



**MINUTES  
CITY OF LAKE WORTH BEACH  
PLANNING & ZONING BOARD MEETING  
CITY HALL COMMISSION CHAMBER  
WEDNESDAY, NOVEMBER 05, 2025 -- 6:00 PM**

**ROLL CALL and RECORDING OF ABSENCES:** Present were: Daniel Walesky-Vice Chair; Mark Humm; Dave Mathews; Henry Pawski. Absent: Juan Contin. Also present were: Karina Maldonado, Senior Community Planner; Scott Rodriguez, Asst. Director for Planning & Preservation; Elizabeth Lenihan, Board Attorney; Sherie Coale, Board Secretary.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

A. October 1, 2025 Meeting Minutes

**Motion:** M. Humm moves to approve the October 1, 2025 meeting minutes as presented; H. Pawski 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**ADDITIONS / DELETIONS / REORDERING AND APPROVAL OF THE AGENDA**

Staff suggests the re-ordering of the agenda with New Business, Item D to be heard first.

**Motion:** M. Humm moves to re-order the agenda to hear New Business Item D first; D. Mathews 2<sup>nd</sup>.

**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) 732 S. Dixie Hwy  
2209 7th Ave N

**WITHDRAWALS / POSTPONEMENTS** None

**PUBLIC HEARINGS:**

**BOARD DISCLOSURE** None

**NEW BUSINESS:**

- A. Consideration of an ordinance amending Chapter 23 "Land Development Regulations" related to the affordable housing workforce housing program.

**Staff:** S. Rodriguez- it would allow financial credits to be applied toward fines or liens, tree abuse violations/penalties, tree mitigation fees could be related to the development on the property. It cannot be applied to administrative costs. It would be applicable to affordable housing projects, over and above what is required by Live Local requirements.

**Motion:** M. Humm moves to recommend approval of the Ordinance 2025-26 to the City Commission; D. Mathews 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

B. **Ordinance 2025-24:** Consideration of an ordinance amending multiple sections of Chapter 23 "Land Development Regulations" related to recovery residences

**Staff:** S. Rodriguez- The ordinance addresses recent regulation by the State of Florida to establish a new section within the City Land Development Regulations providing definitions, inclusion into the Use table, waiver processes and requests for reasonable accommodation pertaining to recovery residences.

**Motion:** D. Mathews moves to recommend approval of Ordinance 2025-24 to the City Commission; M. Humm 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

C. **PZB 24-00500003 & 24-01400012:** A Major Site Plan, Conditional Use Permit, Waiver, and Variances to allow a street wall to encroach into the front and side street build-to-line and for the construction and expansion of the existing minor vehicular repair use at 732 South Dixie Highway. The property is zoned Mixed-Use Dixie Highway (MU-DH) and has a Mixed-Use East (MU-E) future land use designation.

**Staff:** K. Maldonado-Would like to edit several inconsistencies within the staff report and alter analysis of the staff report. Requests for waivers for street walls are few and far between. Business licenses in effect at the location are for retail, auto repair and food store. Applicant is proposing a two-story addition to the existing building to house the tires. This is accompanied by site improvements including parking and landscaping. The street wall waiver is requested as the meeting of the build-to line requirement cannot be met due to the circulation and parking on the site. Although it is not met, the non-conformity will not increase but diminish. The two advertised variances are no longer required.

**Board:** What is it that the wall does? **Staff:** It activates and engages the street. **Board:** Moving it to three feet beyond the setback is worse than not having a wall. **Staff:** If the wall is placed where it is suppose to go, it will affect circulation within the site. **Board:** If the choice must be made between bumped out versus no wall, the preference is for no wall. Two wrongs don't make a right. Who is requesting the wall? **Staff:** Staff recommended the street wall as a way to reduce the non-conformity. The proposal shows a landscape buffer with a trellis and a half wall to screen the vehicles. It will have a living vegetation screen. The addition at the rear of the property must meet a fifteen foot setback. The twenty foot backout into the alleyway is comprised of the 15-foot setback plus 5 feet of the alley.

**Keith Chambers Architect for the applicant:** No customers will be moving vehicles in the alleyway. The example given is decorative and does not feel closed in.

**Staff:** The analysis now differs from the staff report. The street wall waiver criteria is met thus no need for the variance. Based on updated analysis it meets the Comprehensive Plan, Major Thoroughfare Guidelines, Strategic Plan, and City LDR's. A site plan will be required to address the additional five foot alleyway setback.

**Board:** Concern of Board chair is taking a non-conformity and creating another non-conformity.

**Board Attorney:** Current structure is not at build-to line and is non-conforming. All parking would be lost if the addition were to be built at the build-to line. The proposal does not increase the non-conformity, the addition cannot be allowed without attempting to meet the build to line. The intent is to meet the build to line. The amount of non-conformity, although over by three feet, is lessened.

**Architect:** Trellis will involve landscaping and lights and is an attempt at complying with the street wall requirement. 8:30 pm

**Motion:** M. Humm moves to approve PZB 24-00500003 & 24-01400012 with staff recommended conditions based on competent substantial evidence in the staff report and testimony at the public hearing; D. Mathews 2<sup>nd</sup> .

**Vote:** 3/1 in favor, D. Walesky dissenting.

**D. PZB 25-01400013:** A Major Site Plan, Conditional Use Permit and Sustainable Bonus Incentive request to construct a high intensity cold storage use at 2209 7th Avenue North. The Sustainable bonus incentive program request is for an additional five (5) feet in height. The subject site is zoned Industrial Park of Commerce (IPOC) and has an Industrial (I) future land use (FLU) designation.

**Board Attorney:** Explanation of the quasi-judicial process. Board members indicate they have no ex-parte communications.

**Staff:** There are three (3) affected parties. The speaking order will be City, applicant, affected parties. As one of the affected parties is asking for a continuance, the Board heard that request.

**Elise Crohn:** 402 Elizabeth Road, unincorporated-She believed the project to be rushed and not published with sufficient time to review. Acknowledged a neighborhood meeting was held, states no one in the neighborhood received that notice of meeting. Neighbors need more time for review.

**Board Attorney:** Affected parties have a right to request a continuance if new evidence has been presented, to hire legal counsel / consultants. Since this is for a different purpose, it will be at the discretion of the Board to decide whether or not to grant a continuance.

**Wes Blackman, project planner:** At the July 2025 neighborhood meeting only the applicant, owner and himself were present, with zero attendees from the noticed neighborhood. The meeting was published on the City website. The notices went out and the notification for this meeting has resulted in quite a few returned un-deliverable mailing notices. The full project team is here, as well as Ms. Crohn, with an opportunity to share information.

**Board members decide to move forward with presentations and will determine after whether a continuance is needed.**

**Staff:** K. Maldonado presents case analysis. The vacant site is bounded on the west by Keller Canal. That side of the structure will have a fire access road as requested by PBC Fire Rescue. Deliveries and the loading dock are on the east side of the structure; parking to the south; the north is the front entrance. Staff has advised/suggested an enhanced façade and increased landscaping will be needed along 7<sup>th</sup> Ave North. The proposal is consistent, as conditioned, with the Comprehensive Plan, the Strategic Plan and the City of Lake Worth Land Development Regulations. There is a request to participate in the Sustainable Bonus Incentive Program to allow for additional height. The total amount due is \$160,695.00 with one-half to be deposited into the SBIP Fund and the other half to be either utilized on qualified site improvements or deposited into said Fund. A northern portion of the property will be dedicated to the city for future road improvements. The setback will be corrected to move the structure forward.

**Please note two areas of the staff report are to be stricken.** Page 5 Off street parking analysis- last sentence. Page seven (7) Paragraph one-last sentence; and Paragraph two-third sentence.

The applicant has agreed to all conditions.

**Wes Blackman, CWB Associates:** An annexation decision between Palm Beach County and the City of Lake Worth Beach was made and helps diversify the tax base with this industrial property. The two major arterials are 10<sup>th</sup> Ave North and Lake Worth Road to the south. The site is approximately ten (10) acres and the use is consistent with zoning and land use regulations. The site has no vehicular connection with the neighborhood to the west. It is located in a TCEA (traffic concurrency exception area). There will be 12 tenants such as florists and restaurant businesses. The western façade has emergency

exits only and stairs with abundant landscaping. Care has been taken to locate the mechanical equipment within the central portion of the building to eliminate noise.

The noticing of hearing was completed twice: once for the neighborhood meeting and once for this meeting. Site signs were posted in both instances and returned, undeliverable mail was received.

The utilization of the property would eliminate the attractive nuisance truck parking with idling motors found on the western end of 7<sup>th</sup> Ave North. Originally the building was sited slightly further to the west however Lake Worth Drainage District did not want the Fire Access road located in the easement so the building was shifted eastward. The western property line is approximately fifty (50) feet from LWDD easement. There is a wet retention pond to the east and dry retention pond to the south of the building. At approximately 35 feet in width and 675 feet in length, the building creates it's own sound barrier abating light and noise from the east. Lighting is downcast and shielded per City Code. The Sustainable Bonus request is for the added building height of five (5) feet to the ridge of the low-rise roof. Sustainable bonus incentive charges are \$3.00 per sq.ft in IPOC versus \$7.50 elsewhere in the city.

**Affected Parties:** Peter Detore-402 Elizabeth Rd-Concerned the wind coming around the building causes the Venturi effect. Has a wind study been done? Elise Crohn- wants the site to maintain existing harmony with the neighborhood to the west over the canal. Code states new development must be harmonious. She disagrees with planner assessments and objects to visual elements that will detract from the property value and quality of life. The site plan considerations given to neighborhoods to the east and south are much more than that given to the west. In particular, rip-rap on canal, landscape on west and mitigation of wind. Would like to see a denser, tiered landscape plan to provide screening to neighborhood and retain some habitat. A suggestion of a mural was made by a neighbor. Many birds use the land as a nesting area.

Robert Andino- 406 Elizabeth Rd-The flora and fauna in the area will suffer. Is a veteran and Covid survivor. The quiet and peace will be forever disrupted. There needs to be more green, he is against it but if it goes forward, please provide more green. Concerns are the value of his home. The property could be made into a park.

**Board:** Were there any letters of opposition? **Response:** No, only the affected parties. **Board:** Requests clarification of the distances to the west including the canal. **Staff:** LWDD canal property is 200 feet east to west as well portions of easements on private property. The building is then setback 50 feet from the property line. The LWDD requirement for rip rap on canal banks is not optional, it is a one million dollar requirement and is for storm water management.

**Affected parties questions to applicant and staff:** P. Detore has experienced high winds in the house. The Venturi effect of the wind coming around the sides increases the speed of the winds by 100%. E. Crohn – will there be idling vehicles on the south end parking?

**Wes Blackman:** The structure meets Florida building code and by right height in IPOC is thirty (30) feet. Vehicles may idle periodically but not long-term. There is no reason to idle as it wastes fuel The hours of operation allow for the businesses to prepare for deliveries and stocking of businesses. The parking to the south would be for office employees as well as the regular spaces on the north side.

**Landscape Architect-John Lang** addresses the Venturi effect comment. This involves a pinch point between structures and there is no confined space for the Venturi effect to occur. The landscape on the north side has been increased to double the requirement.

**Clifford Hertz Nelson Mullins Law Firm WPB:** Evidence, questions and concerns have been heard yet there has not been any expert witness testimony brought forward from the affected parties showing the project has not met the criteria or code. Without competent substantial evidence to the contrary, the project should be approved as all criteria has been met.

Robert Andino: Come sit in his backyard, at least provide more greenery.

Elise Crohn: The neighborhood predates the annexation of the parcel into LWB. Agrees this is better than the previous two proposals. Suggestions are for additional landscape and a mural to lessen the appearance of the wall.

**Board Deliberation:** As an industrial area, the applicant has the right to develop an industrial use, this use is the least intrusive to neighbors. The distance helps as it is 250 feet away with the activity on the eastern side. The City needs commercial/industrial uses. Typically Palm Beach County Fire and Lake Worth Drainage District will not allow additional landscaping in the areas bordering the canal, their objectives are different. Despite hearing and understanding the impact to the neighbors, there is no reason for a continuance.

The neighbors concerns are heard and understood however the project seems well planned according to the presentation.

It is dynamic and great for the area. Compared to the previous two proposals, this is a 'peaceful' operation.

**Motion:** H. Pawski, moves that Board not continue the project to a future date and resolve today; D. Mathews 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous.

**Motion:** D. Mathews moves to approve PZB 25-01400013 with staff recommended Conditions of approval based upon competent substantial evidence provided in the staff report and in the testimony at the public hearing; H. Pawski 2<sup>nd</sup>.

**Vote:** Ayes all, unanimous. 7:38 pm

**PLANNING ISSUES:** None

**PUBLIC COMMENTS** (3 minute limit) None

**DEPARTMENT REPORTS:** 8:33 PM

A. Update on consideration of a Resolution Adopting the Open Space and Recreation Master Plan

Nilsa Zacarias and Lance Lily – Chen Moore & Associates: Recap of process January 2024. The joint PZHP workshop April 16 was held with comments/concerns addressed. The 2018 adoption of the Comprehensive Plan included the addition of the Open Space and Recreation Element. National trends, inventories of open spaces and recreational facilities, level of services, tree inventories, funding options and recommendations. Branding to get the word out to the community. Workshops were held in the City with residents in different areas. Spoke with City officials in to discuss how the suggestions could be afforded to the community. Aquatics facilities are of interest to many.

**BOARD MEMBER COMMENTS:** None

**ADJOURNMENT:** 8:53 pm