



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY MARCH 31, 2011

9:30 A.M. 6TH FLOOR

JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

MARCH 31, 2011

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In - County Attorney
- E. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **Z/CA-2010-02802** Title: an Official Zoning Map Amendment application of 934 Pike LLC by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Multi-family Residential (RM) Zoning District to the Light Industrial (IL) Zoning District

Title: a Class A Conditional Use of 934 Pike LLC by Jon E Schmidt & Associates, Agent. Request: to allow Gas and Fuel, Wholesale

General Location: Located on the east side of Pike Road approximately 300 feet south of Belvedere Road. **(934 Pike LLC)** (Control 2010-00352)

Pages:

Project Manager: Donna Adelsperger

Size: 1.91 acres ±

BCC District: 6

Staff Recommendation: Staff recommends to postpone to April 28, 2011.

Zoning Commission Recommendation: Postponed 9-0

MOTION: To postpone to April 28, 2011.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

- 2. **CTR-1995-00044-1** Status Report for Condition Engineering 1 of Resolution R-2008-1394 (Control No. 1995-044). Property Owner: Florida Sevashram Sangha Inc. General Location: Northeast corner of Lantana Road and Bentbrook Boulevard. Current Zoning: RS (**Florida Sevashram Sangha**)

Pages: 1 - 5

Size: 1.65 acres ±

BCC District: 2

MOTION: To approve a one-year time extension, from January 1, 2011 to January 1, 2012, to comply with Condition Engineering 1 of Resolution No. R-2008-1394.

- 3. **STR-1998-00058-1** Status Report for Resolution R-1999-0706 (Control No. 1998-058). Property Owner: F.P. Dino and Associates, Inc. General Location: east side of Florida Turnpike and the LWDD L-20 Canal, one mile south of Hypoluxo Road. Current Zoning: RTS (**Melrose Park East**)

Pages: 6 - 9

Size: 12.94 acres ±

BCC District: 3

MOTION: To approve the revocation of the Subdivision Plan and Concurrency for 14 dwelling units for Zoning Application Z-1998-058.

- 4. **STR-2005-00076-1** Status Report for Resolution R-2008-0111 (Control No. 2005-076) Property Owner: Roy Dunworth. General Location: Approximately 200 feet north of Westgate Avenue on the west side of Donnell Road. Current Zoning: CG (**Dunworth Office Warehouse**)

Pages: 10 - 13

Size: 0.93 acres ±

BCC District: 2

MOTION: To approve a three-year time extension, from January 24, 2011 to January 24, 2014 to commence development.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 5. **Z/DOA/CA-2010-01729** Title: an Official Zoning Map Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single family Residential (RS) Zoning District

Title: a Development Order Amendment of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Place of Worship and to add and delete land area

Title: a Class A Conditional Use of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care, General

General Location: Approximately 0.33 miles south of Gun Club Road on the east side of Haverhill Road (**Iglesia Cristo Mi Redentor**) (Control 2003-00009)

Pages: 14 - 61

Conditions of Approval (39 - 48)

Project Manager: Joyce Lawrence

Size: 6.98 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment and a Conditional Overlay Zone (COZ) subject to 9 Conditions of Approval as indicated in Exhibit C-1, a Development Order Amendment to allow a Place of Worship subject to 24 Conditions of Approval as indicated in Exhibit C-2, and a Class A Conditional Use to allow a Day Care, General subject to 3 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a Resolution approving an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single family Residential (RS) Zoning District with a Conditional Overlay Zone (COZ) subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving a Development Order Amendment to modify the site plan to add land area and square footage and to modify Conditions of Approval (Sign and Use Limitations) subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution approving a Class A Conditional Use to allow a Day Care, General subject to Conditions of Approval as indicated in Exhibit C-3.

E. ZONING APPLICATIONS - NEW

- 6. **DOA-2010-02813** Title: a Development Order Amendment application of Bethesda Healthcare System Inc by Urban Design Kilday Studios, Agent. Request: to add square footage and reconfigure the site plan within the Bethesda West Hospital MUPD and extend build out date and restart clock for Commencement of Development

General Location: Northeast corner of Boynton Beach Blvd and State Road 7
(Bethesda West Hospital) (Control 2006-00011)

Pages: 62 - 90

Conditions of Approval (79 - 85)

Project Manager: Carrie Rechenmacher

Size: 58.67 acres ±

BCC District: 5

(affected area 8.56 acres ±)

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 28 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 8-1

MOTION: To adopt a resolution approving a Development Order Amendment to add square footage, reconfigure the site plan, and restart the clock for Commencement of Development within the Bethesda West Hospital MUPD subject to Conditions of Approval as indicated in Exhibit C.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

7. [SCA-2010-00021](#) Title: Glades Road Self Storage Addition Industrial, Small Scale Land Use Amendment application of David Howell by Marda L. Zimring INC, Agent. Request: From Medium Residential 5 units per acre (MR-5) to Industrial (IND)

General Location: 1/4 mile norht of Glades Rd., adjacent to west side of LWDD E-2-W Canal & FL Turnpike (**Glades Road Self Storage Addition Industrial**) (Control 1992-00044)

Pages: 91 - 108

Project Manager: John Whitfield

Size: 4.41 acres ±

BCC District: 5

Staff Recommendation: Approval of the proposed amendment from Medium Residential 5 units per acre (MR-5) to Industrial (IND).

Planning Commission Recommendation: Approval 13-0.

MOTION: To adopt an ordinance approving the proposed amendment from Medium Residential 5 units per acre (MR-5) to Industrial (IND).

8. **PDD/DOA-2010-00412** Title: an Official Zoning Map Amendment to a Planned Development District application of Sunshine Wireless of Maryland by Marda L. Zimring Inc, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District

Title: a Development Order Amendment of Sunshine Wireless of Maryland by Marda L. Zimring Inc, Agent. Request: to add land area, add square footage and modify/delete conditions of approval (Signs and Use Limitations)

General Location: 0.25 miles north of Glades Road, adjacent to west side of Florida Turnpike (**Glades Road Self Storage**) (Control 1992-00044)

Pages: 109 - 144

Conditions of Approval (131 - 136)

Project Manager: Joyce Lawrence

Size: 12.95 acres \pm

BCC District: 5

(affected area 13.16 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 4 Conditions of Approval as indicated in Exhibit C-1 and 29 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 8-0

MOTION: To adopt a an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Development Order Amendment (DOA) to modify the site plan to add land area and square footage and to modify Conditions of Approval (Sign and Use Limitations) subject to Conditions of Approval as indicated in Exhibit C-2.

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

9. **PDD/DOA/R-2010-01719** Title: an Official Zoning Map Amendment to a Planned Development District application of Chick-fil-A Inc by Corporate Property Services, Agent. Request: to allow a rezoning from the General Commercial/Special Exception (CG/SE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: A Development Order Amendment of Chick-fil-A Inc by Corporate Property Services, Agent. Request: to reconfigure the Site Plan and add square footage.

Title: a Requested Use of Chick-fil-A Inc by Corporate Property Services, Agent. Request: to allow a Type I Restaurant.

General Location: Southeast corner of Southern Boulevard and State Road 7. **(Western Plaza)** (Control 1977-00048)

Pages: 145 - 190

Conditions of Approval (169 - 178)

Project Manager: Autumn Sorrow

Size: 32.86 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment, a Development Order Amendment to allow reconfigure the site plan and add square footage subject to 59 conditions of approval as indicated in Exhibit C-1, and a Requested Use to allow a Type I Restaurant subject to 7 conditions of approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial/Special Exception (CG/SE) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Conditions of Approval as indicated in Exhibit C-2.

10. **ZV/DOA-2010-01728** Title: a Development Order Amendment application of Mizner Trail Golf Club Ltd, Siemens Group Inc. by Urban Design Kilday Studios, Agent. Request: to modify and redesignate uses, and add POD's, units, and access points on the Master Plan.

General Location: Generally located south of Camino Real; east of Powerline Road; west of Military Trail; and, north of SW 18th Street. More specifically, north and east sides of Canary Palm Drive; the east and west side of Camino Del Mar; and northwest and southwest of Palm D'Oro Drive (**Boca Del Mar PUD**) (Control 1984-00152)

Pages: 191 - 325

Conditions of Approval (246 - 252)

Project Manager: Wendy Hernandez

Size: 1,945.96 acres ±

BCC District: 4

(affected area 129.88 acres ±)

DISCLOSURE

Staff Recommendation: Staff recommends denial of the request to modify and redesignate uses, and add PODs, units, and access points on the Master Plan.

Zoning Commission Recommendation: Denied 5-3

MOTION: To adopt a resolution denying the Development Order Amendment to modify and redesignate uses, and add POD's, units, and access points on the Master Plan.

I. ZONING APPLICATIONS - NEW

11. [DOA/R-2010-02822](#) Title: a Development Order Amendment application of Civic Development Group LLC by CMS Engineering LLC, Agent. Request: to add a Congregate Living Facility, Type 3 and a Nursing Facility to the Preliminary Master Plan; and, delete 2 access points.

Title: a Requested Use of Civic Development Group LLC by CMS Engineering LLC, Agent. Request: to allow a Congregate Living Facility, Type 3 and a Nursing Facility.

General Location: Southwest corner of Hypoluxo and Lyons Roads (**Villages of Windsor SW Civic**) (Control 1996-00081)

Pages: 326 - 364

Conditions of Approval (344 - 359)

Project Manager: Carol Glasser

Size: 22.50 acres ±

BCC District: 3

DISCLOSURE

Staff Recommendation: To recommend approval of the requests subject to 70 Conditions of Approval as indicated in Exhibit C-1 for the Development Order Amendment and 8 Conditions of Approval as indicated in Exhibit C-2 for the Requested Uses.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to add a Congregate Living Facility, Type 3 and a Nursing Facility to the Preliminary Master Plan; and, delete 2 access points subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving Requested Uses to allow a Congregate Living Facility, Type 3 and a Nursing Facility subject to the Conditions of Approval as indicated in Exhibit C-2.

J. ULDC AMENDMENTS

12. [Zoning in Progress](#) for Retail-General-Pharmacies

(to be provided under separate cover)

Pages: 365 - 365

MOTION: To adopt Zoning in Progress for Retail-General-Pharmacies.

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

13. [Termination of Interlocal Agreement for Zoning Services between Town of Loxahatchee in Palm Beach County](#)

Pages: 366 - 379

MOTION: To approve the termination of Interlocal Agreement with the Town of Loxahatchee Groves for Zoning Services and authorize the chair to sign a letter terminating the agreement upon 60 days notice to the Town of Loxahatchee Groves.

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT