



ZONING COMMISSION MEETING
Minutes for Thursday, January 9, 2025

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Cheri Pavlik, (Chair)	Present
Commissioner John Kern, (V.Chair)	Present
Commissioner Michael Kelley	Present
Commissioner Sam Caliendo	Present (late 9:07)
Commissioner Lori Vinikoor	Present
Commissioner William (Bill) Reicherter	Present
Commissioner Alex Brumfield III	Present
Commissioner Susan Kennedy	Present
Commissioner James Williams	Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

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

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second	Motion						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent

F. Swearing In

G. **Approval of the Minutes**

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

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Motion	Second						
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Absent

H. **Amendments to the Agenda**

Carlos a Torres Principal Planner read into records from the Agenda

to Pull item #4 from Consent to Regular Agenda by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Motion						Second	
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

to adapt the Agenda as Amended by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

I. Disclosures for All Items on Agenda

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
3,4	4	2,3,4	N/A	4	N/A	N/A	N/A	N/A

J. Conflicts/Recusals

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

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. Zoning Applications

1. [W-2024-00621 IHOP Restaurant \(1976-00138\)](#)

Zoning Application of Florida Made Homes, Inc. by Corporate Property Services

Location: Northwest corner of Okeechobee Boulevard and North Military Trail

Project Manager: Jerome Small, Senior Site Planner

BCC District: 2

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

- a. **Title:** a Type 2 Waiver **Request:** to allow extended hours of operation for a Type 2 Restaurant on a parcel of land within 250 feet of a parcel with a residential future land use on 3.94 acres

MOTION: To recommend approval of item 1.a.

Motion carried by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 1.a., by a vote of 9-0-0

2. [DOA-2024-00148 Spalding MUPD \(1999-00092\)](#)

Zoning Application of WFC Fund II San Marco LLC by Cotleur & Hearing Inc.

Location: Northeast corner of Jog Road and Lake Ida Drive

Project Manager: Zubida Persaud, Senior Site Planner

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 Conditions of Approval related to signage for the overall MUPD on 25.82 acres

MOTION: To recommend approval of item 2.a.

Motion carried by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 2.a., by a vote of 9-0-0

3. [DOA-2024-01195 Star Ranch Excavation \(1978-00099\)](#)

Zoning Application of Star Ranches Enterprises, Inc. by Urban Design Studio

Location: West side of US Highway 27/State Road 25, +/-18 miles south of State Road 80

Project Manager: Zubida Persaud, Senior Site Planner

BCC District: 6

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

- a. **Title:** a Development Order Amendment **Request:** to modify the overall Site Plan, establish two primary phases, extend the completion date to 2053, and modify Conditions of Approval on 1,055.6 acres

MOTION: To recommend approval of item 3.a.

Motion carried by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

Decision: To recommend approval of item 3.a., by a vote of 9-0-0

C. SUBDIVISION VARIANCE

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items to pull from Consent

4. [SV-2024-01281 Flamingo Subdivision \(1995-40123\)](#)

Zoning Application of Gregory Delange by Wallace Surveying Inc.

Location: East side of Flamingo Terrace, approximately 460 feet north of Hood (Flamingo) Road

Project Manager: Werner Vaughan, Senior Professional Engineer

BCC District: 1

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

- a. **Title:** a Subdivision Variance **Request:** to allow access from the existing 25-foot Right-of-Way with no curb and gutter, and no sidewalk on 1.98 acres

Comment Cards:

- Dean Rosenback an attorney representing some of the residents who were present in the meeting spoke on their behalf. Dean state that the residents that are present are opposed to this application. Dean stated that the owner (applicant) knew the lot was zoned for one house to be on the lot. Dean also stated that this will disrupt the character of the neighborhood. Traffic is be a lot more on this tiny roadway. Dean stated the road is very dark has limit street lights and no sidewalks. Gutters are only on one side of the street. Already with dump truck and garbage truck blocking road, you're unable to pass when this happens, this is a very narrow street. Opens the door from more subdivisions to move in. He submitted a packet with photos of the street and how small it is.

People who spoke on this application:

Agent Jeanne Ducharme with Coteleur Hearing spoke on application (SV-2024-01281 Flamingo Subdivision (1995-40123). She gave a brief presentation on the application. Agent also stated that no residents contacted them about the project.

Scott Cantor Land director spoke in support of the application and gave a brief presentation, Scott stated the right of way was sufficient. Scott Cantor continued stating zoning is for residential and nothing is changing with the application. Scott Cantor Land director stated that applicate was subject to conditions of approval. Scott Cantor continued that the conditions are building permit in accordance with article 11, and sewerage line to each lot. The applicate meet this criteria. Scoot spoke to two member of the public regarding this application. First was opposed, concerned about character of the neighborhood changing. The second contact asked a lot of question about the property.

Commissioner Kelly spoke and in regards to if traffic study was done

Commissioner Vinikoor spoke in opposition of this application stating that the road is too small for this application which Commisioner Pavik agreed.

Zoning director Lisa Amara spoke and stated 4 units on single family lot. 75 foot frontage per lot. They won't be able to fit more than 2 units on the property.

Agent spoke in response. Traffic study was done showing one in and one out daily additional traffic trips.

Scott Cantor Land Director spoke on traffic increases 1 pm trip and 10 daily trips.

Scott Cantor spoke and stated the no other subdivision variance has come before the board in the neighborhood.

Commissioner Kern spoke in regarding other subdivision applications

Commissioner Caliendo spoke and asked if there are any more parcel of land that can be subdivide.

Scott Cantor spoke and stated yes to the north someone could apply for a Subdivision variance. There are 11 water front lots.

Zoning director Lisa Amara spoke the other subdivision variance was an administration and a legal lot of record. Zoning division could see more applications for decreased frontage.

Commissioner Vinikoor spoke and made a motion to deny the application.

Motion to deny with prejudice by Commissioner Vinikoor

The applicant requested for the application to be postpone.

Commissioner Caliendo made a motion to Postpone and was seconded by Commissioner Williams. This did not pass.

MOTION: To Postponement item 4.a. by Commissioner Caliendo

Motion failed by a vote of 2-7-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
			second					Motion
No	No	No	yes	No	No	No	no	yes

Decision: To recommend Postponement of item 4.a., by a vote of 2-7-0

MOTION: To deny approval A and B With Prejudice of item 4.a.

Motion carried by a vote of 7-2-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second	Motion						
Yes	Yes	Yes	no	Yes	Yes	Yes	yes	no

Decision: To recommend deny approval of item 4.a., by a vote of 9-0-0

- END OF REGULAR AGENDA -

COMMENTS

- A. COUNTY ATTORNEY:
- B. ZONING DIRECTOR: Service achievement awards were given to Commissioner Kern and Commissioner Brumfield
- C. PLANNING DIRECTOR:
- D. EXECUTIVE DIRECTOR:
- E. COMMISSIONERS:

ADJOURNMENT: 9:45

Motion carried by a vote of 9-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Second						Motion
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes



ZONING COMMISSION MEETING
Minutes for Thursday, February 6, 2025

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Cheri Pavlik, Chair	Present
Commissioner Christopher Kammerer	Present
Commissioner Claudia Mendoza	Present
Commissioner Sam Caliendo	Present
Commissioner Lori Vinikoor	Present
Commissioner William (Bill) Reicherter	Absent
Commissioner Susan Kennedy	Present
Commissioner James Williams	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Notice

1) County Attorney Scott Stone swear in Commissioner Kammerer and Commissioner Mendoza

E. Proof of Publication

to receive and file approved by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	Vacant	Mendoza	Caliendo
		Second						Motion
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

F. Swearing In

G. **Approval of the Minutes**

Commissioner Vinikoor stated vote for page 5 was incorrect.

Lisa Amara Zoning Division director stated postpone minutes until next meeting.

H. **Amendments to the Agenda**

Wendy read into records from the Agenda (add/delete). Wendy stated she'd like to move Item #8 Z-2024-01037 Reserve at Eagles Landing (2024-00099) to consent agenda. She continued and stated Zoning has received many emails in regard to opposing ABN/Z-2024-00519 Haverhill Recovery Facility (2017-00059)

to adapt the Agenda as modified by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
			Second					Motion
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

I. Disclosures for All Items on Agenda

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
N/A	no	7,8	7,8	8	8	N/A	no	no

J. Conflicts/Recusals

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
N/A	No	No	No	2	No	N/A	No	No

to adapt the Agenda as modified Items 1,3-8 by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

to adapt the Agenda as modified Items 2 by a vote of 6-0-1

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Abstained	Yes	N/A	Yes	Yes

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. Zoning Applications

1. [Z/DOA-2024-01026 Palms West Hospital Expansion \(1984-00054\)](#)

Zoning Application of Palms West Hospital Ltd. Partnership - Todd Maxwell by Urban Design Studio

Location: North side of Southern Blvd, approx. 1,440 ft west of Crestwood Boulevard

Project Manager: Lorraine Fuster Santana, Site Planner II

BCC District: 6

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: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District in part and the Rural Services (RSER)

Zoning District in part to the Institutional Public Facilities (IPF) Zoning District on 18.84 acres

MOTION: To recommend approval of item 1.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

b. Title: a Development Order Amendment **Request:** to modify the Overall Site Plan for a previously approved Special Exception for a Medical Center to add land area (18.84 acres), square footage, and access points, and to modify Conditions of Approval on 65.79 acres

MOTION: To recommend approval of item 1.b

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

2. [ZV/PDD-2024-01280 El Carwash Boca \(1974-00122\)](#)

Zoning Application of El Car Wash, LLC, Christ Fellowship Church, Inc. by Cotleur & Hearing Inc.

Location: North side of Glades Road, approximately 430 feet west of Lyons Road

Project Manager: Michael Birchland, Site Planner II

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 Variance **Request:** to allow a reduction in minimum lot size for an MUPD on 4.21 acres

Commissioner Pavlik stated she cannot vote the this item due to conflict of interest and sign form 8B (recusal)

MOTION: To adopt a resolution approving item 2.a.

Motion carried by a vote of 6-0-1

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Abstained	Yes	N/A	Yes	Yes

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 4.21 acres

MOTION: To recommend approval of item 2.b.

Motion carried by a vote of 6-0-1

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Abstained	Yes	N/A	Yes	Yes

3. [ABN/DOA-2024-00774 Shadowood MUPD \(1973-00043\)](#)

Zoning Application of Main Associated, Shadowood Edens, LLC, Rafael Peri, LLC by Urban Design Studio and Dunay Miskel and Backman LLP

Location: Northeast corner of Glades Road and State Road 7

Project Manager: Nancy Frontany Bou, Senior Site Planner

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 Abandonment **Request:** to abandon a Requested Use for an Indoor Theater under Resolution R-95-0523 and R-96-124

MOTION: No action required for item 3.a

- b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan; to add uses, square footage and to modify Conditions of Approval on 39.46 acres

MOTION: To recommend approval of item 3.b.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

4. [DOA-2024-01424 Arrigo MUPD \(1995-00022\)](#)

Zoning Application of MG WPB LLC, WPB J Automotive Management LLC by Dunay Miskel and Backman LLP

Location: Southwest corner of Okeechobee Boulevard and Florida Turnpike

Project Manager: Lorraine Fuster Santana, Site Planner II

BCC District: 2

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

- a. **Title:** a Development Order Amendment **Request:** to reconfigure the Site Plan, and Sign Plan, add and delete uses, add square footage, and to modify Conditions of Approval on 44.02-acres

MOTION: To recommend approval of item 4.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

5. [CA-2024-00609 Celtic Multifamily \(2017-00009\)](#)

Zoning Application of Housing Partnership, Inc. by WGINC

Location: Northeast corner of the Melaleuca Lane and Davis Road

Project Manager: Michael Birchland, Site Planner II

BCC District: 3

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 combined density increase greater than 2 units per acre through the Workforce Housing (17 units) and Transfer of Development Rights (10 units) programs (total increase of 26 units) on 2.46 acres

MOTION: To recommend approval of item 5.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

6. [SV/CA-2024-00760 Constru American 4160 \(2023-00029\)](#)

Zoning Application of Constru American, LLC by Dunay Miskel and Backman LLP

Location: East Side of 42nd Avenue South, approximately 340 feet north of Selberg Lane

Project Manager: Matthew Boyd, Site Planner II

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

- a. **Title:** a Subdivision Variance **Request:** to allow access from the existing 30-foot Right-of-Way on 0.91 acre

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

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

b. Title: a Class A Conditional Use **Request:** to allow the Transfer of Development Rights in excess of 2 units per acre (5 TDRs) on 0.91 acre

MOTION: To recommend approval of item 6.b.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

7. [ZV/ABN/CA-2024-01219 Sunspire Health \(2014-00206\)](#)

Zoning Application of Gain Holdings Group, LLC, Diamond Behavioral Health Center PBG, LLC - Bradley Miller by Urban Design Studio

Location: West side of Lyndall Lane, approximately 485 feet south of Northlake Boulevard

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 1

Staff Recommendation: Staff recommends approval of the request, subject to the Conditions of Approval as indicated in Exhibits C-1 and C-2.

a. Title: a Type 2 Variance **Request:** to allow for vehicular backing into the right of way; eliminate a 15-foot right of way buffer; and a reduction in the side setbacks (north and south) on 1.28 acres

MOTION: To adopt a resolution approving item 7.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

b. Title: a Development Order Abandonment **Request:** to abandon a Class A Conditional Use approval to allow a Type 3 Congregate Living Facility by Resolution R-2016-0002 on 1.28 acres

MOTION: No action required for item 7.b.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

c. Title: a Class A Conditional Use **Request:** to allow a Skilled Nursing or Residential Treatment Facility on 1.28 acres

MOTION: To recommend approval of item 7.c.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

8. [Z-2024-01037 Reserve at Eagles Landing \(2024-00099\)](#)

Zoning Application of Lantana Farm Associates, Inc. - Gary D Smigiel, Lantana Farm Associates, Inc. - Thomas Mecca by Schmidt Nichols

Location: South side of Lantana Road, west of US 441

Project Manager: Lorraine Fuster Santana, Site Planner II

BCC District: 6

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

a. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agriculture Residential (AR) Zoning District to Single Family Residential (RS) Zoning with a Conditional Overlay Zone District on 2.24 acres

MOTION: To recommend approval of item 8.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion						Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items to pull from Consent

B. Zoning Applications

9. [CA-2024-00746 Rawlings Estates Subdivision \(1996-30143\)](#)

Zoning Application of Beverly Rawlings, Rawlings Estates, LLC by Dunay Miskel and Backman LLP

WGINC

Location: West side of 180th Ave N, approx. 0.33 miles South of W Sycamore Drive

Project Manager: Joyce Lawrence, Senior Site Planner

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 Single Family Subdivision; a residential project with more than 50 acres pursuant to the Unified Land Development Code (ULDC), Table 4.A.9.B - Thresholds for Projects Requiring Board of County Commissioners Approval on 104.07 acres

People who spoke on this application:

Wendy Hernandez spoke on this application, she stated that this application is a class A conditional use to allow residential single family subdivision within a rural area.

Matthew Barnes agent from WGI spoke on this application and gave a brief presentation. Wetlands and upland preserve are being preserved. He stated PREM and fire rescue have a condition of reserving 2 acres for future fire station that they disagree with. He stated that they hired former Palm Beach County Fire Chief Jeff Collins who stated the response time meets the level of service standards

Carlos Torres principal planner spoke on this application and gave a brief presentation.

Eric McClellan director for Strategic Planning Facility Development, Planning and Operation spoke on this application, he gave a brief presentation on the application. He stated that the conditions for this application were 2 acres needs to be reserved for a future firestation. If this was build without the firestation the response time to save life/property would be over the response time that is required. The new firestation will also alleviate pressure on station 22 for other close by areas as well.

Commissioner Caliendo asked what will be the cost to the county for the new firestation?

Director Eric McClellan responded by stating 10 million to build the station not including personnel or equipment.

Commissioner Caliendo responded by stating, how long will this project take to complete?

Director Eric McClellan responded by stating, possibly up to 10 years.

County attorney Scott Stone state this needs to be approved by board of county commissioners we are seeking a recommended approval today.

Director Eric McClellan responded by stating this was years in the making if it's approved.

Assistant fire chief spoke on this application, he stated that they look at station location and response time when we make our plan. That's when we determine when or where a station is needed

Deputy Zoning Director Wendy Hernandez spoke and stated that the Zoning application is Contingent of the Planning application. Planning application was presented and recommended transmittal with the PREM condition. Then when to Board of County Commissioners they did not include the PREM condition in the transmittal. The board did want to discuss it farther when it came back to them. If the board denies the planning portion of the application the Zoning application is not going to go through.

Commissioner Pavlik spoke and stated is the applicant willing to speak to the other land that is nearby to use that land for future fire station.

Commissioner Vinikoor asked if the removal of 2 acres impact workforce housing units?

Wendy responded by stating no the proposal units is still 54. But if they were to include it might.

Travis Goodson from Planning Division spoke and stated currently 10 percent work housing unit. This is 10 percent of the number of units. Still will have 5 units workforce dedication.

Scott Packman spoke and stated we are in agreement that 6 fire rescue calls extra a year warrant a 2 acres fire station

MOTION: To recommend approval per conditions of item 9.a.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
			Motion					Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

10. [ABN/Z-2024-00519 Haverhill Recovery Facility \(2017-00059\)](#)

Zoning Application of Haverhill ALF, LLC, Michael Silverman by RDG Development Group

Location: Southwest corner of North Haverhill Road and Horseshoe Circle South

Project Manager: Jerome Small, Senior Site Planner

BCC District: 2

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

a. Title: a Development Order Abandonment **Request:** to abandon a Class A Conditional Use for a Type 3 Congregate Living Facility approved by Resolution R-2018-1842 on 3.97 acres

MOTION: No action required for item 10.a.

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Planned Unit Development (PUD) Zoning District to Institutional and Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) on 3.97 acres

MOTION: To recommend denial of item 10.b. made by commissioner Vinikoor due to G changed conditions or circumstances, this application does not meet this.

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
		Motion			Second			
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes

Comment Cards: Commissioner Pavlik stated that we have 15 comment cards wishing not to speak but should be taken into record.

Asum Mahmood spoke opposing this application, he stated the he lives across the street from the property and there is already crime in the area to the point he needed cameras installed on his property. He brought his minor children with to show they were also in opposition

Brian Macho spoke opposing this application, stating the area was too small for 100 bed facility. The patients could have access to the neighborhood bring more crime. 6 foot wall should be on all side and is actually too short of a wall.

Melanie Schreiber spoke opposing this application stating emergency exit is close to her property line. She has already had strangers talking to her children over her fence

Bonnie Roberts spoke opposing this application, she stated that she's lived in the area for 40 years. Emergency exit is close to her home. Street is used as a short cut in general now. The rezoning will add more traffic and negative impact the area due to it not fitting with the residential zoning area.

Michael Boenner spoke opposing this application, he stated he lives close to area, but not in the neighborhood. He continued by stating we already have too many homeless in area and this is not going to improve conditions in the area.

Joanne Robinson spoke opposing this application, she stated she opens her front door and can see the facility. Assisted living was supposed to be going in, this has not happened. Land use should be assisted living/residential.

Diana Casales spoke opposing this application, she asked for the slide of Horseshoe lane be placed on screen to relate to what she was saying (slide was load to be seen). She showed her property with a high fence to keep crime out.

Yoel Casales spoke opposing this application, he stated 47 bed to 100 bed is not good for community. The land is not being maintained as it is now.

Patricia Caputo spoke opposing this application, she stated that she has volunteered at drug rehab facilities, but they have always been away from residential neighborhoods. She continued by stating only court ordered patients are required to stay, other patients can walk off at any time into their neighborhood. Facility needs to go in nonresidential.

Melissa Macho spoke opposing this application, she stated we live in a beautiful hidden area.

Fausto Fabbro spoke opposing this application, he stated he is the president of UCO (century village) we're being surrounded he stated. He continued proposed homeless being placed at former La Quinta inn also. This does not fit with residential area.

Joseph Cavallo spoke opposing this application, He stated most of what he wanted to say has already been spoke about but wanted to state rezoning is a bad idea.

Jean Birman spoke opposing this application, she stated recover people do not stay, she is also in 12 step program for other reason (not substances). She continued by stating people relapse this is a money making business and that's it. Assistant living should be going in.

Michael Williams spoke opposing this application, he stated he's lived in the area for 40 years and is an original owner. They have children in the area and this is not ok to bring in.

Esther Sutofshy spoke opposing this application, she stated that she's lived in the area since 1998. Many rehab facilities have huge parties at night. Elderly people do not need more traffic in the area. She urged commissioners not to support.

Harris Katzen spoke in support of the application, he stated he's an owner of a facility in Singer Island, he continued by saying the facility has actually decreased crime in area and homeless.

Victoria Leggett spoke in support of the application, she owns the property where the facility is being proposed. She continued by stating she has maintained the property. Then stated she has a personal reason why she wants the facility to be approved.

People who spoke on this application:

Jeffery Lynn spoke on the application and gave a brief presentation. He stated that the applicate is looking to use the use that was already approved. They have not heard of anyone being opposed to the facility.

Owner of the facility Michael Silverman spoke on this application and gave a brief presentation. He stated the area is the right place for this facility as it matched other uses in the area. Horseshoe road is an emergency access road only. He continued with the treatment provider Zinna health. He showed other facility in Palm Brach County that are similar to the application. He claimed property values do not go down in the area where the treatment facility are located.

Steven Visa spoke on this application and gave a brief presentation. He stated this was already zoned congregate living. Set back is more than what's required from property line. Planning board gave a recommendation of approval.

Lisa Amara Zoning director spoke, she stated that Zinna health has not submit to speak due to not signing consent paperwork to speak on this application.

Wendy Hernandez deputy Zoning Director spoke on this application. She reminded the board with the rezoning that we are seeking recommended approval today not a use approval. She gave a brief presentation on the abandonment of class A conditional use (congregate living facility). She also spoke on the Official map Amendment. This application is surrounded by residential zoning, this application is also residential PDD zoning. She continued and stated that skilled nurse is what's being proposed, this could include a hospital for future land use. Planning commission recommended denial of this application. This request requires treatment (skilled nursing) this is not residential use, this why they are proposing institutional use not residential.

Lisa Amara Zoning director spoke and stated we are not deciding on the use on the application. We are here for the rezoning. Applicant wants more bed at the facility it's a different multiplier, when changing institutional zoning.

Commissioner Kennedy spoke, she asked your making the assumption that the underlining land use will change?

Lisa Amara Zoning director replied exactly. Later this month board of county commissioners will determine if this is an appropriate location to change medium residential and all the appropriate use for the future land use.

Commissioner Kennedy asked when does a 100 bed institution next to 2 acres lot homes, by staff be consider to change the character of the homes in that area.

Lisa Amara Zoning director responded with planning will answer this, however if we pretended it was residential we are looking at 10 units per acre. This is next to 2 single family homes on 2 acre lots and century village which is a multifamily density. Board can do recommendations for approval.

Travis Goodson spoke from Planning Division, he stated planning commission denied this application. The zoning commission can recommend a cap on square footage or number of beds.

Scott stone spoke to clarify if land use is denied then this application is not going to move forward. We are here to recommend approval and/or deny if zoning obligations are not meet on the zoning side of the application.

Commissioner Kennedy spoke she stated that the residence who spoke on this application were swear in and testified on the character of the neighborhood. The applicant who stated no evidence of crime in the area is incorrect because there was.

Scott stone spoke public opinion is not evidence. It needs to be a fact or have an expert speak on the topic. Or staff professional opinion that was researched.

Commissioner Kennedy spoke if we have residence describing facts from the neighborhood we can consider them.

Commissioner Kammerer spoke as it stands now can they use the 47 beds as a rehab facility now?

Wendy Hernandez replied no

Commissioner Kammerer spoke we should consider any potential rezoning on the property?

Wendy spoke and stated Planning has it has skilled nursing.

Lisa Amara Zoning director spoke, she stated you would be denying because the rezoning doesn't meet one of the standards outlined.

Commissioner Kammerer spoke and stated my understanding is the applicant needs to show a reason for this change. Applicant has stated that there is a demand due to the increase in treatment needed. He continued to state he's only heard loose statement and nothing to support this change.

Lisa Amara Zoning director spoke, if the board of county commissioners adopts this future land use as institutional.

- END OF REGULAR AGENDA -

COMMENTS

- A. COUNTY ATTORNEY:**
- B. ZONING DIRECTOR:**
- C. PLANNING DIRECTOR:** Can we displace paper packets for meeting, postage, staff time and cost of printing. Next meeting ethics packet for new commissioners and voting on Vice chair
- D. EXECUTIVE DIRECTOR:**
- E. COMMISSIONERS:**

ADJOURNMENT: 11:47AM

Motion carried by a vote of 7-0-0

Reicherter	Kammerer	Vinikoor	Williams	Pavlik	Kennedy	VACANT	Mendoza	Caliendo
			Motion					Second
N/A	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes