



THURSDAY, SEPTEMBER 2, 2021

MINUTES

CALL TO ORDER

A. Roll Call 9:00 AM

| | |
|--|---------|
| Commissioner John Kern, Chair | Present |
| Commissioner Marcelle Griffith Burke, Vice Chair | Present |
| Commissioner Cheri Pavlik | Present |
| Commissioner Michael Kelley | Present |
| Commissioner Sam Caliendo | Present |
| Commissioner Sheri Scarborough | Present |
| Commissioner Alex Brumfield | Present |
| Commissioner Mark Beatty | Absent |
| 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 8-0-0

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

F. Adoption of the Minutes

Motion to receive and file, approved by a vote of 8-0-0

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

G. Swearing In

H. Amendments to the Agenda

Motion to receive and file, approved by a vote of 8-0-0

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

I. Motion to adopt the Agenda

Motion to receive and file, approved by a vote of 8-0-0

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

J. Disclosures

| Kern | Burke | Pavlik | Kelley | Caliendo | Scarborough | Brumfield | Beatty | Sowards |
|------|-------|--------|--------|----------|-------------|-----------|--------|---------|
| 2,6 | 3,6 | 6 | None | 2 | 2,6 | None | Absent | None |

K. Conflicts/Recusal

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

Motion to Approve the Consent Agenda, excluding item 3, carried by a vote of 8-0-0

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

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 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.

Motion carried by a vote of 8-0-0

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

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

- 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 carried by a vote of 8-0-0

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

| | | | | | | | | |
|-----|--------|-----|-----|-------|-----|-----|--------|-----|
| | Second | | | Moved | | | | |
| Yes | Yes | Yes | Yes | Yes | Yes | Yes | Absent | Yes |

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 8-0-0.

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.

Motion carried by a vote of 8-0-0

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

Board Decision: Adopted a Class B Conditional Use (with conditions) by a vote of 8-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

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 carried by a vote of 8-0-0

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

Board Decision: Adopted a Development Order Abandonment by a vote of 8-0-0.

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 carried by a vote of 8-0-0

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

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

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 carried by a vote of 8-0-0

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

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

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.

Motion carried by a vote of 8-0-0

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

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

Motion to receive and file photos, carried by a vote of 8-0-0

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

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 carried by a vote of 8-0-0

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

Board Decision: Denied a Type 2 Variance by a vote of 8-0-0.

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.

Motion carried by a vote of 8-0-0

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

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

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.

Motion carried by a vote of 7-0-0

| | | | | | | | | |
|------|-------|--------|-----------------|----------|-------------|-----------|--------|---------|
| Kern | Burke | Pavlik | Kelley | Caliendo | Scarborough | Brumfield | Beatty | Sowards |
| | | | | Second | | Moved | | |
| Yes | Yes | Yes | Absent for Vote | Yes | Yes | Yes | Absent | Yes |

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

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 recess at 12:36 PM, carried by a vote of 7-0-0

| | | | | | | | | |
|------|-------|--------|-----------------|----------|-------------|-----------|--------|---------|
| Kern | Burke | Pavlik | Kelley | Caliendo | Scarborough | Brumfield | Beatty | Sowards |
| | | | | | Second | Moved | | |
| Yes | Yes | Yes | Absent for Vote | Yes | Yes | Yes | Absent | Yes |

Reconvened at 12:56 PM

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.

Motion carried, as amended, by a vote of 6-1-0

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

| | | | | | | | | |
|-----|-----|-----|--------------------|-------|--------|-----|--------|----|
| | | | | Moved | Second | | | |
| Yes | Yes | Yes | Absent for Vote | Yes | Yes | Yes | Absent | No |

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 6-1-0.

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 2:34 PM