

The Daycare shall be limited to 100 children and a total gross enclosed floor area of 4,050 square feet. (ONGOING: ZONING - Zoning)

RENUMBER Building and Site Design Condition 4 of Exhibit C-2, found on page 9, to Building and Site Design Condition 3:

7. (1-9) Z-2021-02124 Las Farms Landscape
(1995-50007)

DELETE Use Limitation Condition 1 of Exhibit C, found on page 5, as Planning Conditions 1 and 2 cover limitations on uses based on the Future Land Use modification.

REGULAR AGENDA

D. ZONING APPLICATIONS – NEW

9. (1-116) ZV/ABN/DOA-2021-01529 Portman Industrial MUPD
(1997-00034)

AMEND The Type 2 Variance request found on page 6 of the Agenda and page 1 of the Staff report, to read as follows:

TITLE: a Type 2 Variance **REQUEST:** to eliminate cross access, a Compatibility Buffer, Right-of-Way Buffer, loading area and outdoor storage screening.

AMEND The Type 2 Variance Summary to include the correct ULDC references, as follows:

TYPE 2 VARIANCE SUMMARY:

#	ULDC Article	Required	Proposed	Variance
....
V.4A	7.BC.2.B.3. Compatibility Buffer [Width]	The minimum width of a Compatibility Buffer is eight feet.	To eliminate the compatibility buffer on the internal west property line where adjacent to on site wetlands or PCN 00-40-41-11-00-000-5070.	-8 feet
V.4B	7.BC.2.B.3. Compatibility Buffer [Width]	The minimum width of a Compatibility Buffer is eight feet.	To eliminate the compatibility buffer along the northwest property line where adjacent to Pine glades natural Area and on-site wetlands.	-8 feet
....

AMEND Engineering Condition 6 of Exhibit C-2, found on page 17, to read as follows:

....
Is hereby amended to read:

The Property Owner shall provide to the Florida Department of Transportation (FDOT), a road right of way deed and all associated documents as required by FDOT for Beeline Highway, up to 240 feet, measured from the existing south right-of-way line of Beeline Highway on an alignment approved by the FDOT and the County Engineer along the entire frontage, less the property described for PCN 00-40-41-11-00-00-5090.

All right of way deed(s) and....

10. (1-81) SV/PDD/CA-2021-00460 All Seasons Delray Beach
(2012-00424)

REPLACE Engineering Condition 8 of Exhibit C-2, found on page 12, to read as follows:

8. ~~Prior to the issuance of the first building permit, the Property Owner shall provide compensating storage for the loss of storage in the north right of way of Linton Boulevard due to the proposed driveway connection~~
Compensating storage shall be provided for any loss of storage due to the proposed driveway on Linton Boulevard within the County right-of-way. During the review of the right-of-way permit, if the proposed driveway does not reduce he designed storage for Lyons Road and Linton Boulevard, then this condition can be marked complete.

- a. Permits required from Palm Beach County for this construction shall be obtained within 60 days of the first building permit. (ONGOING: MONITORING-Eng)
- b. Construction shall be completed prior to issuance of the first Certificate of Occupancy. (CO: MONITORING – Eng)

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

THURSDAY APRIL 7, 2022

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. Swearing In
- G. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

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

APRIL 7, 2022

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 Thursday, April 28, 2022 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. Swearing In - County Attorney
- G. Adoption of the Minutes
- H. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. [ZV/ABN/CA-2021-00797](#) Title: a Type 2 Variance application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow the increase in an easement overlap from 5 feet to 10 feet on a 20-foot right-of-way buffer
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 - 1

Project Manager: James Borsos

Size: 0.93 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, May 5, 2022.

MOTION: No motion required.

- 2. [ZV-2021-01937](#) 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 and the outdoor storage area
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 - 23

Conditions of Approval Pages (5 - 5)

Project Manager: Donna Adelsperger

Size: 4.90 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday, May 5, 2022.

MOTION: No motion required.

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

- 3. [ABN/PDD-2021-01322](#) Title: a Development Order Abandonment application of Butters SA, LLC. - Malcolm Butters, Southeast Investments of Palm Beach County, Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to abandon a Conditional Overlay Zone (COZ) granted pursuant to Resolution R-2020-0056
Title: an Official Zoning Map Amendment application of Butters SA, LLC. - Malcolm Butters, Southeast Investments of Palm Beach County, Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
General Location: Southeast corner of Atlantic Avenue and US 441/SR 7 (**Mountain Business Center MUPD**) (Control 2003-00830)

Pages 1 - 22

Conditions of Approval Pages (6 - 8)

Project Manager: Donna Adelsperger

Size: 14.22 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment subject to the Conditions of Approval in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

- 4. [DOA/CA-2021-01577](#) Title: a Development Order Amendment application of Central Baptist Church of WPB FL, Inc. by Land Research Management Inc., Agent. Request: to modify the Site Plan and Conditions of Approval, and to delete square footage
Title: a Class A Conditional Use application of Central Baptist Church of WPB FL, Inc. by Land Research Management Inc., Agent. Request: to allow an Elementary or Secondary School (Private)
General Location: South side of Gun Club Road, approximately 600 feet east of Military Trail (**Central Baptist Church**) (Control 2004-00325)

Pages 1 - 18

Conditions of Approval Pages (6 - 9)

Project Manager: James Borsos

Size: 4.43 acres ±

BCC District: 3

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 a Development Order Amendment to modify the Site Plan and Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

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

5. [DOA-2021-01031](#) Title: a Development Order Amendment application of Chabad Lubavitch of Boynton, Inc. by Land Research Management Inc., Agent. Request: to modify the site plan, uses, and Conditions of Approval (Place of Worship)
Title: a Development Order Amendment application of Chabad Lubavitch of Boynton, Inc. by Land Research Management Inc., Agent. Request: to modify the site plan, uses, and Conditions of Approval (Day Care)
General Location: West side of El Clair Ranch Road, approximately 0.3 miles north of Woolbright Road (**Chabad Lubavitch Temple**) (Control 1997-00068)

Pages 1 - 22

Conditions of Approval Pages (5 - 12)

Project Manager: James Borsos

Size: 2.37 acres ±

BCC District: 5

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 a Development Order Amendment to modify the site plan, uses, and Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to modify the site plan, uses, and Conditions of Approval (Day Care) subject to the Conditions of Approval as indicated in Exhibit C-2.

6. [DOA/CA-2021-01576](#) Title: a Development Order Amendment application of Melrose Center Boynton LLC by WGINC, Agent. Request: to modify the Site Plan and Master Plan; add square footage, and uses; and, delete a Condition of Approval
Title: a Class A Conditional Use application of Melrose Center Boynton LLC by WGINC, Agent. Request: to allow a Type 1 Restaurant with drive-through
General Location: Northeast corner of State Road 7/US 441 and Armone Place (**Melrose PUD Commercial**) (Control 1982-00040)

Pages 1 - 29

Conditions of Approval Pages (6 - 18)

Project Manager: Imene Haddad

Size: 4.94 acres ±

BCC District: 5

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 a Development Order Amendment to modify the Site Plan and Regulating plan, add square footage, add uses; and, delete a Condition of Approval subject to the Conditions of Approval as indicated in Exhibit C-1.

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.

- 7. [Z-2021-02124](#) Title: an Official Zoning Map Amendment application of Las Farms Of The Palm Beaches LC by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Light Industrial (IL) Zoning District

General Location: West of State Road 7, approximately 0.5 miles north of Boynton Beach Blvd (**Las Farms Landscape**) (Control 1995-50007)

Pages 1 - 9

Conditions of Approval Pages (5 - 5)

Project Manager: Jordan Jafar

Size: 6.95 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C.

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

- 8. [SV/DOA-2021-00921](#) Title: a Subdivision Variance application of Duke Realty LP - Richard Swindasz, Duke Realty Land LLC by Schmidt Nichols, Agent. Request: to allow access from a road with a higher classification (Benoist Farms Road) rather than from the lower classification (Stinson Way)

Title: a Development Order Amendment application of Duke Realty LP - Richard Swindasz, Duke Realty Land LLC by Schmidt Nichols, Agent. Request: to add land area and square footage and to modify the site plan and Conditions of Approval

General Location: West side of Benoist Farms Road, approximately 0.12 miles south of Belvedere Road (**Palm Beach Logistics Center**) (Control 1988-00019)

Pages 1 - 49

Conditions of Approval Pages (9 - 13)

Project Manager: Timothy Haynes

Size: 23.99 acres ±

BCC District: 2

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 Subdivision Variance to allow access from a road with a higher classification (Benoist Farms Road) rather than from the lower classification (Stinson Way) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to modify site plan; to add land area; modify the use; and, modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

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**

9. [ZV/ABN/DOA-2021-01529](#) Title: a Type 2 Variance application of Gilco 1 Racing, LLC, Gilco 1 Racing LLC, Palm Beach Owner, LLC by Urban Design Studio, Agent. Request: to eliminate cross access, a Compatibility Buffer, Right-of-Way Buffer
- Title: a Development Order Abandonment application of Gilco 1 Racing, LLC, Gilco 1 Racing LLC, Palm Beach Owner, LLC by Urban Design Studio, Agent. Request: to abandon Requested Uses for an Arena, Auditorium or Stadium, Indoor/Outdoor Entertainment, Auto Paint and Body, Convenience Store with Gas Sales, Manufacturing and Processing, and Vehicles Sales and Rental, an Electronic Message Center and the Alternative Sign Plan
- Title: a Development Order Amendment application of Gilco 1 Racing, LLC, Gilco 1 Racing LLC, Palm Beach Owner, LLC by Urban Design Studio, Agent. Request: to reconfigure the site plan; delete and modify uses; and, modify Conditions of Approval
- Title: a Development Order Amendment application of Gilco 1 Racing, LLC, Gilco 1 Racing LLC, Palm Beach Owner, LLC by Urban Design Studio, Agent. Request: to modify uses
- General Location: North side of Bee Line Highway, approximately 1 mile west of Pratt Whitney Road (**Portman Industrial MUPD**) (Control 1997-00034)

Pages 1 - 116

Conditions of Approval Pages (14 - 23)

Project Manager: Timothy Haynes

Size: 186.53 acres \pm

BCC District: 1

(affected area 186.38 acres \pm)

Staff Recommendation: RECOMMENDATION: Staff recommends approval of the requests, subject to the Conditions of Approval as indicated in Exhibit C-1 (Type 2 Variance), Exhibit C-2 (Development Order Amendment - MUPD); and Exhibit C-3 (Development Order Amendment - Requested Uses).

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan; delete and modify uses; and modify Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to modify uses subject to the Conditions of Approval as indicated in Exhibit C-3.

- 10. [SV/PDD/CA-2021-00460](#) Title: a Subdivision Variance application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow access from an individual lot to be permitted directly to a major street (Lyons Road)
Title: an Official Zoning Map Amendment application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
Title: a Class A Conditional Use application of Greg Jacob, All Seasons of Delray Beach LLC - Peter L Odorico by WGINC, Agent. Request: to allow a Congregate Living Facility (CLF)
General Location: East side of Lyons Road, approximately 0.76 miles north of Linton Boulevard (**All Seasons Delray Beach**) (Control 2012-00424)

Pages 1 - 81

Conditions of Approval Pages (10 - 15)

Project Manager: Timothy Haynes

Size: 14.73 acres ±

BCC District: 5

(affected area 9.73 acres ±)

Staff Recommendation: Staff is recommending 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 Subdivision Variance to allow access from individual lot to be permitted directly to a major street (Lyons Road).

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserved (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Congregate Living Facility (CLF) subject to the Conditions of Approval as indicated in Exhibit C-2.

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