absent	N/A	N/A	Absent	N/A	N/A	Absent	N/A

K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

5. PDD/DOA-2021-01373 Title: an Official Zoning Map Amendment application of JDR Development, LLC - Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District on 10.20 acres
Title: a Development Order Amendment application of JDR Development, LLC - Jason Sher, Paradise Properties Of Delray LLC, Atlantic USA Development LLC, Pebb Atlantic II LLC & by WGINC, Agent. Request: to modify the Master Plan to delete land area (9.89 acres) and to add land area (10.20 acres) for a final DO total of 743.33 acres

General Location: East side of State Road 7, approximately 700 feet south of W Atlantic Avenue (**Sussman AGR-PUD**) (Control 2000-00032)

Project Manager: Imene Haddad
 Size: 743.33 acres ±
 District: 5
 (affected area 10.20 acres ±)

BCC

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 Postpone to November 3, 2022

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Postponed to November 3, 2022 by a vote of 6-0-0.

6. PDD/CA/W-2021-01361 Title: an Official Zoning Map Amendment application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 9.89 acres
Title: a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a Multi-Access and Limited Access Self-Service Storage Facility on 9.89 acres
Title: a Class A Conditional Use application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow a Car Wash on 9.89 acres
Title: a Type 2 Waiver application of Pebb Atlantic II LLC & SOCRO LLC, JDR Development, LLC - Jason Sher by WGINC, Agent. Request: to allow an alternative Type 3 Incompatibility Buffer on 9.89 acres
General Location: South side of Atlantic Avenue, approximately 783 feet east of Lyons Road (**Atlantic AGR Commercial and Self Storage**) (Control 2021-00083)

Project Manager: Timothy Haynes
 Size: 9.89 acres ±
 District: 5

BCC

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

MOTION: To Postpone to November 3, 2022

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		

Present	Absent	Present	Present	Absent	Present	Present	Absent	Present
---------	--------	---------	---------	--------	---------	---------	--------	---------

Board Decision: Postponed to November 3, 2022 by a vote of 6-0-0.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

No Request to pull items from Consent

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

1. **DOA/CA-2022-00117** Title: a Development Order Amendment application of Atlantic Avenue Realty Associates, LLC, Vesnodevi Donut Corp. - Hitesh Patel by Insite Studio, Agent.

Request: to reconfigure the Site Plan; to add and delete use; delete square footage; and, modify Conditions of Approval on 25.46 acres

Title: a Class A Conditional Use application of Atlantic Avenue Realty Associates, LLC, Vesnodevi Donut Corp. - Hitesh Patel by Insite Studio, Agent.

Request: to allow a Type 1 Restaurant with drive-through on 0.83 acres

General Location: North side of Atlantic Avenue, approximately 795 feet east of Hagen Ranch Road (**Dunkin Donuts at Oriole Plaza**) (Control 1973-00039)

Project Manager: Timothy Haynes

Size: 25.46 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 recommend approval of a Development Order Amendment to reconfigure the Site Plan; to add and delete use; delete square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Recommend Approval of a Development Order Amendment, as amended by a vote of 6-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Recommend Approval of a Class A Conditional Use, as amended by a vote of 6-0-0.

2. **DOA-2022-00216** Title: a Development Order Amendment application of 5165 Homeland Plaza, LLC by Insite Studio, Agent. Request: to reconfigure the Site Plan; add a building and square footage; and, modify Conditions of Approval on 9.26 acres

General Location: West side of State Road 7 approximately 1 mile south Lake Worth Road
(South Road Office MUPD) (Control 2003-00036)

Project Manager: Timothy Haynes
 Size: 9.26 acres ±
 District: 6

BCC

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 a building and square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Recommend approval of a Development Order Amendment, as amended by a vote of 6-0-0.

- Z-2022-01017** Title: an Official Zoning Map Amendment application of Lin Zheng by WGI Inc., Agent. Request: to allow a Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District on 4.77 acres
General Location: Approximately 258 feet south of the Northlake Boulevard and North Bates Road intersection **(North Bates Subdivision)** (Control 2017-00178)

Project Manager: Alex Biray
 Size: 4.77 acres ±
 District: 1

BCC

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 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 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Recommend Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

- ZV/PDD-2021-01531** Title: a Type 2 Variance application of 2154 Zip Code Property LLC by Schmidt Nichols, Agent. Request: to allow the side and rear setback reduction on 8.12 acres
Title: an Official Zoning Map Amendment application of 2154 Zip Code Property LLC by Schmidt Nichols, Agent. Request: to allow a Rezoning from the General Commercial (GC) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 8.12-acres
General Location: East side of Military Trail, approximately 670 feet north of Okeechobee Boulevard. **(Okeechobee Commerce Park)** (Control 1994-00038)

Project Manager: Brenya Martinez
 Size: 8.12 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 allow the side and rear setback reduction, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Approved a Type 2 Variance with conditions by a vote of 6-0-0.

MOTION: To recommend approval of an Official Zoning Amendment Request to allow a Rezoning from the General Commercial (GC) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 6-0-0

Sowards	Caliendo	Scarborough	Burke	Kern	Beatty	Brumfield	Kelley	Pavlik
		Moved				Second		
Present	Absent	Present	Present	Absent	Present	Present	Absent	Present

Board Decision: Recommend Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

No request to pull items from consent

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

5. Title: 2023 Zoning Hearing Calendar

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT