



ZONING COMMISSION HEARING
Minutes for Thursday, May 4, 2023

CALL TO ORDER

A. Roll Call (9:00 AM)

Commissioner Jess Sowards, Chair	Present
Commissioner Cheri Pavlik, Vice Chair	Absent
Commissioner John Kern	Present
Commissioner Michael Kelley	Present
Commissioner Glenn Gromann	Present
Commissioner Sheri Scarborough	Present
Commissioner Lisa Reves	Present
Commissioner Alex Brumfield	Present
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 8-0-0

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

F. Swearing In

G. Approval of the Minutes

Motion to approve the Minutes by a vote of 8-0-0

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

H. Amendments to the Agenda

Assistant County Administrator Patrick Rutter, gave a brief presentation welcoming PZB Interim Executive Director Whitney Carrol into her new role.

Lisa Amara, Zoning Director, read into the record the Amendments to the Agenda for:

Item # 2 Lake Worth Crossing MUPD, Staff received a request for postponement. The item was moved from the consent agenda to postponed agenda, that would require a separate action after the amendment to the Agenda is approved.

Item # 4 Public Storage Tranquility correction to revise Compliance Condition 1 in Exhibit C-1.

Item # 5 State Road 7 Business Plaza correction to the resolution regarding the name implementing of the ordinance Type 2 Variance Condition of Approval to revise All Petitions 1 in Exhibit C-1.

Item # 7 Towns of Tidewaters do not need a motion for 7a and 7b those were already acted upon by Zoning Commission on a previous meeting, motion is only on item #7c.

20 Comment Cards were filled out:

12 cards on item #2, 4 Opposed and 8 Support, 4 Spoke

4 cards on item #5, All Support, 4 spoke

4 cards on item #7, All Opposed, 3 spoke

Motion to adapt the Agenda as Amended by a vote of 8-0-0

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

I. Disclosures for All Items on Agenda

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
None	None	7	None	Absent	None	None	None	None

J. Conflicts/Recusals

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
None	None	None	None	Absent	2,5,7	None	None	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS / REMANDS

2. PDD/W/CA-2021-01526 Lake Worth Crossing MUPD (Control 2008-00296)

Zoning Application of KS Lake Worth, LLC by JMorton Planning & Landscape Architecture, Agent.

Location: Southwest corner of Lake Worth Road and Hooks Road

Project Manager: Donna Adelsperger

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C-1 through C-3.

a. Title: an Official Zoning Map Order Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Deveopment (MUPD) Zoning District on 9.34 acres

People who spoke on this application:

Bob Sosnowski, representative for Summer Chase - support the postponment

Patrick Wilson- Co-founder support postponement

Ira Soloman- support postponement

MOTION: No motion required. Requested postponed to June 1, 2023

b. Title: a Type 2 Wavier **Request:** to allow extended hours of operation for business within 250 feet of a parcel of land with a Residential Future Land Use on 9.34 acres

MOTION: No motion required. Requested postponed to June 1, 2023

c. Title: a Class A Conditional Use **Request:** to allow a Hospital on 9.34 acres

MOTION: To Requested postponed to June 1, 2023

Motion carried by a vote of 8-0-0

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

Decision: To postpone item 2 to June 1, 2023 by a vote of 8-0-0.

B. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. Requests To Pull Items From Consent

B. Zoning Applications

1. CA-2022-01786 K9 Spa and Training (Control 2022-00099)

Zoning Application of Michael Grushoff by Land Research Management Inc., Agent.

Location: South side 60th Place N, approximately 0.25 miles West of Hall Road.

Project Manager: Donna Adelsperger

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 Class A Conditional Use **Request:** to allow a Limited Pet Board Facility on 2.19 acres

MOTION: To recommend approval of item 1.a

Motion carried by a vote of 8-0-0

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

Decision: To recommend approval of item 1.a, by a vote of 8-0-0

3. DOA-2022-01247 Babcock PUD (Control 1985-00054)

Zoning Application of PS Florida One, Inc. by Government Law Group, and BOHLER Engineering, Agent.

Location: Southwest corner of West Atlantic Avenue and Tranquility Lake Drive

Project Manager: Jordan Jafar

BCC District: 5

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 modify the Master Plan; delete land area and modify Conditions of Approval on 42.03 acres

MOTION: To recommend approval of item 3.a.

Motion carried by a vote of 8-0-0

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

Decision: To recommend approval of item 3.a, by a vote of 8-0-0

4. ZV/Z/CA-2022-012467 Public Storage - Tranquility (Control 2021-00139)

Zoning Application of PS Florida One, Inc. by Government Law Group, and BOHLER Engineering, Agent

Location: Southwest corner of West Atlantic Avenue and Tranquility Lake Drive

Project Manager: Jordan Jafar

BCC District: 5

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

- a. **Title:** a Type 2 Variance **Request:** to allow an increase in building coverage on 1.93 acres

MOTION: To adopt a resolution approving item 4.a.

Motion carried by a vote of 8-0-0

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

Decision: To adopt a resolution approving item 4.a, by a vote of 8-0-0

- b. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Community Commercial (CC) Zoning District on 1.93 acres

MOTION: To recommend approval of item 4.b

Motion carried by a vote of 8-0-0

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

Decision: To recommend approval of item 4.b, by a vote of 8-0-0

- c. **Title:** a Class A Conditional Use **Request:** to allow Limited Access Self-Service Storage on 1.93 acres

MOTION: To recommend approval of item 4.c

Motion carried by a vote of 8-0-0

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

Decision: To recommend approval of item 4.c, by a vote of 8-0-0

5. ZV/PDD-2022-01469 State Road 7 Business Plaza (Control 2022-00057)

Zoning Application of Joseph Mulvehill by JMorton Planning & Landscape Architecture, Agent.

Location: Northeast corner of State Road 7 and Happy Hollow Road

Project Manager: Cody Sisk

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.

- a. **Title:** a Type 2 Zoning Variance **Request:** to allow 100 percent buffer overlap within a preserve on 40.00 acres

MOTION: To adopt a resolution approving of item 5.a

Motion carried by a vote of 7-0-1

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

Decision: To adopt a resolution approving of item 5.a, by a vote of 7-0-1

- 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 40.00 acres

MOTION: To recommend approval of item 5.b

Motion carried by a vote of 7-0-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
	Motion	Second						

Yes			Yes	Absent	Recusal	Yes	Yes	Yes
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Decision: To recommend approval of item 5.b, by a vote of 7-0-1

C. Subdivision Variance

6. SV-2022-01117 Reserve at Jupiter – Phase II (Control 2018-00034)

Zoning Application of DR Horton, Inc- Karl Albertson by WGI, Agent.

Location: West side of Limestone Creek, approximately 0.3 miles north of Church Street

Project Manager: Scott Cantor

BCC District: 1

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

a. Title: a Subdivision Variance **Request:** to allow an increase in the allowable daily trips over the 1,500 Average Daily Trip threshold for a local residential street on 24.11 acres

MOTION: To adopt a resolution approving of item 6.a

Motion carried by a vote of 8-0-0

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

Decision: To adopt a resolution approving item 6.a, by a vote of 8-0-0

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING APPLICATIONS

7. Z/CA-2021-02123 Towns at Tidewater (Control 2014-00014)

Zoning Application of Medjool Nurseries LLC by JMorton Planning & Landscape Architecture, Agent.

Location: South side of Hypoluxo Road, approximately 0.83 miles east of Jog Road.

Project Manager: Donna Adelsperger

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to the Conditions of Approval as indicated in Exhibit C-1 through C-3.

a. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District on 9.24 acres

Lisa Amara, Zoning Director, spoke on this application:

Indicated that this item was before the ZC a few months ago and then went to the Board of County Commissioners. At the BCC Hearing the board adopted the Future Land Use amendment but with a lower Future Land Use designation. This will required a Class A for Workforce Housing and TDR requests greater than two units per acre in order to achieve the desired units. Lisa indicate that's the item for consideration today.

Jennifer Morton of Morton Planning and Landscape: Gave a brief presentation

People who spoke on this application:

Carl Terwilliger: Spoke in opposition. There is walls already around the surrounded area, the Area was zoned one unit per acre. Don't feel like they're getting the best deal. Suggested the higher density along Hypoluxo and lower on his side. Build their town house on the side of Hypoluxo and the last four acres on his side should be a lake, surrounded by native trees as a buffer instead of a wall add a park. The two story 69 unit is too high and at \$440,000 per unit is certainly not Workforce Housing.

Commissioner Scarborough spoke on this Application regarding, asked to the speaker if he had met with Agent

Commissioner Gromann spoke on the application regarding, inquired regarding to traffic flow **Quazi Bari**, from the traffic division; Spoke on this application- regarding traffic

Roxanne Auld – Spoke in opposition. Concerns about the impact on her property, which is immediately next to the development. Her driveway is next to Hypoluxo. Also a bus stop for kids. Express concerns in regards to traffic backing up and 69 Townhouses, difficulties getting out of my drive-way.

Commissioner Kelly: spoke on this application asked if speaker represent Winston Trail

Auld: replied no

Jeff Arnold- oppose to high density, parking issues, too many units, wanted wall by the church, they have a canal around the community want to add a wall on their side but was offered a fence.

MOTION: no motion required

b. **Title**: a Class A Conditional Use **Request**: to allow Townhouse dwelling units on 9.24 acres

MOTION: no motion required

c. **Title**: a Class A Conditional Use **Request**: to allow a combined density greater than two units per acre through the Workforce Housing and Transfer of Development Rights programs on 9.24 acres

MOTION: To recommend approval of item 7.c

Motion carried by a vote of 5-2-1

Reves	Kern	Scarborough	Sowards	Pavlik	Beatty	Brumfield	Kelley	Gromann
		Second						Motion
No	No		Yes	Absent	Recusal	Yes	Yes	

Decision: To recommend approval of item 7.c, by a vote of 5-2-1

- 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 8-0-0

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

ADJOURNMENT 9:46