



Zoning Commission
ZONING HEARING

AMENDMENTS TO THE AGENDA
September 2, 2021

<u>AGENDA</u> <u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
CONSENT AGENDA			
D. ZONING APPLICATIONS – NEW			
3.	(Agenda Page 4)	ABN/DOA/CA-2021-00442 (1997-00078)	Temple Shaarei Shalom
MOVE Item #3 to Regular Agenda.			
REGULAR AGENDA			
D. ZONING APPLICATIONS – NEW			
4.	(85)	ZV/Z-2021-00100 (2021-00019)	W.E. Schlechter & Sons
AMEND Engineering Condition 2 to read as follows:			
2. The Property Owner shall record a 20 foot drainage easement over the existing ditch <u>within their property as shown on the Zoning plan along the west property line, as approved by the County Engineer.</u> The easement shall be approved by Land Development prior to recordation and be recorded by the Property Owner prior to the issuance of the first building permit. (BLDGPMT: MONITORING - Engineering)			
5.	(130)	PDD-2021-00631 (2021-00031)	Whitworth AGR-PUD
DELETE Site Design Condition of Approval Number 1 of Exhibit C:			
1. Prior to final Development Review Officer approval, the Applicant shall modify the Master Plan to include a Neighborhood Park per Art. 3.E.2.B.2.c. Neighborhood Park. (DRO: ZONING – Zoning).			
ADD Property Real-Estate Management Condition of Approval Number 1 of Exhibit C:			
<u>1. The Property Owner will be required to cash out the civic site subject to Board of County Commissioners approval. If approved, payment will be made 30 days of first plat recordation. If the civic site is not cashed out, a civic site that is acceptable to Palm Beach County Facilities, Development & Operations Department will be required. (DRO: PROPERTY REAL ESTATE MANAGEMENT - Property Real Estate Management)</u>			
6.	(177)	DOA-2020-00761 (1970-00009)	Forest Oaks Residential

AMEND Engineering Condition 2 to read as follows:

2. The Property Owner shall construct

~~i) Right turn lane west approach on Lake Worth Rd at Lucerne Lakes Blvd to the County/FDOT standards or as approved by the County/FDOT ii) j) Extension of left turn lane east approach on Lake Worth Rd at Lucerne Lakes Blvd to County/FDOT standards or as approved by the County/FDOT~~

AMEND Engineering Condition 4 to read as follows:

4. The Property Owner shall construct a left turn lane....

a. Permits required from Palm Beach County for

b. Construction shall be completed prior to

c. If Columbia Drive cannot be used for project traffic, then Engineering condition 4 will be deemed complete. (ONGOING: ENGINEERING – Engineering)



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

THURSDAY, SEPTEMBER 2, 2021

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication
- F. Adoption of the Minutes
- G. Swearing In
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusal

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

SEPTEMBER 2, 2021

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N Jog Rd, West Palm Beach, 33411, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. The Board of County Commissioners of Palm Beach County will conduct a public hearing in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Wednesday, September 29, 2021 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.
- D. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

Public comment is encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.
- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusal

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 1. [CA-2021-00114](#) Title: a Class A Conditional Use application of Bachrodt Riviera Property LLC by Schmidt Nichols, Agent. Request: to allow Heavy Vehicle or Equipment Sales and Rental.

General Location: Northeast corner of Byron Drive, approximately 225 feet west of Enterprise Drive. (**Bachrodt Truck Sales & Service**) (Control 2017-00124)

Pages 1 - 16

Conditions of Approval Pages (6 - 7)

Project Manager: Timothy Haynes

Size: 2.87 acres ±

BCC District: 7

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

MOTION: To recommend approval of a Class A Conditional Use to allow Heavy Vehicle or Equipment Sales and Rental, subject to the Conditions of Approval as indicated in Exhibit C.

- 2. [ABN/CB-2020-01702](#) Title: a Development Order Abandonment application of Westgate Centre LLC by Dunay Miskel and Backman LLP, Agent. Request: to abandon a Class A Conditional use for an office/warehouse in the General Commercial Zoning District.

Title: a Class B Conditional Use application of Westgate Centre LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow Limited-Access Self-Service Storage.

General Location: South side of Westgate Avenue, approximately 0.25 miles east of Military Trail. (**Museo Vault**) (Control 2003-00096)

Pages 17 - 40

Conditions of Approval Pages (23 - 24)

Project Manager: Timothy Haynes

Size: 1.43 acres ±

BCC District: 7

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

MOTION: To recommend approval of a Development Order Abandonment to abandon a Class A Conditional Use for a office/warehouse in the General Commercial zoning district.

MOTION: To adopt a Resolution approving a Class B Conditional Use to allow Limited-Access Self-Service Storage, subject to the Conditions of Approval as indicated in Exhibit C.

3. [ABN/DOA/CA-2021-00442](#) Title: a Development Order Abandonment application of Temple Shaarei Shalom, Inc. by Land Research Management Inc., Agent. Request: to abandon the Type 2 Variance for a reduction in required parking.
Title: a Development Order Amendment application of Temple Shaarei Shalom, Inc. by Land Research Management Inc., Agent. Request: to modify the Master Plan; and, to add uses.
Title: a Class A Conditional Use application of Temple Shaarei Shalom, Inc. by Land Research Management Inc., Agent. Request: to allow a Elementary or Secondary School (Private); and, to allow a General Daycare.
General Location: West side of Hagen Ranch Road, approximately 0.3 miles south of Gateway Boulevard. **(Temple Shaarei Shalom)** (Control 1997-00078)

Pages 41 - 76

Conditions of Approval Pages (46 - 60)

Project Manager: Donna Adelsperger

Size: 247.43 acres ±

BCC District: 3

(affected area 4.41 acres ±)

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 Development Order Abandonment to abandon the Type 2 Zoning Variance that allowed for a reduction in required parking.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; and to add uses, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval for a Class A Conditional Use to allow a Elementary or Secondary School (Private), subject to the Conditions of Approval as indicated in Exhibit C-2.

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

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

4. [ZV/Z-2021-00100](#) Title: a Type 2 Variance application of Eleanor Schlechter, J O Schlechter by Schmidt Nichols, Agent. Request: to eliminate the required number of trees within the Right-of-Way Buffer.

Title: an Official Zoning Map Amendment application of Eleanor Schlechter, J O Schlechter by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District.

General Location: East side of State Road 715, approximately 0.33 miles north of NW Avenue P. **(W.E. Schlechter & Sons)** (Control 2021-00019)

Pages 77 - 118

Conditions of Approval Pages (84 - 85)

Project Manager: Brenya Martinez

Size: 40.00 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the Type 2 Variance. Should the Zoning Commission move to recommend approval of the request, Staff recommends Conditions of Approval as indicated in Exhibit C-1.

Staff recommends approval of the Official Zoning Map Amendment with Conditional Overlay Zone, subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution denying a Type 2 Variance request to eliminate the required number of trees within the Right-of-Way Buffer.

MOTION: To recommend approval of an Official Zoning Map Amendment with a Conditional Overlay Zone, to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

5. [PDD-2021-00631](#) Title: an Official Zoning Map Amendment application of John Whitworth, G.L. Acquisitions Corporation - Gladys DiGirolamo by G.L. Homes, Agent. Request: to allow a rezoning from Agricultural Reserve (AGR) District to Agricultural Reserve-Planned Unit Development (AGR-PUD) District.

General Location: West side of Lyons Road, approximately 1 mile south of Boynton Beach Boulevard. **(Whitworth AGR-PUD)** (Control 2021-00031)

Pages 119 - 160

Conditions of Approval Pages (126 - 130)

Project Manager: Timothy Haynes

Size: 362.71 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 an Official Zoning Map Amendment to allow a rezoning from Agricultural Reserve (AGR) District to Agricultural Reserve-Planned Unit Development (AGR-PUD) District, subject to the Conditions of Approval as indicated in Exhibit C.

- 6. [DOA-2020-00761](#) Title: a Development Order Amendment application of Grillo Golf Management LLC, Mattamy Homes by Design and Entitlement Consultants LLC., Agent. Request: to modify the Master Plan; add units; and, add access points.
General Location: South side of Lake Worth Road, approximately 0.75 miles east of Florida Turnpike. Affected area includes all existing Golf Course lands within the Lucerne Lakes PUD. **(Forest Oaks Residential)** (Control 1970-00009)

Pages 161 - 392

Conditions of Approval Pages (177 - 181)

Project Manager: Ryan Vandenburg

Size: 273.50 acres ±

BCC District: 2

(affected area 79.01 acres ±)

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

MOTION: to recommend approval of a Development Order Amendment to modify the Master Plan; add units; and, add access points, subject to the Conditions of Approval as indicated in Exhibit C.

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