



ZONING COMMISSION MEETING
Minutes for Thursday, August 3, 2023

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Jess Sowards, Chair	Present
Commissioner Cheri Pavlik, Vice Chair	Present
Commissioner John Kern	Present
Commissioner Michael Kelley	Absent
Commissioner Glenn Gromann	Present
Commissioner Sheri Scarborough	Absent
Commissioner Lisa Reves	Present
Commissioner Alex Brumfield	Present arrived 9:07
Commissioner Mark Beatty	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 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

F. Swearing In

G. **Approval of the Minutes**

Motion to approve the Minutes by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

H. **Amendments to the Agenda**

Wendy Hernández, Deputy Zoning Director, read into the record the Amendments to the Agenda.

Motion to adopt the Agenda as Amended by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Motion	Second			
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

I. Disclosures for All Items on Agenda

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Item 7		Item 1					Item 6,7
N/A		Absent		N/A	N/A	N/A	Absent	

J. Conflicts/Recusals

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
N/A	N/A	Absent	2	2	2,5,6,7	N/A	Absent	N/A

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS / REMANDS

1. [DOA-2022-1119](#) [Southampton PUD](#) (Control 1973-00215)

Zoning Application of Southampton A Condominium Association, Inc., KL Reflection Bay LLC, Southampton B Condominium Association, Inc., Southampton C Condominium Association, Inc., Benenson Capital Co by WGINC, Agent.

Location: Southeast corner of Century Road and Haverhill Road, approximately 630 feet north of Okeechobee Boulevard

a. Title: a Development Order Amendment **Request:** to modify the Master and Site Plans; add land area, units, and access points; and to modify Conditions of Approval on 80.98 acres

Project Manager: Imene Haddad

BCC District: 2

MOTION: No motion require for item 1.a. Administratively postponed to September 7, 2023.

B. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. Requests To Pull Items From Consent

B. Zoning Applications

2. [ABN/Z-2023-00330](#) [Palm Beach County Fire Station No. 24](#) (Control 1990-00023)

Zoning Application of Palm Beach County by Gentile Glas Holloway O'Mahoney & Assoc. Inc., Palm Beach County, Agent.

Location: Southwest corner of Westgate Avenue and Seminole Avenue.

Project Manager: Larry D'Amato

BCC District: 7

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

a. Title: a Development Order Abandonment **Request:** to abandon a Special Exception for a Vehicle Sales and Rental use on 0.60 acres

MOTION: No motion required for item 2.a

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Neighborhood Commercial (CN) and the General Commercial (CG) Zoning District to the Public Ownership (PO) Zoning District on 1.35 acres

MOTION: To recommend approval of item 2.b

Motion carried by a vote of 4-0-3

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Absent	Recusal	Recusal	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 2.b., by a vote of 4-0-3

3. [DOA-2022-01120 441 Lantana Storage](#) (Control 2002-00027)

Zoning Application of 441 Lantana Storage Limited Partnership by Schmidt Nichols, Agent.

Location West side of State Road 7/US 441 approximately 800 feet north of Lantana Road

Project Manager: Jordan Jafar

BCC District: 6

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

a. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan; add square footage; and modify Conditions of Approval on 12.63 acres

MOTION: To recommend approval of item 3.a.

Motion carried by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

Decision: To recommend approval of item 3.a., by a vote of 7-0-0

4. [SV/ZV/ABN/DOA/W-2022-01312 Posh Hospitality No 3](#) (Control 1977-00031)

Zoning Application of Restoration Property Holdings Inc., Posh Hospitality No. 3, Congress Avenue LLC by Dunay, Miskel and Backman, LLP, Agent.

Location: Southeast corner of Kentucky Street and South Congress Avenue

Project Manager: Jerome Ottey

BCC District: 3

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

a. **Title:** a Type 2 Variance **Request:** to eliminate access on an arterial/collector street; to reduce the lot size, width, frontage, front and side street setbacks; and number of parking on 2.78 acres

MOTION: To adopt a resolution approving item 4.a

Motion carried by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

Decision: To adopt a resolution approval of item 4.a., by a vote of 7-0-0

b. **Title:** a Development Order Abandonment **Request:** to abandon a Hotel use on 2.48 acres

MOTION: No motion required for item 4.b

c. **Title:** a Development Order Amendment **Request** to reconfigure the Site Plan, add land area and access points; and to delete square footage on 2.78 acres

MOTION: To recommend approval of item 4.c

Motion carried by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

Decision: To recommend approval of item 4.c., by a vote of 7-0-0

- d. **Title:** a Type 2 Waiver **Request** to allow an extension of the hours of operation for a Non-Residential use located within 250 feet of a parcel of land with a residential future land use designation or use on 2.78 acres

MOTION: To recommend approval of item 4.d

.Motion carried by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion			Second				
Yes	Yes	Absent	Yes		Yes	Yes	Absent	Yes

Decision: To recommend approval of item 4.d., by a vote of 7-0-0

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. Zoning Applications

5. [PDD-2022-01470 EJKJ Industrial](#) (Control 2022-00076)

Zoning Application of EJKJ Development LLC by JMorton Planning & Landscape Architecture, Agent.

Location: West side of State Road 7, approximately 0.25 mile south of Atlantic Avenue

Project Manager: Carlos Torres

BCC District: 5

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

- a. **Title:** an Official Zoning Map Order Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Deveopment (MUPD) Zoning District on 8.11 acres

MOTION: To recommend approval of item 5.a

1 Comment Card:

The following people submitted cards in support but did not speak: Marty Perry

Motion carried by a vote of 6-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion							Second
Yes	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 5.a., by a vote of 6-0-1

6. [ZV/PDD/CA-2022-01785 BC Commerce](#) (Control 2016-00163)

Zoning Application of Jon Channing, BC Boynton Industrial, LLC, Randall Thorne, Paul Dye by JMorton Planning & Landscape Architecture, Agent.

Location: Northeast corner of Boynton Beach Boulevard and Acme Dairy Road

Project Manager: Carlos Torres

BCC District: 5

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

- a. **Title:** a Type 2 Variance **Request:** to allow a 100 percent buffer overlap within a preserve on 47.21 acres

People who spoke on this application:

Wendy Hernandez- Deputy Director- Spoke on this application
 Quazi Bari Manager- Traffic Engineer - Spoke on this application
 Lisa Amara- Zoning Director-spoke on this application
 Carlos Torres Principal Site Planner- Gave a brief presentation
 Commissioner Sowards- spoke on this application
 Commissioner Gromann- spoke on this application
 Commissioner Pavlik- spoke on this application

6 Comment Cards:

The following people submitted cards in support spoke:
 Dagmar Brahs, Becca Smith, Tim Linkous, Jeffery Zirulnick,
 The following people submitted cards in support did not speak: Sandra Linkous,
 Jim Knight

MOTION: To adopt a resolution approving item 6.a

Motion carried by a vote of 5-1-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Second				Motion
Opposed	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To adopt a resolution approval of item 6.a., by a vote of 5-1-1

b. Title: an Official Zoning Map Order Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Deveopment (MUPD) Zoning District on 47.21 acres

MOTION: To recommend approval of item 6.b

Motion carried by a vote of 5-1-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Second				Motion
Opposed	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 6.b., by a vote of 5-1-1

c. Title: a Class A Conditional Use **Request** to allow a Brewery-Distillery Manufacturing and Processing use with a Taproom on 47.21 acres

MOTION: To recommend approval of item 6.c

Motion carried by a vote of 5-1-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Second				Motion
Opposed	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 6.c., by a vote of 5-1-1

d. Title: a Class A Conditional Use **Request** to allow a Limited Access Self Service Storage on 47.21 acres

MOTION: To recommend approval of item 6.d

Motion carried by a vote of 5-1-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
				Second				Motion
Opposed	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 6.d., by a vote of 5-1-1

7. [ZV/PDD-2022-01755 Logan Ranch Residential](#) (Control 2018-00187)

Zoning Application of Logan Barbara M Trust by JMorton Planning & Landscape Architecture, Agent.

Location: Southeast corner of Boynton Beach Boulevard and Acme Dairy Road.

Project Manager: Matthew Boyd

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the Conditions of Approval as indicated in Exhibit C-1 through C-2.

a. **Title:** a Type 2 Variance **Request:** to allow a 100 percent buffer overlap within a preserve on 39.24 acres

People who spoke on this application:

- Wendy Hernandez- Deputy Director- Spoke on this application
- Quazi Bari Manager- Traffic Engineer - Spoke on this application
- Lisa Amara- Zoning Director- Spoke on this application
- Jennifer Morton Agent of JMorton- Gave a brief presentation
- Matthew Boyd- Project Manager- Gave a brief presentation
- Olive Bailey- Land Development- Spoke on this application
- Commissioner Sowards- Spoke on this application
- Commissioner Kern- Spoke on this application
- Commissioner Pavlik- Spoke on this application
- Commissioner Gromann- Spoke on this application

5 Comment Cards:

The following people submitted cards in support spoke: Jim Knight, Dagmar Brahs, Barbara Roth, Brett Gelsomino,

The following people submitted cards in support did not speak: Jeff Reynolds

MOTION: To adopt a resolution approval of item 7.a

Motion carried by a vote of 6-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Second							Motion
Yes	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To adopt a resolution approval of item 7.a., by a vote of 6-0-1

b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 39.24 acres

MOTION: To recommend approval of item 7.b

Motion carried by a vote of 6-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
Motion								Second
Yes	Yes	Absent	Yes	Yes	Recusal	Yes	Absent	Yes

Decision: To recommend approval of item 7.b., by a vote of 6-0-1

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY

- B. ZONING DIRECTOR
- C. PLANNING DIRECTOR
- D. EXECUTIVE DIRECTOR
- E. COMMISSIONERS

Motion to Adjourn

Motion carried by a vote of 7-0-0

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Second		Motion					
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Yes

ADJOURNMENT 10:44

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