



THURSDAY, NOVEMBER 4, 2021

MINUTES

CALL TO ORDER

A. Roll Call 9:00 AM

Commissioner John Kern, Chair	Present
Commissioner Marcelle Griffith Burke, Vice Chair	Present
Commissioner Cheri Pavlik	Present
Commissioner Michael Kelley	Present- Arrived at 9:13am
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Alex Brumfield	Absent
Commissioner Mark Beatty	Present
Commissioner Jess Sowards	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

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
					Second		Moved	
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

F. Adoption of the Minutes

Motion to receive and file for September and October, approved by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

G. Swearing In

H. Amendments to the Agenda

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

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second			Moved				
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

I. Motion to adopt the Agenda

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

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second			Moved				
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

J. Disclosures

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
9	None	4	None	None	4	Absent	4,9	4

K. Conflicts/Recusal

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

MOTION: To postpone item 1 to Tuesday, November 23, 2021.

Motion carried by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Postponed to November 23, 2021 by a vote of 7-0-0.

MOTION: To move item 4 from the Consent Agenda, to the Regular Agenda.

Motion carried by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second			Moved				
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Moved item 4 from the Consent Agenda, to the Regular Agenda by a vote of 7-0-0.

MOTION: To postpone item 9 to Thursday, January 6, 2022.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Postponed to January 6, 2022 by a vote of 8-0-0.

MOTION: To approve the Consent Agenda, items 2,3,5,6,7.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Approved Consent Agenda, items 2,3,5,6,7 by a vote of 8-0-0.

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**

1. **CA-2021-01022** Title: a Class A Conditional Use application of Steven Cabral by Land Research Management Inc., Agent. Request: to allow a Limited Pet Boarding.
General Location: South side of 77th Place North, approximately 0.09 miles east of Hall Road. **(Fine Line Pet Boarding)** (Control 2019-00115)

Pages 1 - 16

Conditions of Approval Pages (6 - 7)

Project Manager: James Borsos

Size: 1.15 acres ±

BCC District: 6

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 Class A Conditional Use to allow Limited Pet Boarding, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To postpone to Tuesday, November 23, 2021.

Motion carried by a vote of 7-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved	Second			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Postponed to November 23, 2021 by a vote of 7-0-0.

- Z-2021-00630** Title: an Official Zoning Map Amendment application of Bruce C. Armstrong LivingTrust by H & L Planning & Development, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to Residential Transitional (RT) Zoning District.
General Location: Southeast corner of Square Lake Drive and South Bates Road.
(Armstrong Property Rezoning) (Control 1973-00079)

Pages 17 - 30

Conditions of Approval Pages (21 - 21)

Project Manager: James Borsos

Size: 1.03 acres ±

BCC District: 1

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 Residential Estate (RE) Zoning District to Residential Transitional (RT) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

- ZV-2021-01042** Title: a Type 2 Variance application of Checkerboard Acres, Inc. by Gentile Glas Holloway O'Mahoney & Associates Inc., Agent. Request: to reduce screening around mechanical equipment.
General Location: West side of Jupiter Farms Road, approximately 0.8 miles south of Indiantown Road. **(Town and Country Feed and Supply Store)** (Control 1974-00175)

Pages 31 - 48

Conditions of Approval Pages (36 - 36)

Project Manager: Brenya Martinez

Size: 2.77 acres ±

BCC District: 1

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 Type 2 Variance to reduce screening requirements around mechanical equipment, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Adopted a Type 2 Variance (with conditions) by a vote of 8-0-0.

5. **ABN/DOA/CA-2021-00249** Title: a Development Order Abandonment application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to abandon a Special Exception to allow Retail Gas and Fuel Sales.

Title: a Development Order Amendment application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to modify the Site Plan; add and delete square footage; and, modify Conditions of Approval.

Title: a Class A Conditional Use application of Military Crossing LLC, Murphy Oil USA - Kara Richards by Dunay Miskel and Backman LLP, CPH Engineers Inc., Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.

General Location: Northeast corner of Military Trail and Belvedere Road. **(BMC/Wal-Mart)**
(Control 1992-00023)

Pages 79 - 122

Conditions of Approval Pages (87 - 101)

Project Manager: Timothy Haynes

Size: 22.40 acres ±

BCC District: 7

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

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow Retail Gas and Fuel Sales.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 8-0-0.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; add and delete square footage; and, modify Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store, subject to the Conditions of Approval as indicated on Exhibit C-2.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 8-0-0.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

6. **SV-2020-01842** Title: a Subdivision Variance application of K&F Investment Group, Inc. by United Construction Partners, Agent. Request: to allow access from the existing 50-foot Right-of-Way and to exceed the maximum allowable Average Daily Trips.

General Location: west of N Haverhill Road, on the south side of Stacy Street (**Stacy Street Apartments**) (Control 2020-00022)

Pages 123 - 140

Conditions of Approval Pages (126 - 126)

Project Manager: Scott Cantor

Size: 0.74 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 from the existing 50-foot Right-of-Way and to exceed the maximum allowable Average Daily Trips, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Adopted a Subdivision Variance by a vote of 8-0-0.

7. **SV-2021-01046** Title: a Subdivision Variance application of Elton C. Sellars & Janice D. Sellars by Arc Development Global LLC, Agent. Request: to allow access from a 30-foot Right-of-Way.

General Location: On the east side of Blanchette Trail, approximately 0.8 miles north of Lake Worth Road. (**Blanchette Subdivision**) (Control 2014-00124)

Pages 141 - 162

Conditions of Approval Pages (145 - 145)

Project Manager: Scott Cantor

Size: 5.00 acres ±

BCC District: 6

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 a 30-foot Right-of-Way, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes	Yes

Board Decision: Adopted a Subdivision Variance by a vote of 8-0-0.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

4. **DOA/CA-2021-00112** Title: a Development Order Amendment application of Walk Woods, RTCM 2101 North State Road 7 LLC by Insite Studio, Agent. Request: to modify the Site Plan; and to add new buildings, square footage, and uses.

Title: a Class A Conditional Use application of Walk Woods, RTCM 2101 North State Road 7 LLC by Insite Studio, Agent. Request: to allow a Type 1 Restaurant with drive-through.

General Location: Northeast corner of Lake Worth Road and State Road 7. **(Woods Walk Plaza)** (Control 1985-00069)

Pages 49 - 78

Conditions of Approval Pages (56 - 62)

Project Manager: Timothy Haynes

Size: 20.41 acres ±

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.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; and to add new buildings, square footage, and uses, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 8-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with drive-through, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion withdrawn by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Withdrawn without prejudice by a vote of 8-0-0.

Motion to receive and file documents, carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
					Second		Moved	
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

8. **ABN/ZV/PDD/CA-2019-01808** Title: a Development Order Abandonment application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to abandon a Conditional Overlay Zone (COZ).

Title: a Type 2 Variance application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to eliminate a portion of a Type 3 Incompatibility Buffer.

Title: an Official Zoning Map Amendment application of BASM 11, LLC, Northlake Coconut

Property, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Public Ownership (PO) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Class A Conditional Use application of BASM 11, LLC, Northlake Coconut Property, LLC by Schmidt Nichols, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store.

General Location: Southeast corner of Northlake Boulevard and Coconut Boulevard.
(Coconut Palm Plaza) (Control 2001-00075)

Pages 163 - 220

Conditions of Approval Pages (173 - 178)

Project Manager: Imene Haddad

Size: 11.24 acres ±

BCC District: 6

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

MOTION: To recommend approval of A Development Order Abandonment to abandon a Conditional Overlay Zone (COZ).

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 8-0-0.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a portion of a Type 3 Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Adopted a Type 2 Variance (with conditions) by a vote of 8-0-0.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried, as amended, by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 8-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store, subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried by a vote of 7-1-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			

Yes	Yes	No	Yes	Yes	Yes	Absent	Yes	Yes
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Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 7-1-0.

Motion to receive and file documents, carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
	Second				Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

D. ZONING APPLICATIONS - NEW

- 9. **ZV-2021-01067** Title: a Type 2 Variance application of Maximum Nursery Services, LLC by Urban Design Studio, Agent. Request: to eliminate a portion of an Incompatibility Buffer; and, to reduce the rear setback for a structure.

General Location: South side of Happy Hollow Road, approximately 0.31 miles west of Smith Sundry Road (**Maximum Services**) (Control 2004-00369)

Pages 221 - 240

Conditions of Approval Pages (225 - 226)

Project Manager: James Borsos

Size: 5.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of Variance V-1, subject to the Conditions of Approval as indicated in Exhibit C-1. Staff recommends denial of Variance V-2. Should the Zoning Commission move to recommend approval of Variance V-2, Staff recommends approval subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution approving a Type 2 Variance to eliminate a portion of an Incompatibility Buffer, subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution denying a Type 2 Variance to reduce the rear setback for a structure.

MOTION: To postpone to Thursday, January 6, 2022.

Motion carried by a vote of 8-0-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Second	Moved			
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Board Decision: Postponed to January 6, 2022 by a vote of 8-0-0.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT 10:09 PM