



Planning Zoning Historic Preservation Division
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MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, MARCH 05, 2025 -- 6:00 PM

ROLL CALL and RECORDING OF ABSENCES: Present-Juan Contin, Chairman; Mark Humm; Dave Mathews; Henry Pawski; Daniel Walesky (6:02pm). Also present were: Karina Maldonado, Sr. Community Planner; Annie Greening, Principal Planner; Scott Rodriguez, Asst. Director for Planning & Preservation; Elizabethe Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA None

APPROVAL OF MINUTES:

A. February 5 ,2025 Regular Meeting Minutes

Motion: H. Pawski to accept February 5 meeting minutes as presented; 2nd D. Mathews. **Vote:** Ayes all, unanimous.

CASES:

SWEARING IN OF STAFF AND APPLICANTS Board Secretary administered oath to those wishing to give testimony.

PROOF OF PUBLICATION Provided in the meeting packet.

- 1) 24-00500013 - 3694 23rd Ave South
- 24-01500004 - 1701 Terrace Dr West
- 23-00500016 - 1718 S. Douglas St

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. **PZB Project Number 25-00000004:** A request for Affordable/Workforce Housing Program incentives to authorize a third dwelling unit with a unit size reduction at 614 North E Street. The subject site is zoned Single-Family and Two-Family Residential (SF-TF-14) and has a future land use designation of Medium Density Residential (MDR).

Staff: A. Greening presents case findings and analysis. The request is found to be consistent with LDR's as conditioned. The property was originally a duplex with two units. After the carport was demolished @2002, a Florida room was added to the duplex and at some point prior the applicant purchasing the property in 2024, the Florida room was converted to a third unit. The request is to participate in the Affordable Workforce Housing Program, Tier One, by income restricting that reduced size unit. The program also allows for the reduced square footage of the unit (>15% less). Staff has further determined the criteria set forth for eligibility of award has been met, with the inclusion of a recorded covenant restriction and annual monitoring report. There are five conditions to be met: Site plan approval and building permit approval required within one year of this approval; a minor site plan approval is required prior to issuance of after-the-fact permits for the 3rd unit; recorded covenant restriction with annual report; code cases and fines resolved within one year of this approval; address application for 3rd unit prior to business license application.

Board: Question as to whether all three units are income restricted? **Response:** No, only the reduced size one. Does the request include a reduction in parking spaces? **Response:** No, currently they intend to meet the five required spaces by providing access off the alley during the site plan process. Are utilities included in calculation of total housing costs? **Response:** It is unknown.

Motion: H. Pawski moves to approve PZB 25-00000004 with conditions based upon the competent, substantial evidence provided in the staff report and the testimony at the public hearing; D. Mathews 2nd.

Vote: Ayes all, unanimous.

B. PZB Project Number 24-01500004: Consideration of three variance requests for 1701 Terrace Drive West to encroach the rear setback, to exceed the maximum impermeable surface, and to exceed structural coverage. The subject site is zoned Single Family Residential (SFR) and has a future land use designation of Single Family Residential (SFR).

Staff: K. Maldonado presents case findings and analysis. A previous variance approval was granted in 2018 for an awning which encroaches the rear setback. The current proposal includes a zero rear setback, the impermeable surface coverage with proposed addition and unpermitted pavers on south side would be at +/- 63%. Without either the addition or pavers, the percentage is currently exceeded by 5.3%. Approval of both would bring the impermeable coverage to 63% or 13% over code. The pavers on the south side of the property, appearing to be installed after 2022, cover approximately 220 square feet. The applicant asserts damage by wildlife from the waterway necessitates the variance. Staff analysis of the four variance criteria indicates none of the criteria are met, only the 4th criteria is met. Briefly, 1. Wildlife damage is a general condition for properties throughout the City and not confined to this property alone. 2. The reasonable use of the home as a single-family dwelling can continue without an addition. The applicant was granted a permit for seawall and boat lift in 2022 which demonstrates active use of the rear area of the property. 3. The applicant has not considered reducing setbacks, reducing impermeable coverage or structural coverage non-conformities.

Board: D. Walesky would like to have copy of previous variance approval. Questions whether the third wall constitutes an addition.

Applicant: Ibrahim Chalhoub- Wishes to expand living area as families that once moved away have now returned. Has to battle mosquitos and animals in the backyard. The setback question should be grandfathered and not be brought up again. States the impermeable surface remains the same and because it can runoff onto the area owned by SFWMD, it doesn't go to the streets or sewers. They are not infringing on anyone and the only neighbor said it was fine with them.

Public comment: None

Board: If pavers were inadvertently omitted with the 2018 request and subsequent approval, they shouldn't be removed and should be grandfathered.

Board Attorney: The request is as presented- with pavers and changing the awning to an enclosure. If they were not part of the request, they are now.

Board: Findings according to criteria are as follows:

1. Lake Worth Drainage District is a special circumstance
2. Sturdier
3. No expansion, only enclosing.

Motion: D. Walesky moves to approve PZB 24-01500004 for three variance requests as the application meets the variance criteria for the following reasons and eliminating Condition #3; M. Humm 2nd

Vote: Ayes all, unanimous.

- C. PZB Project Number 24-00500013:** A Conditional Use Permit request for a medium intensity (less than 7,500 square feet) Minor Vehicular Service and Repair (vehicle wrapping) and Assembly excluding retail display and sales uses as provided for in LDR Section 23.3-6 located at 3694 23rd Avenue South, Suite 1. The subject site is zoned Industrial Park of Commerce (I-POC) and has a future land use designation of Industrial (I).

Staff: K. Maldonado explains the use vehicle wrapping is most closely related to window tinting. Window tinting is classified in City code as Minor Vehicular Repair. The use does not include any traditional vehicular repair such as brake repair, oil change, muffler replacement or tire repair. There will also be indoor storage of materials and sign assembly. The request is consistent with the Comprehensive Plan, the Strategic Plan, City Land Development Regulations and Conditional Use findings as conditioned.

Board: Question regarding the need for 4 units out of the total of 27 spaces, how will that be accomplished? **Response:** At time of Business License application they will show how/where it is met.

Applicant: Agreement with the Conditions after clarification of the parking requirements.

Motion: D. Walesky moves to approve PZB 24-00500013 with staff recommended conditions based upon competent substantial evidence in the staff report and in the testimony at the public hearing; H. Pawski 2nd.

Vote: Ayes all, unanimous.

- D. PZB Project Number 23-00500016 and 23-01400028:** A Major Site Plan Amendment request for the construction of three (3) additional educational buildings totaling ±21,300 square feet and site improvements including a swimming pool, basketball court, outdoor amphitheater, soccer field, playground, walking trails, landscaping, and parking lot at 1718 South Douglas Street. A Conditional Use Permit (CUP) request for the establishment of a high intensity (greater than 7,500 square feet) institutional use. The property is zoned Public (P) and has a Public (P) Future Land Use (FLU) designation.

Staff: K. Maldonado presents case findings and analysis. Currently there is one structure on the site. This would be an expansion of an existing use which provides educational, recreational and family support services to underserved families. Three additional buildings will be added as well as site improvements such as a pool; basketball court; soccer field, walking trails; amphitheater; playground and a new parking lot. The structures will be rated Category 5 and designated as a community shelter during high wind events such as a hurricane. Planned as a six (6) phase project. Staff finds it to be consistent with the Comprehensive and Strategic Plan as well as City Land Development Regulations and Conditional use criteria. The plans are also reviewed by City staff from other Departments. Staff calls attention to the condition by Palm Beach County Fire requirement that a site plan be submitted concurrent with the Building Permit for phase 1 to address the required 20 foot wide fire dept access within 50 ft of the entry doors of all buildings exceeding 400 square feet.

Board: Question about the time frame between phases. **Response:** Typically one year but it can be up to 3 years. The applicant is trying to meet the grant condition by September. Phase I can be Board approved for additional time if not completed within four years. Question as to who is funding since it is City owned property?

Richard Ahrens from the design team for the applicant: It is with grant monies. Until Phase I is complete, the children cannot be moved from the Historic Osborne School to the new structures. Phase II includes parking and classroom facilities with a six (6) million dollar grant. Murals are requested by the City Commission. Buildings are rated for 160 mph winds.

Motion: D. Walesky moves to approve with conditions PZB 23-00500016 and 23-01400028 based upon competent substantial evidence provided in the staff report and in the testimony at the public hearing; M. Humm 2nd,

Vote: Ayes all, unanimous.

PLANNING ISSUES: April 16 will be the Joint Board meeting for the Open Space Presentation as well as variance training for both boards.

Reminder of office hours for Board members questions the Monday prior to the Board meeting.

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: None

ADJOURNMENT: 7:17PM