



**MINUTES
CITY OF LAKE WORTH BEACH
PLANNING & ZONING BOARD REGULAR MEETING
CITY HALL COMMISSION CHAMBER
WEDNESDAY, SEPTEMBER 06, 2023 -- 6:00 PM**

SWEARING IN OF NEW MEMBERS: Board Secretary administered Oath of Office (Planning & Zoning Board) City of Lake Worth Beach to newly appointed Board members: Dave Mathews and Henry Pawski.

ROLL CALL and RECORDING OF ABSENCES: Present were: Juan Contin, Chairman; Daniel Walesky, Vice-Chair; Mark Humm, Zade Shamsi-Basha; Dave Mathews, Henry Pawski. Absent: Evelin Urcuyo. Also present were: Abraham Fogel, Senior Community Planner; Scott Rodriguez, Principal Planner; Erin Sita, Asst Director for Community Sustainability; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

PLEDGE OF ALLEGIANCE

ADDITIONS / DELETIONS / RECORDING AND APPROVAL OF THE AGENDA No additions/deletions to the agenda.

Motion: D. Walesky moves to approve the agenda as presented, M. Humm 2nd.

Vote: Ayes all, unanimous.

APPROVAL OF MINUTES:

- A. July 19, 2023 Regular Meeting Minutes
- August 2, 2023 Regular Meeting Minutes

Motion: D. Walesky moves to approve the July and August meeting minutes as presented; M. Humm 2nd.

Vote: Ayes all, unanimous.

PZB TRAINING: E. Sita gives brief overview and history of Zoning. It is a valid police power upholding health, safety and welfare of communities. Florida adopted legislation allowing local governments to enact zoning codes. This was followed by the enacting of Comprehensive Plans. The Land Development Regulations are the primary method of implementing the Comprehensive Plan and those Elements within. Additional guidelines such as Major Thoroughfare Design Guidelines are adopted through reference. Plans/projects are reviewed against the LDR's and Comprehensive Plans. Public participation is required by the State. There are two roles for the Board: Advisory- providing the City Commission with recommendations related to Comprehensive Plan and LDR changes, Planned Developments, Incentives, Rezoning and Abandonments; and Decision-making for Variances, Conditional Uses, Major Site Plans.

Elizabeth Lenihan, Board Attorney-Review of Meeting procedures. Two type of Disclosures that may be encountered are Ethics Disclosures and Quasi-Judicial Disclosures (Ex-parte Communications involving direct investigations and/or communications with applicants prior to a meeting). Palm Beach County regulations are more stringent than the State. Brief discussion of Sunshine Law regarding

discussing projects with other Board members outside the meeting forum; Advises that should you have a question about whether you need to disclose or be recused from procedures, the City attorney office is open to discussion prior to any meeting.

Board: A question regarding viewing information on a personal laptop. This is not advisable as all Board members should have or have opportunity to avail themselves of the same level of decision making information. 55:37

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) 1806 Madrid Ave
1778 7th Ave N

WITHDRAWALS / POSTPONEMENTS None

CONSENT None

PUBLIC HEARINGS:

BOARD DISCLOSURE: J. Contin discloses he intends to recuse himself from New Business Item A. as he was spoke with a vendor with whom he is utilizing for his own project. This would be a voting conflict of interest.

UNFINISHED BUSINESS: None

NEW BUSINESS:

- A. PZB Project Numbers 23-01400025:** A Major Site Plan Amendment for the installation of ±34,454 square feet of canopies (+38,020 total square feet including existing structures) for previously approved recreational vehicle (RV) and boat storage spaces at 1778 7th Avenue North. The subject site is located within the Industrial Park of Commerce (I-POC) zoning district and has a future land use designation of Industrial (I).

Vice-Chair Daniel Walesky presides as the Chair, Juan Contin, has recused himself.

Staff: S. Rodriguez provides background information on the project. Previous approvals include additional paving, landscaping and drainage to support the storage facility. The application implements the requirement for a reduced queuing distance at entrance.

Agent for the applicant: Shayne Broadnix- is in agreement with the Conditions of Approval

Public Comment: Claudia Rodriguez owner of nearby property expresses concern regarding the traffic. Would like to see speed limit, and stop signs. Previously the property had one tenant for the tower; now there are 93 tenants plus the tower. There will be more traffic than 15 years ago, it is on a curve.

Board: Question about whether it is only storage with no on-site maintenance of vehicles. Agent confirms it is storage only.

Staff: The use was approved a few years ago, the site plan was modified in 2022 and here again with the addition of canopies.

Board: Does the City engineer sign off on the traffic flow? The City engineer wanted to increase stacking distance to accommodate the larger vehicles.

Motion: D. Mathews moves to approve PZB 23-01400025 with staff recommended Conditions based upon competent substantial evidence provided in the staff report and testimony given at the public hearing; Z. Shamsi-Basha 2nd.

Vote: Ayes all, unanimous. J. Contin abstained from Board discussion, was not present in the room, and did not vote.

B. PZB Project Numbers 23-00500013: A conditional use permit request for a ±6,800 square foot Contractor Showroom at 1806 Madrid Avenue. The subject site is located within the Industrial Park of Commerce (I-POC) zoning district and has a future land use designation of Industrial (I).

Staff: A. Fogel presents case findings and analysis. The proposal is for a contractor showroom within the same building as an existing warehouse. The contractor showroom will be for wholesale use and industry professionals displaying cabinets and countertops. Conditions #4,5,6 are atypical of a conditional use. As the area is difficult to view unless onsite, the previously approved landscaping will be verified with an on-site visit; the non-conforming pole sign would be removed if not integrated into the structure; this project facilitates the mitigation of the code compliance case.

Applicant: Mauricio Valle- Is familiar with the Conditions of Approval and in agreement with those Conditions

Public Comment: None

Board: H. Pawski verifies that the Conditions in the staff report are included in the motion.

Board Attorney: It includes all conditions in staff report, including those with time limitations.

Public Comment: None.

Motion: D. Walesky moves to approve PZB 23-00500013 based upon competent, substantial evidence provided in the staff report and testimony given at the public hearing.; H. Pawski 2nd.

Vote: Ayes all, unanimous.

PLANNING ISSUES: None

PUBLIC COMMENTS (3 minute limit) None

DEPARTMENT REPORTS: None

BOARD MEMBER COMMENTS: Welcome to the new Board members.

ADJOURNMENT: 7:22 PM