



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

THURSDAY, MAY 6, 2021

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/Recusal

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

MAY 6, 2021

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- A.1. Motion to Approve Remote Participation Due to Extraordinary Circumstances
- 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, May 27, 2021 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. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusal

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. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

1. [SV-2020-02121](#) Title: a Subdivision Variance application of New Testament Church of God Word of Hope Ministries, Inc. by Timothy White, Agent. Request: to allow access from existing 40-foot and 50-foot rights-of-way with no sidewalks.

General Location: West of North Military Trail, on the west side of Queen Street, approximately 275 feet south of Marguerita Street. **(New Testament Church of God Word of Hope Ministries)** (Control 2018-00029)

Pages 1 - 21

Conditions of Approval Pages (5 - 5)

Project Manager: Joanne Keller

Size: 0.53 acres ±

BCC District: 7

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

MOTION: To adopt a Resolution approving a Subdivision Variance to allow access from existing 40 and 50 foot rights-of-way with no sidewalks, subject to the Conditions of Approval as indicated in Exhibit C.

2. [SV-2021-00127](#) Title: a Subdivision Variance application of Gregory Rice by Wallace Surveying Inc., Agent. Request: to allow access to a residential home from a 20-foot easement.

General Location: On the south side of Belvedere Road, approximately 500 feet east of North Jog Road. **(Rice Project)** (Control 2020-00060)

Pages 23 - 38

Conditions of Approval Pages (27 - 27)

Project Manager: Joanne Keller

Size: 2.08 acres ±

BCC District: 2

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

MOTION: To adopt a Resolution approving a Subdivision Variance to allow access to a residential home from a 20-foot easement, 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**

3. [Z/W-2020-01272](#) Title: an Official Zoning Map Amendment application of Luca Land, LLC, Southport Financial Services, Inc. by Schmidt Nichols, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential (RM) Zoning Districts to the Urban Infill (UI) Zoning District.

Title: a Type 2 Waiver application of Luca Land, LLC, Southport Financial Services, Inc. by Schmidt Nichols, Agent. Request: to eliminate Slip Street Frontage; allow the facade with the shortest length to be considered the front; to allow a parking structure on a Secondary Frontage without screening by habitable uses; allow the setback on the Secondary Frontage to exceed the maximum required; and, reduce the number of bicycle parking spaces.

General Location: Southeast corner of South Military Trail and Maine Street. (**Southport Grove**) (Control 1971-10014)

Pages 39 - 103

Conditions of Approval Pages (51 - 52)

Project Manager: Timothy Haynes

Size: 1.80 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone; and, the Conditions of Approval as indicated in Exhibit C-1 and C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) and Multifamily Residential (RM) Zoning Districts to the Urban Infill (UI) Zoning District, subject to a Conditional Overlay Zone; and, the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Type 2 Waiver to eliminate Slip Street Frontage; allow the facade with the shortest length to be considered the front; to allow a parking structure on a Secondary Frontage without screening by habitable uses; allow the setback on the Secondary Frontage to exceed the maximum required; and, reduce the number of bicycle parking spaces, subject to the Conditions of Approval as indicated in Exhibit C-2.

4. [PDD/DOA-2020-00268](#) Title: an Official Zoning Map Amendment application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment to a Planned Development District and a Requested Use application of Tuscan Gardens Of Delray Beach Properties, LLC by WGINC, Agent. Request: to reconfigure the Master Plan and Site Plan; add land area; add residents/beds; and, modify Conditions of Approval.

General Location: West side of Sims Road, approximately 0.5 miles north of Atlantic Avenue. **(Tuscan Gardens of Delray Beach)** (Control 2005-00506)

Pages 105 - 136

Conditions of Approval Pages (112 - 119)

Project Manager: Travis Goodson

Size: 12.78 acres ±

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.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District, subject to the Condition of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to a Planned Development District to reconfigure the Master Plan; add land area; 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 a Requested Use to reconfigure the Site Plan; add residents/beds; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-3.

5. [SW-2020-01268](#) Title: a Subdivision Waiver application of BET Holdings, LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

General Location: Approximately 0.16 miles south of Heritage Farms Road on the west side of Park Lane Road. **(BET Holdings)** (Control 2020-00066)

Pages 137 - 151

Conditions of Approval Pages (142 - 142)

Project Manager: Joanne Keller

Size: 5.19 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

- 6. [SW-2020-01270](#) Title: a Subdivision Waiver application of East Glade Holdings, Inc. by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.
General Location: Approximately 0.245 miles north of Heritage Farms Road on the east side of Park Lane Road. **(Dixie Landscape)** (Control 2020-00067)

Pages 153 - 172

Conditions of Approval Pages (158 - 158)

Project Manager: Joanne Keller

Size: 10.03 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

- 7. [SW-2020-01659](#) Title: a Subdivision Waiver application of H Farms, LLC by Urban Design Studio, Agent. Request: to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.
General Location: Northeast corner of Park Lane Road & Heritage Farms Road, west of SR 7. **(Bermuda Landscape and Design)** (Control 2020-00074)

Pages 173 - 191

Conditions of Approval Pages (178 - 178)

Project Manager: Joanne Keller

Size: 9.53 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the request. However, should the Zoning Commission recommend approval of the request, Staff recommends the approval be subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Subdivision Waiver to reduce the Minimum Legal Access for a Collocated Landscape Services use in the AR/RSA Zoning District.

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

8. [Title: PBC Mailboxes - Password Reset](#)

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT