

RESOLUTION NO. ZR-2025-007

RESOLUTION APPROVING ZONING APPLICATION Z/DOA/CA/ZV-2024-01420
(CONTROL NO. 2007-00172)
TYPE II VARIANCE (*CONCURRENT*)
APPLICATION OF Coastal Waste & Recycling of Palm Beach County LLC
BY WGINC, AGENT
(COASTAL WASTE AND RECYCLING)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application Z/DOA/CA/ZV-2024-01420 was presented to the Zoning Commission at a public hearing conducted on May 1, 2025;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Type 2 Variance;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application Z/DOA/CA/ZV-2024-01420 by the Board of County Commissioners;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that

1. The foregoing recitals are true and correct and are incorporated herein.

2. Zoning Application Z/DOA/CA/ZV-2024-01420, the Application of Coastal Waste & Recycling of Palm Beach County LLC, by WGINC, Agent, for a Type 2 Variance to allow activities (outdoor storage) to operate outside of an enclosed building in the Palm Beach International Airport Overlay (PBAIO) on 10.41 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on May 1, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and subject to the Type 2 Variance Chart as described in Exhibit D, attached hereto and made a part hereof.

Commissioner Vinikoor moved for the approval of the Resolution.

The motion was seconded by Commissioner Pavlik and, upon being put to a vote, the vote was as follows:

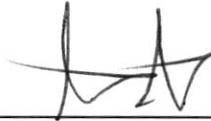
James Williams, Chair	- Aye
Cheri Pavlik, Vice-Chair	- Aye
Christopher Kammerer	- Aye
Claudia Mendoza	- Aye
Sam Caliendo	- Absent
Lori Vinikoor	- Aye
Ali Thomas	- Aye
Angella Vann	- Aye
Susan Kennedy	- Absent for vote

The Chair thereupon declared that the resolution was duly passed and adopted on May 1, 2025.

This resolution was filed with the Palm Beach County Zoning Division on May 1, 2025.

This resolution shall only become effective upon the adoption of a resolutions approving Zoning Application Z/DOA/CA/ZV-2024-01420 by the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 

COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 

CHAIR

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

THE S 48.5 FEET OF THE N 98.5 FEET OF THE WEST 165.15 FEET OF THE EAST 1/2 OF TRACT 49, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 2

THE SOUTH 50 FEET OF THE NORTH 100 FEET OF THE EAST 165 FEET OF TRACT 49, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 3

THE SOUTHERLY 48.5 FEET OF THE FOLLOWING DESCRIBED TRACT, TO WIT: THE WEST 165.15 FEET OF THE EAST 1/2 OF TRACT 49, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, LESS THE SOUTH 512 FEET THEREOF, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 4:

THE SOUTH 48.5 OF THE FOLLOWING TRACT: THE EAST HALF (E 1/2) OF TRACT 49, BLOCK 5, THE PALM FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 45, LESS THEREFROM THE WEST 165.15 FEET AND THE SOUTH 512 FEET; SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 5

THE NORTH 49 FEET OF THE SOUTH 512 FEET OF THE WEST 165.15 FEET OF THE EAST 112 OF TRACT 49, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 45, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 6

THE NORTH 49 FEET OF THE SOUTH 463 FEET OF THE WEST 165.15 FEET OF THE EAST 1/2 OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 7

THE NORTH 98 FEET OF THE SOUTH 512 FEET OF THE EAST 1/2 OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WESTERLY 165.15 FEET THEREOF.

AND:

PARCEL 8

THE NORTH 98 FEET OF THE SOUTH 414 FEET OF THE WEST 165.15 FEET OF THE EAST 1/2 OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC

RECORDS OF PALM BEACH COUNTY, FLORIDA, SUBJECT TO AN EASEMENT FOR ROAD PURPOSES OVER THE WEST 25 FEET THEREOF.

AND:

PARCEL 9

THE NORTH 98 FEET OF THE SOUTH 414 FEET OF THE EAST ½ OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WESTERLY 165.15 FEET THEREOF.

AND:

PARCEL 10

THE SOUTHERLY 49 FEET OF THE FOLLOWING DESCRIBED TRACT TO-WIT:

THE NORTH 98 FEET OF THE SOUTH 316 FEET OF THE WEST 165.15 FEET OF THE EAST ½ OF TRACT 49, BLOCK 5, OF PALM BEACH FARMS COMPANY PLAT NUMBER 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE.

TOGETHER WITH

THE NORTH HALF OF THE NORTH 98 FEET OF THE SOUTH 316 FEET OF THE WEST 165.15 FEET OF THE EAST HALF OF TRACT 49, BLOCK 5, OF PALM BEACH FARMS COMPANY PLAT NUMBER 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE.

AND:

PARCEL 11

THE NORTH 98 FEET OF THE SOUTH 316 FEET OF THE EAST ½ OF TRACT 49, BLOCK 5, THE PALM BEACH FARMS CO. PLAT NUMBER 3, LESS THE WEST 165.15 FEET THEREOF, AS RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, IN PLAT BOOK 2, PAGES 45 TO 54, INCLUSIVE, SAID LANDS SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 12

THE NORTH 98 FEET OF THE SOUTH 218 FEET OF THE WEST 165.15 FEET OF THE EAST HALF (E ½) OF TRACT 49, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR PALM BEACH COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 45; SAID LAND SITUATE, LYING AND BEING IN PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 13

THE NORTH 98 FEET OF THE SOUTH 218 FEET OF THE EAST ½ OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WESTERLY 165.15 FEET THEREOF.

AND:

PARCEL 14

THE SOUTH 120 FEET OF THE WEST 165.15 FEET OF THE EAST ½ OF TRACT 49, IN BLOCK 5, OF THE PALM BEACH FARMS CO., PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

AND:

PARCEL 15

THE SOUTH 120 FEET OF THE EAST HALF OF TRACT 49, BLOCK 5, PALM BEACH FARMS CO. PLAT NO. 3, LESS THE WEST 165.15 FEET THEREOF AND SUBJECT TO EASEMENTS

FOR ROAD PURPOSES AS FOLLOWS: (1) THE EAST 25 FEET OF THE ABOVE DESCRIBED PARCEL. (2) THE SOUTH 22 FEET OF THE ABOVE DESCRIBED PARCEL AND (3) A TRIANGULAR PIECE OF LAND DESCRIBED AS FOLLOWS: COMMENCING AT A POINT IN THE EAST LINE OF THE SAID EAST HALF OF TRACT 49, SAID POINT BEING 22 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE WESTERLY, PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF OF TRACT 49, A DISTANCE OF 25 FEET TO THE POINT OF BEGINNING, FROM SAID POINT OF BEGINNING THENCE NORTHERLY, PARALLEL WITH THE EAST LINE OF SAID EAST HALF OF TRACT 49, A DISTANCE OF 28 FEET, THENCE SOUTHWESTERLY, A DISTANCE OF 37.64 FEET TO A POINT IN A LINE WHICH IS 22 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID EAST HALF OF TRACT 49; THENCE EASTERLY ALONG SAID PARALLEL LINE TO THE POINT OF BEGINNING.

AND:

PARCEL 16

THE PLAT OF AQUARIUS RECYCLING, AS SET FORTH IN PLAT AS RECORDED IN PLAT BOOK 124, PAGE 133 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

LESS AND EXCEPT

TRACT B OF THE PLAT OF AQUARIUS RECYCLING, AS RECORDED IN PLAT BOOK 124, PAGE 133, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT A, AQUARIUS RECYCLING CENTER, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 124, PAGE 133, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, TOGETHER WITH A PORTION OF THE EAST HALF OF TRACT 49, BLOCK 5, OF THE PALM BEACH FARMS CO. PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 45, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. SAID LANDS LYING IN SECTIONS 33 AND 34, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT A; THE FOLLOWING SEVEN (7) CALLS BEING ALONG THE EASTERLY, SOUTHERLY, AND WESTERLY LINES OF SAID TRACT A; THENCE S00°56'07"E, A DISTANCE OF 385.00 FEET; THENCE S89°03'10"W, A DISTANCE OF 112.00 FEET; THENCE S00°56'07"E, A DISTANCE OF 249.77 FEET; THENCE S88°57'48"W, A DISTANCE OF 283.00 FEET; THENCE N45°59'41"W, A DISTANCE OF 35.36 FEET; THENCE S88°57'48"W, A DISTANCE OF 22.00 FEET; THENCE N00°58'39"W, A DISTANCE OF 609.98 FEET TO THE NORTHWEST CORNER OF SAID TRACT AND A POINT ON THE WEST LINE OF THE EAST 1/2 OF TRACT 49, BLOCK 5 OF THE PALM BEACH FARMS CO. PLAT NO. 3, AS RECORDED IN PLAT BOOK 2, PAGE 45, OF SAID PUBLIC RECORDS; THENCE N00°58'39"W, ALONG SAID WEST LINE, A DISTANCE OF 610.24 FEET TO A POINT ON A LONE 50.00 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID TRACT 49; THENCE N89°02'42"E ALONG SAID PARALLEL LINE, A DISTANCE OF 330.93 FEET TO A POINT ON THE EAST LINE OF SAID TRACT 49; THENCE S00°56'07"E, ALONG SAID EAST LINE, A DISTANCE OF 610.07 FEET TO A POINT ON THE NORTH LINE OF SAID TRACT A; THENCE N89°00'57"E, ALONG SAID NORTH LINE, 112.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAIN 10.415 ACRES (453,690 SQUARE FEET), MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

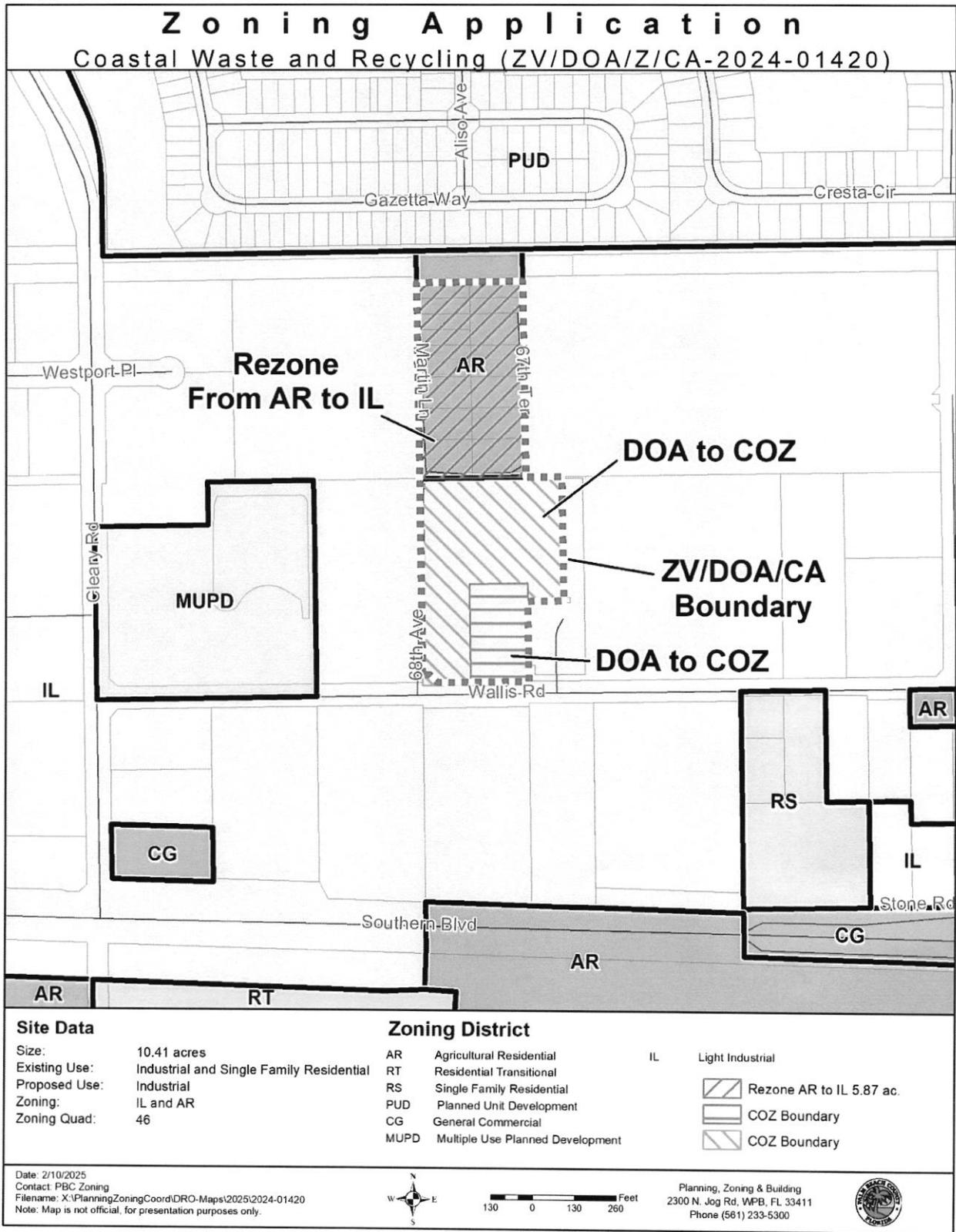


EXHIBIT C

CONDITIONS OF APPROVAL

Type 2 Variance - Concurrent

ALL PETITIONS

1. The approved Preliminary Site Plan is dated March 13, 2025. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

VARIANCE

1. The Development Order for this Variance shall be tied to the Development Order for ZV/DOA/Z-2024-01420. (ONGOING: MONITORING - Zoning)

2. Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance(s) and any associated Conditions of Approval shall be shown on the Site Plan. (DRO/ONGOING: ZONING - Zoning)

3. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDGPM/ONGOING: BUILDING DIVISION - Zoning)

COMPLIANCE

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. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other Permit, License or Approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or,

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other Zoning Approval; and/or,

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of Conditions reasonably related to the failure to comply with existing Conditions; and/or

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any condition of approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

TYPE II VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
3.B.9.G.2 Supplemental Regulations In addition to standards in Article 5.B.1.A.3, Outdoor Storage, all activities except storage and sales of landscape material, shall be operated within enclosed buildings.	All activities, except storage and sales of landscape material, shall be operated within enclosed buildings	To allow activities for a Recycling Plant and Chipping and Mulching uses outdoors and not within an enclosed building	To allow activities for a Recycling Plant and Chipping and Mulching uses outdoors and not within an enclosed building

SITUS ADDRESS:	6759 Wallis Rd West Palm Beach 33413		
OWNER NAME & ADDRESS:	Waste Coastal 2481 NW 2nd Ave, Ste 200 Boca Raton, FL 33431-6745		
PCN:	00-42-43-27-05-005-1130; 00-42-43-27-05-005-1140 00-42-43-27-05-005-1150; 00-42-43-27-05-005-1160 00-42-43-27-05-005-1170; 00-42-43-27-05-005-1180 00-42-43-27-05-005-1200; 00-42-43-27-05-005-1210 00-42-43-27-05-005-1240; 00-42-43-27-05-005-1250 00-42-43-27-05-005-1270; 00-42-43-27-05-005-1280 00-42-43-27-05-005-1290; 00-42-43-27-05-005-1190 00-42-43-27-05-005-1220; 00-42-43-33-15-001-0000		
ZONING DISTRICT:	Agricultural Residential (AR) and Light Industrial (IL)		
BCC DISTRICT:	District 2, Commissioner Gregg K. Weiss		
LAND USE:	Industrial (IND)	S/T/R: 27-43-42 33-43-42	
CONTROL #:	2007-00172		
LOT AREA:	10.41 acres +/-		
REQUEST:	to allow activities (outdoor storage) to operate outside of an enclosed building in the Palm Beach International Airport Overlay (PBAO) on 10.41 acres		