



**ZONING COMMISSION  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
March 3, 2022**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONMENTS**

<b>5.</b>	<b>(1-18)</b>	<b>ZV-2020-02120 (1994-00053)</b>	<b>Delray Self Service Storage</b>
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**Attachment A- Request from Applicant to postpone to May 5, 2022.**

**MOTION:** To postpone to Thursday, May 5, 2022.

**C. WITHDRAWALS**

<b>6.</b>	<b>(1-27)</b>	<b>ZV-2021-01737 (1993-00009) Raton</b>	<b>Young Israel of Boca Raton</b>
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**Attachment B- Request from Applicant to withdraw Variance request V3.**

**MOTION:** To withdraw Variance request V3, to eliminate Foundation Planting, without prejudice.

**CONSENT AGENDA**

**A-1. REQUESTS TO MOVE ITEMS FROM REGULAR TO CONSENT AGENDA**

<b>6.</b>	<b>(1-27)</b>	<b>ZV-2021-01737 (1993-00009)</b>	<b>Young Israel of Boca Raton</b>
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**AMEND** Compliance Condition 1 of Exhibit C-1 to read as follows:

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Zoning Commission for review under the compliance Condition of this Approval.

# ATTACHMENT A



February 28, 2022

Lisa Amara  
Zoning Director  
Palm Beach County Zoning Division  
2300 N Jog Road, 2nd Floor  
West Palm Beach, FL 33411

**Re: POSTPONEMENT REQUEST – App. No. ZV-2020-2120, Delray Self Storage (Control No. 1994-00053)**

Dear Ms. Amara,

We respectfully request a postponement of 60 days for the Delray Self Storage application (ZV-2020-2120). A postponement request was previously granted to postpone the application from the February to March hearing schedule. This previous postponement was necessary so that the Applicant could revise the overall development program after many concerns were expressed during public outreach.

Additional time is necessary in order to finalize the site design that takes into consideration the concerns expressed by members of the adjacent communities. Following the finalization of the new development program and site design the Applicant would like to meet with County staff to review and discuss the revised plan, in addition to meeting with the neighbors, before going back to the Zoning Commission.

We are respectfully requesting the postponement of this request from the March 3, 2022 Zoning Commission Hearing, to be heard at the May 5, 2022 Zoning Commission Hearing.

Should you have any questions regarding this request please do not hesitate to contact me. Thank you for your assistance with this matter.

**WGI**  
Sincerely,

A handwritten signature in blue ink that reads "Yoan Machado". The signature is written in a cursive style.

Yoan Machado  
Project Manager

Cc: Imene Haddad, PBC Zoning  
Wendy Hernandez, PBC Zoning  
Scott Backman, Dunay, Miskel & Backman, LLP

# ATTACHMENT B



March 1, 2022

Lisa Amara, Zoning Director  
Zoning Division  
Palm Beach County PZB Department  
2300 N. Jog Road  
West Palm Beach, Florida 33411

**Re: Young Israel of Boca Raton Variance (ZV 2021-009)**

Dear Lisa;

On behalf of the Applicant, we respectfully request to withdraw V3 from the Application proceeding forward to the Zoning Commission on Thursday, March 3, 2022. This Variance to eliminate the foundation planting required by Art. 7.C.3.B is no longer necessary as confirmed by Zoning Staff. Rather than proceed forward with this variance request, the Applicant has agreed to process a waiver to relocate the required foundation planting to other south facing façades and a portion along the rear side (east façade) of the building concurrent with the Zoning Agency Review application which will “Final” the site plan.

We appreciate your consideration of this request. Should you need any additional information, please feel free to contact me.

Sincerely,

**JMorton Planning & Landscape Architecture, Inc.**

A handwritten signature in blue ink that reads 'Lauren L. McClellan'.

Lauren McClellan  
Senior Project Manager

cc: Emelia Fischer, Site Planner II

LM/jbt

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

**THURSDAY, MARCH 3, 2022**

**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. Amendments to the Agenda
- I. Motion to adopt the Agenda
- J. Disclosures
- K. Conflicts/Recusals

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**

**MARCH 3, 2022**

**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 A.M. on Thursday, March 24, 2022 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/Recusals

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

- 1. [ZV/ABN/CA-2021-00797](#) Title: a Type 2 Variance application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow the increase in an easement overlap from 5 feet to 10 feet on a 20-foot right-of-way buffer  
Title: a Development Order Abandonment application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to abandon a Type 2 Waiver to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and, increase the setback from the build-to-line  
Title: a Class A Conditional Use application of Palm Elite Car Wash, Inc. by URBANA, Agent. Request: to allow a Car Wash  
General Location: Northeast corner of South Military Trail and Vermont Avenue (**Palm Elite Car Wash**) (Control 2013-00200)

Pages 1 - 1

Project Manager: James Borsos

Size: 0.93 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to April 7, 2022.

**MOTION:** No motion required.

**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**

- 2. [ABN/DOA-2021-01030](#) Title: a Development Order Abandonment application of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. Request: to abandon Requested Uses to allow Vehicle Sales and Rental; and, General Repair and Maintenance  
Title: a Development Order Amendment application of Cherry Road Storage LLC - Sanjay Patel by Schmidt Nichols, Agent. Request: to modify the Site Plan and uses; add square footage; and, modify and delete Conditions of Approval  
General Location: East of Military Trail and north side of Cherry Road (**Cherry Road Plaza MUPD**) (Control 1977-00041)

Pages 1 - 33

Conditions of Approval Pages (7 - 14)

Project Manager: Brenya Martinez

Size: 13.76 acres ±

BCC District: 2,7

(affected area 5.85 acres ±)

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 modify the Site Plan and uses; add square footage; and, modify and delete Conditions of Approval, subject to the Conditions of Approval as indicated in Exhibit C.

**D. ZONING APPLICATIONS - NEW**

- 3. [Z-2021-01910](#) Title: an Official Zoning Map Amendment application of Palm Beach County Department of Airports, Palm Beach County by Urban Design Studio, Agent. Request: to allow a rezoning from the Residential Multifamily (RM) and General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District  
General Location: Parcel W-41 - Northwest corner of Wallis Road and Post Road; Parcel W-192 and W-138 - Approximately 141 feet south of Wallis Road on the east and west side of Post Road; and, Parcel W-306 - Northwest corner of Military Trail and Bertram Street (**PBIA Parcel F Rezonings**) (Control 2021-00112)

Pages 1 - 15

Conditions of Approval Pages (7 - 7)

Project Manager: Jordan Jafar

Size: 1.06 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recomend approval for an Official Zoning Map Ammdement to allow a rezoning from the Residential Multifamily (RM) and General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ), and 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

4. [ZV/SW/CA-2020-00880](#) Title: a Type 2 Variance application of TRG Farms, LLC by Frogner Consulting LLC, Agent. Request: to eliminate 100 feet of the Type 2 Incompatibility Buffer along the south property line, landscape islands within the off-street parking, foundation planting around Building B; and, to reduce the rear setback for Building B and the outdoor storage setback from the south property line  
Title: a Subdivision Waiver application of TRG Farms, LLC by Frogner Consulting LLC, Agent. Request: to reduce the minimum legal access width  
Title: a Class A Conditional Use application of TRG Farms, LLC by Frogner Consulting LLC, Agent. Request: to allow Landscape Service  
General Location: Approximately 0.70 miles west of State Road 7/US 441 on the south side of Anderson Lane (**TRG Farms**) (Control 2016-00143)

Pages 1 - 42

Conditions of Approval Pages (10 - 13)

Project Manager: Donna Adelsperger

Size: 5.11 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the Type 2 Variances; denial of the Subdivision Waiver and denial of the Class A Conditional Use.

**MOTION:** To adopt a resolution denying Type 2 Variances to eliminate 100 feet of the Type 2 Incompatibility Buffer along the south property line, landscape islands within the off-street parking, foundation planting around Building B; and, to reduce the rear setback for Building B and the outdoor storage setback from the south property line.

**MOTION:** To recommend denial of a Subdivision Waiver to reduce the minimum legal access width.

**MOTION:** To recommend denial of a Class A Conditional Use to allow Landscape Service.

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 1 - 18

Conditions of Approval Pages (4 - 4)

Project Manager: Imene Haddad

Size: 4.53 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 adopt a Resolution approving a Type 2 Variance to allow for the reduction in minimum lot size, subject to the Conditions of Approval as indicated in Exhibit C.

**D. ZONING APPLICATIONS - NEW**

- 6. [ZV-2021-01737](#) Title: a Type 2 Variance application of Young Israel Of Boca Raton Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow 100 percent overlap of an easement in a Compatibility Buffer; to eliminate the canopy trees within a Compatibility Buffer and Landscape Islands; and, to reduce the width of Landscape Islands  
Title: a Type 2 Variance application of Young Israel Of Boca Raton Inc by JMorton Planning & Landscape Architecture, Agent. Request: to eliminate Foundation Planting  
General Location: South side of Palmetto Circle N., approximately 1000 ft. west of Powerline Road (**Young Israel of Boca Raton**) (Control 1993-00009)

Pages 1 - 27

Conditions of Approval Pages (5 - 6)

Project Manager: Emelia Fischer

Size: 3.50 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the variance requests V1, V2, V4 and V5 to allow 100 percent overlap of an easement in a Compatibility Buffer; to eliminate the canopy trees within a Compatibility Buffer and Landscape Islands; and, to reduce the width of Landscape Islands subject to the Conditions of Approval as indicated in Exhibit C-1.

Staff recommends denial of the variance request V3 to eliminate Foundation Planting. Should the Zoning Commission support the variance, Staff recommends the request be subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow 100 percent overlap of an easement in a Compatibility Buffer; to eliminate the canopy trees within a Compatibility Buffer and Landscape Islands; and, to reduce the width of Landscape Islands, subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution denying a Type 2 Variance to eliminate Foundation Planting.

**E. SUBDIVISION VARIANCE**

**F. OTHER ITEMS**

- 7. Title: [Zoning Commission Annual Organizational Meeting and Election of Chair and Vice Chair](#)

Pages 1 - 4

**MOTION:**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**ADJOURNMENT**