



ZONING COMMISSION MEETING
Minutes for Thursday, August 1, 2024

CALL TO ORDER

A. Roll Call (9:00AM)

Commissioner Cheri Pavlik, (Chair)	Present
Commissioner John Kern, (V.Chair)	Present
Commissioner Michael Kelley	Present
Commissioner Sam Caliendo	Present
Commissioner Lori Vinikoor	Present
Commissioner William (Bill) Reicherter	Absent
Commissioner Alex Brumfield III	Absent
Commissioner Susan Kennedy	Present
Commissioner James Williams	Present

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

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

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

F. Swearing In

G. **Approval of the Minutes**

to approve the Minutes by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

H. **Amendments to the Agenda**

Wendy Hernández, Deputy Zoning Director, read into the record the Amendments to the Agenda from the Add and Delete,

to adopt the Agenda as Amended by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
		Motion						Second
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

I. Disclosures for All Items on Agenda

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
Absent	N/A	1,3,4,7,8,9	N/A	N/A	N/A	Absent	N/A	N/A

J. Conflicts/Recusals

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
Absent	N/A	N/A	N/A	N/A	N/A	Absent	N/A	N/A

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

B. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. Requests To Pull Items From Consent

B. Zoning Applications

1. [DOA-2023-00952 The Salvation Army \(1997-00088\)](#)

Zoning Application of The Salvation Army - Philip Swyers by Insite Studio

Location: West side of N Military Trail, approximately 0.25 mile south of Elmhurst Avenue

Project Manager: Joyce Lawrence, Senior Site Planner

BCC District: 2

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

a. Title: a Development Order Amendment **Request:** to modify the Site Plan for a previously approved Conditional Use for a Congregate Living Facility, to add square footage and residents/beds, and amend and delete Conditions of Approval on 9.04 acres.

MOTION: To recommend approval of item 1.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 1.a., by a vote of 7-0-0

2. [DOA-2023-01335 Palm Beach Logistics Center \(1988-00019\)](#)

Zoning Application of Paris Del Rio by Schmidt Nichols

Location: West side of N Benoist Farms Road, approximately 0.11 miles south of Belvedere Road

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 2

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

a. Title: a Development Order Amendment **Request:** to modify the Overall Site Plan for a previously approved Conditional Use to add land area (5.35 acres), add square footage, and to modify and delete Conditions of Approval on 29.35 acres.

MOTION: To recommend approval of item 2.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 2.a., by a vote of 7-0-0

3. [SV/CA-2024-00590 Project Charlie \(2024-00043\)](#)

Zoning Application of O'Connor Property Management, LLC - William Q O'Connor, The Salvation Army - James Seller by WGINC

Location: West side of N. Military Trail approx. 1,700 feet south of Belvedere Road

Project Manager: Matthew Boyd, Site Planner II

BCC District: 2

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

a. Title: a Subdivision Variance **Request:** to allow access from a local residential street without sidewalks on 3.42 acres.

2 Comment Cards:

People who spoke on this application:

Ronald Collins spoke in opposition- Concerns over the entrances to Orleans Court, the sized of the new building, and safety of the school kids at the bus stop. Suggest using another area as an entrance.

Commissioner Pavlik read into record from comment card from Iruthe Henry- In Opposition Concerns of the entrance to Orleans Court, the sized of the new building, and safety of the school kids at the bus stop.

MOTION: To adopt a resolution approving item 3.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To adopt a resolution approval of item 3.a., by a vote of 7-0-0

b. Title: b. Title: a Class A Conditional Use Request: to allow a Heavy Repair and Maintenance on 3.42 acres.

MOTION: To recommend approval of item 3.b

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 3.b., by a vote of 7-0-0

4. [ABN/Z/DOA-2024-00312 Chabad Lubavitch Synagogue \(1997-00068\)](#)

Zoning Application of Chabad Lubavitch of Boynton, Inc. by Urban Design Studio

Location: West side of El Clair Ranch Road, approximately 0.3 miles north of Woolbright Rd

Project Manager: Nancy Frontany Bou, Senior Site Planner

BCC District: 5

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

a. Title: a Development Order Abandonment **Request:** to abandon a Place of Worship on 2.37 acres

MOTION: No action required for item 4.a

b. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Residential (AR) Zoning District to Single Family Residential (RS) on 2.37 acres

MOTION: To recommend approval of item 4.b

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 4.b., by a vote of 7-0-0

c. Title: a Development Order Amendment **Request:** to modify the Site Plan, to add land area (2.37 acres), to add square footage, to increase the Day Care number of children, and to add an access point on a total of 4.74 acres

MOTION: To recommend approval of item 4.c

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 4.c., by a vote of 7-0-0

5. [PDD/CA-2022-01922 Boynton Place MUPD \(2022-00112\)](#)

Zoning Application of Carl Jobson, Job-Man Development, LLC - Daniel Mancini by Schmidt Nichols

Location: North side of Boynton Beach Blvd, approximately 600 feet east of Jog Road

Project Manager: Donna Adelsperger, Senior Site Planner

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-5.

a. Title: an Official Zoning Map Amendment **Request:** to allow a rezoning from the Single Family Residential (RS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District on 8.86 acres.

MOTION: To recommend approval of item 5.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 5.a., by a vote of 7-0-0

b. Title: a Class A Conditional Use **Request:** to allow a Type I Restaurant with drive-through on 8.86 acres.

MOTION: To recommend approval of item 5.b

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 5.b., by a vote of 7-0-0

c. **Title:** a Class A Conditional Use **Request:** to allow Light Vehicle Sales and Rental on 8.86 acres.

MOTION: To recommend approval of item 5.c

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 5.c., by a vote of 7-0-0

d. **Title:** a Class A Conditional Use **Request:** to allow an Car Wash on 8.86 acres.

MOTION: To recommend approval of item 5.d

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 5.d., by a vote of 7-0-0

e. **Title:** a Class A Conditional Use **Request:** to allow a Limited Self-Service Storage Facility on 8.86 acres.

MOTION: To recommend approval of item 5.e

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 5.e., by a vote of 7-0-0

6. [PDD/DOA-2023-01002 All Seasons Delray Beach \(2012-00424\) and Bedner Oaks / Ag Marketplace \(2007-00357\)](#)

Zoning Application of Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

Location: Northeast corner of Lyons Road and Linton Boulevard (development parcel); Southwest corner of Lee Rd and State Rd 7 (new preserve parcel)

Project Manager: Donna Adelsperger, Senior Site Planner

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.

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development-Preserve (MUPD-P) Zoning District on 5.0 acres.

MOTION: To recommend approval of item 6.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 6.a., by a vote of 7-0-0

b. **Title:** a Development Order Amendment **Request:** to modify the Overall Site Plan for the MUPD to delete land area (5.0 acres) and add land area (5.0 acres) and modify Conditions of Approval on 14.73 acres.

MOTION: To recommend approval of item 6.b

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 6.b., by a vote of 7-0-0

c. **Title:** a Development Order Amendment **Request:** to modify the previously approved Site Plan for a Class A Conditional Use for an Agricultural Marketplace to delete land (76.88 acres) reconfigure the Site Plan for the existing Agriculture Marketplace, and modify Conditions of Approval on the remaining 5 acres.

MOTION: To recommend approval of item 6.c

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 6.c., by a vote of 7-0-0

7. [PDD-2023-00971 Bedner - Lee Industrial \(2023-00075\)](#)

Zoning Application of Bedner Bros Farms, Inc. by JMorton Planning & Landscape Architecture

Location: Northwest corner of State Road 7 and Lee Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow a rezoning from the Multiple Use Planned Development - Preserve (MUPD-P) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 5.0 acres.

MOTION: To recommend approval of item 7.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 7.a., by a vote of 7-0-0

8. [PDD-2023-00972 Bedner Oaks Commerce \(2023-00072\)](#)

Zoning Application of Bedner Farm, Inc. by JMorton Planning & Landscape Architecture

Location: West side of State Road 7, approximately 415 feet south of Lee Road

Project Manager: Donna Adelsperger, Senior Site Planner

BCC District: 5

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

a. **Title:** an Official Zoning Map Amendment **Request:** to allow rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (AGR-MUPD) Zoning District on 9.0 acres.

MOTION: To recommend approval of item 8.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To recommend approval of item 8.a., by a vote of 7-0-0

C. SUBDIVISION VARIANCE

9. [SV-2023-01594 Fearnley Road Subdivision \(2016-00103\)](#)

Zoning Application of Lloyd Thompson by Arc Development Global LLC

Location: West side of Fearnley Road, approximately 0.14 miles north of Lantana Road

Project Manager: Werner Vaughan, Professional Senior Engineer

BCC District: 3

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

a. Title: a Subdivision Variance **Request:** to allow access from the existing 40-foot Right-of-Way with no curb and gutter, and no sidewalk on 4.91 acres.

MOTION: To adopt a resolution approving item 9.a

Motion carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second							Motion
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

Decision: To adopt a resolution approval of item 9.a., by a vote of 7-0-0

- END OF CONSENT AGENDA -

REGULAR AGENDA

A. Items Pulled From Consent

- END OF REGULAR AGENDA -

COMMENTS

A. COUNTY ATTORNEY:

B. ZONING DIRECTOR:

C. PLANNING DIRECTOR:

D. EXECUTIVE DIRECTOR:

E. COMMISSIONERS:

ADJOURNMENT

Carried by a vote of 7-0-0

Reicherter	Kern	Vinikoor	Williams	Pavlik	Kennedy	Brumfield	Kelley	Caliendo
	Second			Motion				
Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes

ADJOURNMENT: 9:15