



**Department of Planning,  
Zoning & Building**

2300 North Jog Road  
West Palm Beach, FL 33411-2741  
(561) 233-5000

Planning Division 233-5300  
Zoning Division 233-5200  
Building Division 233-5100  
Code Enforcement 233-5500  
Contractors Certification 233-5525  
Administration Office 233-5005  
Executive Office 233-5228  
[www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)



**Palm Beach County  
Board of County  
Commissioners**

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Mary Lou Berger  
Melissa McKinlay

**County Administrator**

Verdenia C. Baker

*"An Equal Opportunity  
Affirmative Action Employer"*

December 19, 2018

Walter Ross  
Farmhouse Tomatoes  
5407 Nash Trail  
Lake Worth, FL 33463

**RE: Zoning Confirmation Letter - ZC-2018-2119  
Medical Marijuana Dispensing Facility  
2134 Okeechobee Blvd., West Palm Beach, FL 33409  
PCN: 00-43-43-29-05-000-0050**

Dear Mr. Ross:

We have reviewed your Zoning Confirmation application request for the dispensing of medical marijuana at the above referenced site. We have prepared this response based on the information you submitted to us and available in our official Palm Beach County records.

**Regarding your Inquiry:**

- A medical marijuana treatment center dispensing facility may not be located within 500 feet of the real property comprised of a public or private elementary school, middle school or secondary school. Section 381.986(11)(a), Fla. Stat. (2017) unless a separation waiver is approved by the PBC Board of County Commissioners (BCC);
- Based on a signed and certified letter from a surveyor provided by the applicant (Attachment 1), the subject site does comply with the 500-foot separation requirement;
- Section 381.986(11)2(d), Fla. Stat. (2017) does not prohibit a local government from ensuring medical marijuana treatment center facilities comply with the Florida Building Code and Florida Fire Prevention Code or any local amendments to the Florida Building Code or the Florida Fire Code.
- The use of Medical Marijuana Dispensing Facility is classified as a Retail Sales use. Pursuant to ULDC Table 4.B.2.A., Retail Sales is a permitted use in the General Commercial (CG) Zoning District in the Westgate (WCRAO) Overlay at the above referenced address. Note: This is a confirmation of the use only and does not confirm state approval for the dispensing of medical marijuana at this location.
- Prior to the opening of any establishment, the owner shall request sign-off on a Palm Beach County Local Business Tax Receipt (BTR) at the Zoning Division. Once the BTR is signed by Zoning staff, the applicant shall: schedule his applicable agency inspections, receive the inspection sign-offs and submit the form with inspection results to the Palm Beach County Tax Collector. The Tax Collector will issue the actual Business Tax Certificate to the owner for the business.


This letter shall remain valid for six months from the date of issuance; unless a subsequent ULDC change or interpretation has occurred that results in a different conclusion. Staff has prepared this response based on the information submitted and the information available in our records. Should any of the information relied on by Zoning staff be incorrect, this response may not be valid. Nothing herein shall relieve any person of any requirements of this Code or other applicable provisions of federal, state law, or local ordinances. If there exists a conflict



between any information included herein and the laws, rules, codes, or ordinances, such laws, rules, codes, or ordinances shall prevail. Please be aware that other code requirements may apply prior to any development activity taking place on site, including, but not limited to: Monitoring, Planning, Concurrency, Subdivision, Platting, Vegetation Removal, Building Permit or Architectural Review. For information on these requirements, contact the appropriate department or agency. General information can be obtained from our website at [www.pbcgov.com](http://www.pbcgov.com)

If you have any questions, contact me at 561-233-5234 or Barbara Pinkston, Principal Site Planner, at 561-233-5232.

Sincerely,



Jon MacGillis, ASLA  
Zoning Director  
JM/BP/sh

Attachments: Attachment 1 – Letter from Professional Surveyor

C: **Hard Copy to:**  
Walter Ross, Farmhouse Tomatoes

**Digital Copy:**  
Commissioner Gregg K. Weiss, District 2  
Barbara Pinkston, Principal Site Planner, Public Information  
Zoning Director File  
ZC-2018-2119



**Miller**  
LAND SURVEYING

1000 S. W. 10th St. Suite 100  
West Palm Beach, FL 33409  
Tel: 561-833-1111  
Fax: 561-833-1112  
www.millersurveying.com

DATE: OCTOBER 31, 2018

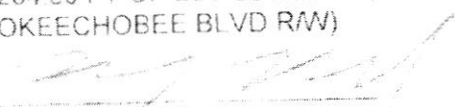
I HEREBY CERTIFY THAT THERE IS NEITHER A PUBLIC SCHOOL NOR A PRIVATE SCHOOL LYING WITHIN A RADIUS OF 500 FEET FROM ANY POINT OF THE BOUNDARY LINE OF THE FOLLOWING PROPERTY PER THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA:

**OWNER:** 915 PARK AVENUE INC.

**PROPERTY CONTROL NUMBER:** 00-43-43-29-05-000-0050

**PROPERTY ADDRESS:** 2134 OKEECHOBEE BLVD., WEST PALM BEACH, FL 33409

**LEGAL DESCRIPTION:** LENGTHY MADRID PARK REPLAT, N 283.46 FT OF WLY 204.80 FT OF ELY 504.80 FT (LESS S 98.46 FT OF W 73.97 FT & N 35 FT OKEECHOBEE BLVD R/W)

  
MICHAEL J. MILLER  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA LICENSE NO. 4034

SEAL

