



**THURSDAY NOVEMBER 5, 2020**  
**MINUTES**

**CALL TO ORDER**

- A. Roll Call: **9:00 AM**
  - Commissioner Sheri Scarborough, Chair Present
  - Commissioner Amir Kanel Present
  - Commissioner John Kern Present
  - Commissioner Michael Kelley Absent
  - Commissioner Marcelle Griffith Burke Present
  - Commissioner Mark Beatty Present
  - Commissioner Alex Brumfield Present
  - Commissioner Jess Sowards Present

Motion to allow Webex Attendance

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
		Second		Moved				
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Approved by a vote of 6-0-0.**

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

Motion to receive and file 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Moved	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Approved by a vote of 6-0-0.**

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

Motion to receive and file 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Moved			Second	
Yes	Yes	Absent	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Approved by a vote of 6-0-0.**

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

H. Amendments to the Agenda

Motion to reorder Agenda number 8 to be heard prior to number 7 approved 6-0.

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Moved			Second	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Approved by a vote of 6-0-0.**

I. Motion to adopt the Agenda

Motion to receive and file 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Moved			Second	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Approved by a vote of 6-0-0.**

J. Disclosures

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
1,7	Absent	4	N/A	7, emails	0	0	7	0

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

**5. ZV-2020-00825** Title: a Type 2 Variance application of HRY Development LLC. by Schmidt Nichols, Agent. Request: to eliminate a Right-of-Way Buffer; and, to reduce the front and side street setbacks.

General Location: North side of Bowman Road approximately 670 feet east of South Haverhill Road. **(Hankin Townhomes)** (Control 2019-00176)

Pages 110 - 132  
 Conditions of Approval Pages (114 - 114)  
 Project Manager: Brenya Martinez  
 Size: 1.41 acres ±

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

**MOTION:** To postpone to Thursday, December 3, 2020.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
		Second		Motion				
Yes	Yes	Absent	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Postponed to December 3, 2020 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**
- B. MOVE FROM REGULAR TO CONSENT**
- C. STATUS REPORTS**
- D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- E. ZONING APPLICATIONS – NEW**

1. **W-2020-00790** Title: a Type 2 Waiver application of Mattamy Palm Beach, LLC by AJ Entitlements & Planning LLC, Agent. Request: to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use.

General Location: Southwest corner of Lake Worth Road and Polo Road. **(Polo Legacy MXPD)**  
(Control 2007-00096)

Pages 1 - 19

Conditions of Approval Pages (5 - 5)

Project Manager: Meredith Leigh

Size: 38.54 acres ±

BCC District: 6

(affected area 2.89 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 Type 2 Waiver to allow 24 Hour Operations for a Non-Residential Use located within 250 feet of a parcel of land with a Residential Future Land Use designation or Use, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: To recommend approval of a Type 2 Waiver by a vote of 6-0-0.**

2. **Z-2020-00909** Title: an Official Zoning Map Amendment application of Betty Kaylor, Gregory Rice by Brandenburg & Associates P.A., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: South side of Belvedere Road, approximately 0.15 miles east of Jog Road.  
**(Rice Project)** (Control 2020-00060)

Pages 20 - 31

Conditions of Approval Pages (24 - 24)

Project Manager: Meredith Leigh

Size: 2.08 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ) and 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) Zoning District to the Single Family Residential (RS) Zoning District, subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: To recommend approval of a Zoning Map Amendment by a vote of 6-0-0.**

3. **ZV-2020-01294** Title: a Type 2 Variance application of Eastpointe Homeowners Assn, Inc., Eastpointe Country Club, Inc., Northern Palm Beach County Improvement District, EPBG, LLC by Urban Design Studio, Agent. Request: to increase the height of a wall within a rear setback for a residential use.

General Location: Southwest corner of Cross Pointe Drive and Donald Ross Road (within the East Pointe Country Club, which is bounded by Donald Ross Road, Hood Road, Florida's Turnpike, and Jog Road). **(Eastpointe Country Club Plat 15 Variance)** (Control 1980-00028)

Pages 32 - 70

Conditions of Approval Pages (36 - 36)

Project Manager: Brenya Martinez

Size: 58.81 acres ±

BCC District: 1

(affected area 18.19 acres ±)

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 increase the height of a wall within a rear setback for a residential use, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: To recommend approval of a Type 2 Variance by a vote of 6-0-0.**

4. **ZV/CAW-2020-00276** Title: a Type 2 Variance application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to reduce the front setback; and eliminate a Right-of-Way Buffer, and Compatibility Buffer.

Title: a Class A Conditional Use application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to allow an Electric Transmission Substation.

Title: a Type 2 Waiver application of Azeeman Abraham, Florida Power and Light by Cotleur & Hearing Inc., Agent. Request: to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer.

General Location: West side of U.S. Highway 27 approximately 1 mile south of U.S. 441/State Road 80 and immediately adjacent to the southernmost boundary of the City of South Bay. **(South Bay Substation)** (Control 2017-00163)

Pages 71 - 109

Conditions of Approval Pages (81 - 84)

Project Manager: Brenya Martinez

Size: 19.81 acres ±

BCC District: 6

(affected area 19.81 acres +)

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibits C-1, C-2 and C-3.

**MOTION:** To adopt a Resolution approving a Type 2 Variance to reduce the front setback; and, eliminate a Right-of-Way Buffer, and Compatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Type 2 Variance by a vote of 6-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Electric Transmission Substation, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Class A Conditional Use by a vote of 6-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high opaque hedge in a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Type 2 Waiver by a vote of 6-0-0.**

- 5. **ZV-2020-00825** Title: a Type 2 Variance application of HRY Development LLC. by Schmidt Nichols, Agent. Request: to eliminate a Right-of-Way Buffer; and, to reduce the front and side street setbacks.

General Location: North side of Bowman Road approximately 670 feet east of South Haverhill Road. **(Hankin Townhomes)** (Control 2019-00176)

Pages 110 - 132

Conditions of Approval Pages (114 - 114)

Project Manager: Brenya Martinez

Size: 1.41 acres ±

BCC District: 2

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 eliminate a Right-of-Way Buffer; and, to reduce the front and side street setbacks, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Type 2 Variance by a vote of 6-0-0.**

6. **ABN/PDD/W-2020-00433** Title: a Development Order Abandonment application of 8475 LWR LLC by Insite Studio, Agent. Request: to abandon a Class A Conditional use to allow a General Day Care.

Title: an Official Zoning Map Amendment application of 8475 LWR LLC by Insite Studio, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District.

Title: a Type 2 Waiver application of 8475 LWR LLC by Insite Studio, Agent. Request: to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer.

General Location: Northeast corner of Lake Worth Road and Blanchette Trail. **(The Quartet MUPD)** (Control 2005-00001)

Pages 133 - 152

Conditions of Approval Pages (140 - 143)

Project Manager: Ryan Vandenburg

Size: 1.60 acres ±

BCC District: 6

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 recommend approval of an Official Zoning Map Amendment from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) District, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Zoning Map Amendment by a vote of 6-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to substitute a six foot high opaque wall with a six foot high fence within a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-2

Motion carried 6-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Absent	Yes	Yes	Yes

**Board Decision: Recommend approval of a Type 2 Waiver by a vote of 6-0-0.**

**F. CORRECTIVE RESOLUTIONS**

**G. ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

7. **CA-2019-01969** Title: a Class A Conditional Use application of Solid Waste Authority of Palm Beach County, Horizon 880 LLC by Land Research Management Inc., Agent. Request: to allow an Equestrian Waste Management Facility.

General Location: East side of Benoist Farms Road, approximately 0.3 miles north of Southern Blvd. **(Horizon 880-HPAB)** (Control 1994-00010)

Pages 153 - 173

Conditions of Approval Pages (159 - 160) Project

Manager: Ryan Vandenburg

Size: 5.25 acres ± BCC District: 2

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 an Equestrian Waste Management Facility, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
		Second					Motion	
Yes	Absent	Yes	N/A	Yes	Yes	Yes	Yes	Yes

**Board Decision: Recommended Approval of a Class C Amendment (with conditions, as amended) by a vote of 7-0-0.**

**D. ZONING APPLICATIONS – NEW**

8. **ZV-2020-00723** Title: a Type 2 Variance application of Soapy Shark Car Wash, LLC, Jaha Boca, LLC by Shutts and Bowen LLP, Agent. Request: to reduce minimum lot depth, building frontage, width of a divider median, and width of the Right-of-Way (R-O-W) buffer; and, to eliminate the principal entrance from the street used as the primary frontage for the building, and foundation planting

General Location: Southwest corner of Okeechobee Boulevard and Manor Avenue, approximately 300 feet east of Congress Ave. **(Soapy Shark)** (Control 1996-00026)

Pages 174 - 201

Conditions of Approval Pages (180 - 180)

Project Manager: Ryan Vandenburg

Size: 1.20 acres + BCC District: 2

Staff Recommendation: Staff recommends approval of Variances V.1, V.2, V.3, and V.5, subject to the Conditions of Approval as indicated in Exhibit C. Staff recommends denial of Variances V.4 and V.6.

**MOTION:** To adopt a Resolution for a Type 2 Variance to reduce minimum lot depth, building frontage, and width of the Right-of-Way (R-O-W) buffer; and, to eliminate the principal entrance from the street used as the primary frontage for the building, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Scarborough	Kelley	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
-------------	--------	-------	--------	------	-------	-----------	--------	---------

				Second			Motion	
Yes	Absent	Yes	N/A	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approve Type 2 Variance by a vote of 7-0-0.**

**MOTION:** To approve a Type 2 Variance to reduce the width of a divider median; and, eliminate foundation planting

Motion carried 8-0

Scarborough	Kelley	Vacant	Kanel	Vacant	Kern	Burke	Brumfield	Beatty	Sowards
					Second			Motion	
Yes	Absent	N/A	Yes	N/A	Yes	Yes	Yes	Yes	Yes

**Board Decision: Approve a Type 2 Variance by a vote of 7-0-0.**

**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 12:00 pm**