

Board of County Commissioners

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County Administrator

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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY APRIL 5, 2007

**THURSDAY
9:00 AM**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Proof of Publication
- E. Swearing In
- F. Disclosures

2. POSTPONEMENTS (Page 2)

3. CONSENT AGENDA (Page 3)

4. REGULAR AGENDA (Pages 4-6)

5. COMMISSIONER COMMENTS (Page 7)

6. DIRECTOR COMMENTS (Page 7)

7. ADJOURNMENT (Page 7)

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

APRIL 5, 2007

1. CALL TO ORDER

- A. Roll Call – 9:00 A.M.
- B. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Jane M. Thompson Memorial Chambers, 6th Floor, 301 N. Olive Avenue, West Palm Beach, FL, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments, Type II Variances and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. The Board of County Commissioners of Palm Beach County will conduct a public hearing at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, April 26, 2007 to take final action on the applications listed below, and **Monday, May 7, 2007** to take final action on Callery Judge Grove TTD.

- C. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice

NOTICE

Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners, which occurs outside of the public hearing, must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group.

Public comment continues to be encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- D. Proof of Publication – Motion to receive and file.
- E. Swearing In – County Attorney.
- F. Disclosures.

2. **POSTPONEMENTS**

A. **POSTPONEMENTS**

1. **Z/CA2006-022** Title: Resolution approving an Official Zoning Map Amendment application of Colonial Lake, LLC, by Kim Glas-Castro, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Colonial Lakes, LLC, by Kim Glas-Castro, Agent. Request: To allow the transfer of development rights. General Location: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road. **(COLONIAL LAKES)** (Control 2006-010)

Page 1

Size: 9.84 acres ±

BCC District: 2

MOTION: To postpone thirty (30) days to Thursday May 3, 2007.

END OF POSTPONEMENTS

3. CONSENT AGENDA

A. ZONING VARIANCE - CONSENT

2. [ZV2007-188](#) Title: Resolution approving a Type II Zoning Variance application of Jonathan Spalding. Request: To allow reduction of the rear and side interior setbacks. General Location: Approximately 150 feet east of US Highway 1 on the north side of Inlet Court. **(SPALDING VARIANCE)** (Control 2007-049)

Pages 2-5

Size: 0.13 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction of the rear and both side interior setbacks.

3. [ZV2007-189](#) Title: Resolution approving a Type II Zoning Variance application of Grove Nurseries, Inc., by Kimley Horn and Associates, Inc., Agent. Request: To allow relocation of the required wall to the north property line. Title: Resolution approving a Type II Zoning Variance application of Grove Nurseries, Inc., by Kimley Horn and Associates, Inc., Agent. Request: To allow 100% of the landscaping on the south side of the wall. General Location: Northeast corner of Florida's Turnpike and Boynton Beach Boulevard. **(GROVE MUPD VARIANCE)** (Control 2006-367)

Pages 6-14

Size: 10.19 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow relocation of the required wall to the north property line.

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 100% of the landscaping on the south side of the wall.

B. ZONING APPLICATIONS – CONSENT

C. CORRECTIVE RESOLUTION

4. [Corrective Resolution](#): To correct Condition 2 of Resolution No. R-2007-001. **(GOLLIN VARIANCE)** (ZV2006-1747, Control 1978-157)

Page 15

BCC District: 5

MOTION: To adopt a Resolution to correct Condition 2 Resolution No. R-2007-001.

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -**4. REGULAR AGENDA****A. PREVIOUSLY POSTPONED VARIANCE ITEMS**

5. **ZV2006-1751** Title: A Type II Zoning Variance application of Thomas Liberati. Request: To allow a gazebo and deck to encroach into the rear setback and easement. General Location: Approximately 1 mile east of Powerline Road and 0.25 mile south of Palmetto Park Road. **(LIBERATI VARIANCE)** (Control 1973-085)

Pages 16-24

Size: 0.17 acres ±

BCC District: 4

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an arbor/trellis to encroach into the rear setback and easement.

PREVIOUSLY POSTPONED ITEMS

6. **Z/DOA/ZV2006-185** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Family Bedner, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of Family Bedner, by Jon E. Schmidt & Associates, Agent. Request: To add land area. Title: Resolution approving a Type II Zoning Variance application of Family Bedner, by Jon E. Schmidt & Associates, Agent. Request: To allow 100% of a landscape buffer within an easement. General Location: Northeast corner of Boynton Beach Boulevard and Lawrence Road. **(BOYNTON & LAWRENCE OFFICE MUPD)** (Control 1981-219)

Pages 25-46

Size: 3.703 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Specialized Commercial Zoning District to the Multiple Use Planned Development Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area.

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 100% of a buffer within an easement.

B. ZONING APPLICATION-VARIANCE

7. **ZV2007-191** Title: Resolution approving a Type II Zoning Variance application of James Fortnash. Request: To allow reduction of the required rear setback. General Location: Northwest Corner of 130th Avenue and 76th Road North. **(FORTNASH VARIANCE)** (Control 2007-050)

Pages 47-51

Size: 2.18 acres ±

BCC District: 6

MOTION: To adopt a resolution denying a Type II Zoning Variance for the reduction of the required rear setback.

D. ZONING APPLICATION

8. **TDD/R/ZV2006-1142** Title: Resolution approving An Official Zoning Map Amendment to a Traditional Development District (TDD) application of Callery Judge LP, and Silver Lake Enterprises, Inc., by Kilday & Associates, Inc., and Lewis, Longman and Walker, P.A., Agent. Request: Development of Regional Impact (DRI). Title: Resolution approving An Official Zoning Map Amendment to a Traditional Development District (TDD) application of Callery Judge LP, and Silver Lake Enterprises, Inc., by Kilday & Associates, Inc., and Lewis, Longman and Walker, P.A., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Traditional Town Development (TTD) District. Title: Resolution approving a Requested Use application of Callery Judge LP, and Silver Lake Enterprises, Inc., by Kilday & Associates, Inc., Lewis, Longman and Walker, P.A., Agent. Request: To allow more than one of each of the following uses: Assembly non-profit, Institutional/Membership; Automotive Service Station; College/University; Congregate Living Facility, Type 3; Convenience Store with gas sales; Dog Day Care; Day Care, General; Entertainment, Indoor; Fitness Center; Flea Market, Enclosed; Golf Course; Hospital/Medical Center; Hotel, Motel, Single Room Occupancy, Rooming and Boarding House, Lab, Research; Lounge, Cocktail; Manufacturing & Processing; Marine Facility; Parking Garage, Commercial; Parking Lot, Commercial; Place of Worship; Restaurant, Type I and Type II; School, Elementary/Secondary; Water Management Plant. Title: Resolution approving A Type II Zoning Variance application of Callery Judge LP, and Silver Lake Enterprises, Inc., by Kilday & Associates, Inc., Lewis, Longman and Walker, P.A., Agent. Request: To deviate from the required TDD Cross-Sections. General Location: East and West of Seminole Pratt Whitney Road and generally south of 60th Street North and north of 50th Street North. **(CALLERY JUDGE GROVE TTD)** (Control 2006-397)

Pages 52-181

Size: 3911.04 acres ±

BCC District: 6

MOTION: To recommend denial of a Development of Regional Impact.

MOTION: To recommend denial of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Traditional Town Development District.

MOTION: To recommend denial of a Requested Use to allow more than one of each of the following uses: Assembly non-profit, Institutional/Membership; Automotive Service Station; College/University; Congregate Living Facility, Type 3; Convenience Store with gas sales; Dog Day Care; Day Care, General; Entertainment, Indoor; Fitness Center; Flea Market, Enclosed; Golf Course; Hospital/Medical Center; Hotel, Motel, Single Room Occupancy, Rooming and Boarding House, Lab, Research; Lounge, Cocktail; Manufacturing & Processing; Marine Facility; Parking Garage, Commercial; Parking Lot, Commercial; Place of Worship; Restaurant, Type I and Type II; School, Elementary/Secondary; Water Management Plant.

MOTION: To adopt a resolution denying a Type II Zoning Variance to deviate from the required TDD Cross-Sections.

- 5. COMMISSIONER COMMENTS**
- 6. DIRECTOR COMMENTS**
- 7. ADJOURNMENT**