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

WEDNESDAY JULY 3, 2019

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. Adoption of the Minutes
- G. Swearing In
- H. Disclosures

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

JULY 3, 2019

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 AM on Thursday, July 25, 2019 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. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

- 1. [SV/ZV/CA-2018-01805](#) Title: a Subdivision Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce the minimum legal right-of-way access width.
Title: a Type 2 Variance application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce setbacks, landscape buffer width, reduce and eliminate landscape buffer vegetation materials; eliminate landscape protection measures (curbing) and trees; and, to allow location of a fence on the property line and to eliminate requirement to plant on exterior side of the fence.
Title: a Class A Conditional Use application of JMB Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.
General Location: Northwest corner of 155th Place North and 79th Terrace North. (**Banyan House**) (Control 2015-00115)

Pages 1 - 1

Project Manager: Carrie Rechenmacher

Size: 1.83 acres ±

BCC District: 1

Staff Recommendation: Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

MOTION: To approve the request to remand to the DRO.

- 2. [ZV/CA-2018-01804](#) Title: Type 2 Variance application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reduce parking space dimensions and drive aisle width, allow location of a fence on the property line and eliminate requirement to plant on exterior side of the fence; eliminate parking lot surface material requirement, landscape protection measures (curbing), Right-of-Way (R-O-W), Incompatibility Buffer and landscape island landscaping; and, to increase easement overlap in the R-O-W Buffer.
Title: a Class A Conditional Use application of Dakota Limited Holdings, LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a Type 2 Congregate Living Facility.
General Location: North side of Donald Ross Road, approximately 350 feet east of 69th Drive North. (**Hedge House**) (Control 2018-00013)

Pages 2 - 2

Project Manager: Carolina Valera

Size: 1.09 acres ±

BCC District: 1

Staff Recommendation: Staff Recommends approval of the Applicant's request to remand to the Development Review Officer (DRO).

MOTION: To approve the request to remand to the DRO.

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

- 3. [ZV-2018-01037](#) Title: a Type 2 Variance application of Totally Glass & Blinds, LLC by Land Research Management Inc., Agent. Request: to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials.

General Location: West side of Military Trail, approximately 0.25 miles south of Belvedere Road. **(Totally Glass & Blinds)** (Control 2011-00348)

Pages 3 - 61

Conditions of Approval Pages (8 - 9)

Project Manager: Carlos Torres

Size: 0.15 acres ±

BCC District: 7

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

MOTION: To adopt a Resolution approving a Type 2 Variance to reduce: front, side and rear setbacks, lot size, frontage, depth, terminal island width and planting material, interior landscaping material, Right-of-Way (R-O-W) buffer width and planting material, Compatibility Buffer width and planting material, and required parking; and, to eliminate dumpster, loading space, and Foundation Planting and planting materials. subject to the Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

- 4. [Z-2019-00510](#) Title: an Official Zoning Map Amendment application of Kendall Morikami Llc, Waverly SP, LLC by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

General Location: North side of Morikami Park Road, approximately 630 feet west of South Jog Road. **(Morikami Estates)** (Control 2008-00522)

Pages 62 - 77

Conditions of Approval Pages (66 - 66)

Project Manager: Carolina Valera

Size: 4.99 acres ±

BCC District: 5

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District, subject to the Condition of Approval as indicated in Exhibit C.

5. [PDD-2019-00292](#) Title: an Official Zoning Map Amendment application of Broward Rentals, 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: South side of Atlantic Avenue, approximately 0.2 miles east of State Road 7/US 441. (**Broward Rentals MUPD**) (Control 2016-00130)

Pages 78 - 99

Conditions of Approval Pages (83 - 85)

Project Manager: Carolina Valera

Size: 10.53 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 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.

6. [Z-2019-00527](#) Title: an Official Zoning Map Amendment application of Stephen Homrich, FCC Environmental Services, LLC, Rose Homrich 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 Side of State Road 7, approximately 600 feet north of Boynton Beach Boulevard (with additional frontages on 100th Street South and 97th Place South). (**Homrich Nursery**) (Control 2015-00133)

Pages 100 - 116

Conditions of Approval Pages (105 - 105)

Project Manager: Meredith Leigh

Size: 13.44 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and 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.

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**

7. [ZV-2018-02101](#) Title: a Type 2 Variance application of Gulf Stream Views LLC by Miller Land Planning, Agent. Request: to reduce the side street setback for residential ~~General~~ General Location: Southwest corner of Briny Breezes Blvd. and Old Ocean Blvd. **(30 Ocean)** (Control 2002-30054)

Pages 117 - 139

Conditions of Approval Pages (120 - 120)

Project Manager: Travis Goodson

Size: 1.96 acres \pm

BCC District: 4

Staff Recommendation: Staff recommends denial of the request for a Type 2 Variance to reduce the side street setback for residential pools. Should the Zoning Commission support the variance, Staff recommends the request be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to reduce the side street setback for residential pools.

8. [DOA-2018-02144](#) Title: a Development Order Amendment application of Delray Golf Investors LLC, Palm Greens Recreation Condom Ass Inc., 13FH Palm Beach, LP by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points.

General Location: Northeast corner of Lake Ida Road and El Clair Ranch Road, within an area partially bounded by the LWDD E-3 canal to the east (0.5 miles west of Military Trail), El Clair Ranch Road and South Jog Road to the west, and the LWDD L-29 Canal to the north (approximately 0.4 miles north of Flavor Pict Road). **(Delray Trails at Villa del Ray PUD)** (Control 1971-00013)

Pages 140 - 187

Conditions of Approval Pages (147 - 151)

Project Manager: Carolina Valera

Size: 671.80 acres \pm

BCC District: 5

(affected area 118.94 acres \pm)

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; redesignate Golf Course areas to Residential and Civic Pods; add residential units; and, add access points, subject to the Conditions of Approval as indicated in Exhibit C.

E. SUBDIVISION VARIANCE**F. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

9. Title: Commissioners reset passwords on County e-mail address.

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT

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