



THURSDAY, JANUARY 6, 2022
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
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Alex Brumfield	Present - VIA Webex
Commissioner Mark Beatty	Present
Commissioner Jess Sowards	Present

Motion to Approve Remote Participation Due to Extraordinary Circumstances, approved by a vote of 7-1-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Beatty	Sowards
			Second			Moved	
Yes	Yes	Yes	Yes	Yes	No	Yes	Yes

- 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 9-0-0

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

F. Adoption of the Minutes

Motion to receive and file, approved by a vote of 9-0-0

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

G. Swearing In

H. Amendments to the Agenda

Motion to receive and file, approved by a vote of 9-0-0

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

I. Motion to adopt the Agenda

Motion to receive and file, approved by a vote of 9-0-0

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

J. Disclosures

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
3	None	None	None	None	3,6	None	None	None

K. Conflicts/Recusal

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **DOA-2021-00418** Title: a Development Order Amendment application of Mattamy Palm Beach, LLC by Urban Design Studio, Agent. Request: to modify the Master Plan; add units; and, add access points

General Location: Located at the southwest corner of Lyons Road and Lantana Road, and continues south, on the east and west sides, approximately 1,900 feet north of Hypoluxo Road. **(Sherbrooke Estates PUD)** (Control 1976-00139)

Pages 1 - 2

Project Manager: Brenya Martinez

Size: 530.14 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday, February 3, 2022.

MOTION: To postpone to Thursday, February 3, 2022.

Motion carried by a vote of 9-0-0

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

Board Decision: Postponed to February 3, 2022 by a vote of 9-0-0.

5. **ZV-2020-02120** Title: a Type 2 Variance application of West Atlantic Commercial Properties, LTD by WGINC, Agent. Request: to allow for the reduction in minimum lot size.

General Location: North side of West Atlantic Avenue, approximately 0.25 miles west of South Military Trail. **(Delray Self Service Storage)** (Control 1994-00053)

Pages 123 - 142

Conditions of Approval Pages (127 - 127)

Project Manager: Imene Haddad

Size: 4.53 acres ±

BCC District: 5

MOTION: To postpone to Thursday, February 3, 2022.

Motion carried by a vote of 9-0-0

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

Board Decision: Postponed to February 3, 2022 by a vote of 9-0-0.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

MOTION: To approve the Consent Agenda, as amended.

Motion carried by a vote of 9-0-0

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

Board Decision: Approved Consent Agenda, as amended, by a vote of 9-0-0.

CONSENT AGENDA

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

4. **ZV/ABN/DOA-2021-01341** Title: a Type 2 Variance application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to relocate foundation planting
Title: a Development Order Abandonment application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to abandon a Requested Use for a Type 1 Restaurant with Drive-through
Title: a Development Order Amendment application of William & Dorothy Mazzoni, Trustees, Boynton Beach Marketplace, LLC by Urban Design Studio, Agent. Request: to modify the Site Plan; add square footage; add, delete and modify Uses; and, modify Conditions of Approval
General Location: Northeast corner of Boynton Beach Boulevard and Hagen Ranch Road.
(Hagen Commercial MUPD) (Control 2008-00421)

Pages 59 - 122

Conditions of Approval Pages (68 - 77)

Project Manager: Imene Haddad

Size: 7.92 acres ±

BCC District: 5

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

MOTION: To adopt a Resolution approving a Type 2 Variance to relocate foundation planting, subject to conditions of approval in Exhibit C-1.

Motion carried by a vote of 9-0-0

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

Board Decision: Adopted a Type 2 Variance (with conditions) by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Requested Use for a Type 1 Restaurant with Drive-through.

Motion carried by a vote of 9-0-0

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

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 9-0-0.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; add square footage; add, delete and modify Uses; and, modify Conditions of Approval, subject to Conditions of Approval as indicated in Exhibit C-2.

Motion carried by a vote of 9-0-0

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

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 9-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

- 2. **CA-2021-01156** Title: a Class A Conditional Use application of Jack Nelson by Land Research Management Inc., Agent. Request: to allow Limited Pet Boarding
General Location: South side of 76th Road North, approximately 246 feet east of Apache Boulevard. **(Palm Beach Dog Academy)** (Control 2021-00081)

Pages 3 - 20

Conditions of Approval Pages (8 - 9)

Project Manager: Ed Tombari

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 carried, as modified subject to the Conditions of Approval as indicated in Exhibit C, by a vote of 9-0-0

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

Board Decision: Recommended Approval of a Class A Conditional Use by a vote of 9-0-0.

- 3. **PDD-2021-01174** Title: an Official Zoning Map Amendment application of G.L. Acquisitions, LLC, Johns Houston, LTD, E.F. Johns, LTD by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District
General Location: East of State Road 7, approximately 0.25 miles north of Glades Road.
(Johns West PUD) (Control 2021-00073)

Pages 21 - 58

Conditions of Approval Pages (30 - 35)

Project Manager: Imene Haddad

Size: 259.52 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 a rezoning from Agricultural Residential (AR) to Planned Unit Development (PUD) District, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried, as amended and discussed herein, including the 95th connection option, by a vote of 7-2-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
				Moved			Second	
Yes	Yes	No	Yes	Yes	No	Yes	Yes	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-2-0.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 6. **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 143 - 164

Conditions of Approval Pages (148 - 150)

Project Manager: James Borsos

Size: 5.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of a Type 2 Variance to eliminate a portion of an Incompatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-1. Staff recommends denial of a Type 2 Variance to reduce the rear setback for a structure.

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-1.

Motion carried by a vote of 8-1-0

Kern	Burke	Pavlik	Kelley	Caliendo	Scarborough	Brumfield	Beatty	Sowards
		Moved					Second	
Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes

Board Decision: Adopted a Type 2 Variance (with conditions) by a vote of 8-1-0.

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

Motion carried by a vote of 9-0-0

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

Board Decision: Denied a Type 2 Variance by a vote of 9-0-0.

D. ZONING APPLICATIONS - NEW

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 11:19 AM