

Board of County Commissioners

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
Jess Santamaria

County Administrator
Robert Weisman

Department of Planning, Zoning & Building
2300 N. Jog Rd
West Palm Beach, FL 33411
Phone: 561-233-5200
Fax: 561-233-5499



**PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA
Thursday, April 3, 2008**

AGENDA

ITEM #/PAGE # PETITION / CHANGE

POSTPONEMENTS (30 days to May 1, 2008)

MOTION: To postpone thirty days (30) to May 1, 2008.

22. Pgs 493-519 **ZV2007-2016 (MARQUEZ-JONES PUD)**
(Control 2005-414)

AMENDMENTS TO THE AGENDA

11. Pgs 184-221 **PDD/DOA2007-883 MERCEDES MASERATI DEALERSHIP**
(Control 1983-161)

Modify Architectural Review Conditions 3, and 10 to read as follows:

- 3. All building mounted electrical, air conditioning, and fixed mechanical equipment, such as satellite dishes, shall be screened from view on all sides by an opaque barrier constructed of compatible materials, color and character on building "B" building and ~~the Pre-owned Luxury Auto Sales building "C"~~. (DRO: ZONING - Architecture Review)
- 10. Revise the site plan to include a continuous internal pedestrian walkway system that connects the various uses to other uses and ~~both on and adjacent to~~ on the site. The walkways shall:

Modify Engineering Conditions 9 to read as follows:

- 9. Revise the site plan to include the locations of a pedestrian amenity. Provide details for the pedestrian amenity on the regulating plan. The pedestrian amenity shall come in the form of either: Note: [Completed]

Modify Signs Conditions 1.e to read as follows:

- 1. Freestanding signs fronting on Okeechobee Boulevard shall be limited as follows:

- e. ~~If the existing Auto sign that is 25 feet high and 100 square feet of sign face area is replaced it~~ any replacement or modification to the non-conforming 25' high freestanding sign shall comply with the limitations listed above (BLDG PERMIT: BLDG - Zoning)

Delete Signs Condition 11

14. Pgs 279-313 **ZV2008-282 OKEECHOBEE PLACE VARIANCE**
(Control 1981-094)

Modify Zoning Conditions 1 and 2 to read as follows and delete Condition 3:

1. The Development Order for this variance shall be ~~tie~~ subject to the Time Limitations of the Development Order for Control 1981-094 Application 2008-282. (~~MONITORING: ZONING ONGOING: MONITORING-~~ Zoning)
2. The property owner shall provide the Building Divisions with a copy of the Zoning Commission Resolution and a copy of the DRO approved site plan. The final site plan shall be consistent with the Site Plan ~~presented to the Zoning Commission at the April 3, 2008 Hearing~~ dated February 28, 2008. (BLDG PERMIT: BLDG - Zoning)

15. Pgs 314-348 **ZV2008-308 (FOGG SOUTH SIGN VARIANCE)**
(Control 2002-069)

Modify Zoning Condition 2 and 3 to read as follows:

2. The Applicant shall ~~to~~ remove the off-site directional signs prior to the Lyons West AGR PUD Rural Parkway Conservation Easement being recorded, or when Lyons Road is ~~constructed~~ construction is completed ~~through~~ from Boynton Beach Boulevard to Atlantic Avenue and ~~open to the public. (i.e. making Lyons Road a functioning collector)~~, whichever should occur first. (ONGOING: MONITORING/CODE ENF-Planning)
3. The property owner shall provide the Building Division with a copy of the Approved Resolution and a copy of the site plan ~~and/or survey~~ presented to the staff Zoning Commission, simultaneously with the building permit application. (ONGOING-BLDG PERMIT: BLDG)

19. Pgs 423-436 **ZV2008-304 (VOLVO RENTS)**
(Control 2004-550)

Add Variance Condition 4 to read as follows:

4. Prior to certificaton of application 2008-305, the property owner shall obtain a subdivision variance to allow access through an access easement. (DRO: ENG - Zoning)

Add Motion to read as follows:

MOTION: To recommend approval of a Class A Conditional Use for a Water Plant.

Delete Exhibit C-1 the concurrent variance conditions are consolidated into Exhibit C.

Add All Petitions Condition 2 to read as follows:

2. Prior to final site plan approval by the Development Review Officer (DRO), the property owner shall revise the site plan to be consistent with all approved variances dated April 3, 2008. (DRO:ZONING –Zoning)

Modify Environmental Condition 1 to read as follows:

1. Prior to final plat approval, the property owner shall provide a copy of the South Florida Water Management District Environmental Resource Permit to the Environmental Resources Management Department .final approval by the Development Review Officer (DRO). This permit shall demonstrate that stormwater discharges onto the Natural Area shall be at a rate not to exceed 1.1 cfs in a 25 year, 3-day design storm and that the discharge meets standards for Class III Outstanding Florida Waterbody receiving waters. (DRO: ERM-ERM) (PLAT: MONITORING/ENG – ERM)

Modify Landscape/Variance to read as follows:

LANDSCAPE/VARIANCE

1. Prior to the issuance of a building permit final site plan approval by the Development Review Officer (DRO), the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan (ALP) to the Landscape Section for review and approval. All ULDC required plant materials from the north, east and west perimeter buffers shall be relocated to the interior of the site. The ALP(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein and conditions associated with the shall be consistent with the Type II Variances approvals dated April 3, 2008.. (BLDG PERMIT: DRO: LANDSCAPE - Zoning)

Modify Use Limitation Condition 3 to read as follows:

3. The twenty-five (25) foot setback for the recreational vehicles shall be permitted to be measured from the interior edge of the ULDC required landscape buffers. (DRO: ZONING – Zoning)

Delete Engineering Condition 11

Modify Planning Condition 2 to read as follows:

2. Prior to recordation of a plat for the development parcel, the property owner shall prepare boundary plats for all the preserve parcels. As an alternative to satisfy the platting requirements pursuant to the ULDC, and a conservation easement is recorded, the property owner may request the following:
 - a. a ULDC text amendment to waive platting requirements for all the preserve parcels; or
 - b. a variance from platting requirements subject to the approval of the Zoning Commissioners;

The title insurance requirement for the conservation easement may as an alternative be a title opinion issued by a member of the Florida Bar.

Provided the Board of the County Commissioners adopts an ordinance amendment to the ULDC, whereby these preserve parcels do not require platting or a variance is granted, then any such platting requirement for these preservation parcels set forth herein shall not apply to the preservation parcel. (PLAT: PLANNING/ENG-PLANNING).

Modify Planning Condition 8. f to read as follows:

- f. Should the 100-foot wide Lyons Road Rural Parkway conservation easement not be placed on this property in a form acceptable to the County Attorney, Engineering Department, and Planning Division, prior to April 1st, 2011, then the approval of this Development Order (DO) shall be scheduled for review by the Board of County Commissioners with a recommendation by staff to revoke the Development Order. (PLAT/DATE: PLANNING/MONITORING - Planning)

Modify School Board Condition 1 to read as follows and delete Condition 2:

1. Prior to Final Site Plan approval by the Development Review Officer (DRO), the applicant shall provide a "Declaration and Restrictive Covenant" which prohibits children less than nineteen years of age from residing in the community. This declaration shall be recorded in the public records for Palm Beach County in a form and manner acceptable to the School Board and the County Attorney. (DRC: SCHOOL BOARD-Co Att.)

28. Pgs 772-795 Z/CA2007-991 **LEVY LEARNING CENTER)**
(Control 2005-193)

Modify Signs Condition 1 to read as follows:

1. Freestanding signs fronting on Northlake Boulevard shall be limited as follows:
 - a. maximum sign height, measured from finished grade to highest point - ~~four (4) feet for the sign (Sign A) located at the intersection of Northlake Boulevard and Bates Road~~ and six (6) feet . ~~for the sign (Sign B) located at the access point of Northlake Boulevard,;~~
 - b. maximum sign face area per side - ~~twenty (20) square feet for Sign A and sixty (60) square feet for Sign B;~~
 - c. maximum number of signs - ~~one (1) two (2);~~ and
 - d. style - monument style only. (BLDG PERMIT: BLDG - Zoning)

Modify Use Limitations Condition 2 to read as follows:

2. Hours of operation for the school shall be limited to 7:30 a.m. to 4:00 p.m. Monday through Friday. ~~Hours for staff shall be limited to 7:00 a.m. to 6:00 p.m. Monday through Friday.~~
(ONGOING: CODE ENF - Zoning)

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
Jess R. Santamaria



Robert Weisman

Department of Planning, Zoning & Building
2300 N. Jog Rd.
West Palm Beach, FL 33411
Phone: 561-233-5200
Fax: 561-233-5165

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

THURSDAY APRIL 3, 2008

**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/WITHDRAWALS (Pages 2-3)**
- 3. CONSENT AGENDA (Pages 4-10)**
- 4. REGULAR AGENDA (Pages 11-16)**
- 5. COMMISSIONER COMMENTS (Page 16)**
- 6. DIRECTOR COMMENTS (Page 16)**
- 7. ADJOURNMENT (Page 16)**

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 3, 2008

1. CALL TO ORDER

- A. Roll Call – 9:00 A.M.
- B. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice
- C. 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 24, 2008 to take final action on the applications listed below.

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/WITHDRAWALS

A. POSTPONEMENTS

1. **ZV2008-089** Title: Resolution approving a Type II Zoning Variance application of Westgate One, LLC, by Urban Design Studio, Agent. Request: To allow a reduction in the required number of parking spaces and to allow the building to exceed the number of stories. General Location: South side of Westgate Avenue and west of Quail Road. **(WESTGATE STATION)** (Control 2007-233)

Page 1

Project Manager-David G McGuire

Size: 0.99 acres ±

BCC District: 2

MOTION: No motion required. To postpone thirty days (30) to May 1, 2008.

2. **ZV2007-1617** Title: Resolution approving a Type II Zoning Variance application of Westgate One Llc by Land Design South, Inc., Agent. Request: To allow a deviation from the build-to line, a reduction for the rear and side setbacks, to increase in the building coverage, to eliminate the sky exposure plane, to eliminate the arcades/galleries, to reduce pervious area, to eliminate side foundation plantings, to eliminate right of way buffer, to eliminate walls within the incompatibility buffers, to increase the percentage of palms, to reduce the amount of landscape plant materials, and the reduce the incompatible buffer widths. General Location: Westgate Avenue and Tallahassee **(WESTGATE ONE)** (Control 2007-343)

Page 2

Project Manager David G McGuire

Size: 0.99 acres ±

BCC District: 2

MOTION: No motion required. To postponed thirty days (30) to May 1, 2008.

3. **Z/DOA/CA2007-1185** Title: Resolution approving An Official Zoning Map Amendment application of Winners Church International, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District. Title: Resolution approving a Development Order Amendment application of Winners Church International, by Land Research Management, Inc., Agent. Request: To reconfigure site plan, add land area and add building square footage. Title: Resolution approving a Class A Conditional Use application of Winners Church International, by Land Research Management, Inc., Agent. Request: To allow a daycare, general. General Location: Southwest corner of Jog Road and Pioneer Road. **(WINNERS CHURCH)** (Control 1985-072)

Page 3-27

Project Manager- Ora Owensby

Size: 16.04 acres ±

BCC District: 6

MOTION: To postpone sixty days (60) to June 5, 2008.

B. WITHDRAWALS

4. **CB2006-947** Title: Resolution approving a Class B Conditional Use application of Boynton Beach Associates, XXIII, LLLP, by Urban Design Studio, Agent. Request: To allow Agricultural, Sales and Service. General Location: Northwest corner of Lee Road and State Road 7/US 441. **(LEE ROAD PROPERTY)** (Control 2006-361)

Page N/A

Project Manager-Carrie Rechenmacher

Size: 5.0 acres ±

BCC District: 5

MOTION: No motion required.

END OF POSTPONEMENTS/ WITHDRAWALS

3. CONSENT AGENDA

A. ZONING APPLICATIONS

- 5. **SD-136** Petition of Jeffrey and Lynda Jacobs, requesting variance from the requirement that all streets used for access to residential subdivision lots shall be designed and constructed to minimum local street standards established by the subdivision regulations. Requirements are set forth in the Unified Land Development Code, Sections 11.E.2.A.2 and Table E.2.A-2. Location: Banyan Road, north of PGA Boulevard and east of U.S. Highway 1, in the RS Zoning District.

Pages 28-34
 Project Manager- Maureen Barber

Size: 3.26 acres ± BCC District: 1

MOTION: To adopt a resolution approving a Type II Subdivision Variance from the requirement that all streets used for access to residential subdivision lots shall be designed and constructed to minimum local street standards established by the subdivision regulations.

- 6. **ZV2007-2015** Title: Resolution approving a Type II Zoning Variance application of Vista Business Park, Inc., by McCraney Property Co., Agent. Request: To allow reduction in the pervious area. General Location: Northeast corner of Jog Road and Okeechobee Boulevard. **(VISTA CENTER LOT 19)** (Control 1984-130)

Pages 35-50
 Conditions of Approval (5) Page 43
 Project Manager- Joyce Lawrence

Size: 7.19 acres ± BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction of the pervious area.

- 7. **ZV2007-1798** Title: Resolution approving a Type II Zoning Variance application of Achva Vahava, LLC, by Siegel, Lipman, Dunay, Shepard, & Miskel, LLP, Agent. Request: To allow reduction in the required pervious area, to allow easement encroachment into the landscape buffer and to allow for a reduction in the required right-of-way landscape buffer width. General Location: Southwest corner of Powerline Road and Sunstream Boulevard. **(BOCA GROVE CENTER POBP) (1981-170)**

Pages 51-71
 Conditions of Approval (7) Pages 62-63
 Project Manager-William Cross

Size: 3.46 acres ± BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction in the required pervious area, to allow easement encroachment into the landscape buffer and to allow for a reduction in the required right-of-way landscape buffer width.

8. **ZV/DOA2007-1417** Title: Resolution approving a Type II Zoning Variance application of Realty Duke, by Miller Land Planning, Agent. Request: To allow reduction of required parking reduction of buffer width for a Type III Incompatibility Buffer and removal of loading screen wall. Title: Resolution approving Development Order Amendment application of Realty Duke, by Miller Land Planning, Agent. Request: To reduce square footage, modify/delete conditions of approval, reconfigure site plan, and change uses. General Location: Approximately 1 mile south of Okeechobee Boulevard 800 feet west of Jog Road. (**JOG COMMERCE PARK**) (Control 2005-460)

Pages 72-113

Conditions of Approval (35) Pages 91-97

Project Manager- Carrie Rechenmacher

Size: 12.02 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction of required parking, reduction of buffer width for a Type III Incompatibility Buffer, and removal of loading screen wall.

MOTION: To recommend approval of a Development Order Amendment to reduce square footage, modify/delete conditions of approval, reconfigure site plan, and change uses.

9. **DOA2007-1800** Title: Resolution approving a Development Order Amendment application of Everglades Farm Equipment by Perry & Taylor, P.A., Agent. Request: To delete land area, add square footage, reconfigure the site plan, and modify conditions of approval. General Location: North Side of Southern Boulevard approximately 800 feet east of F Road. (**EVERGLADES FARM EQUIPMENT**) (Control 1999-11)

Pages 114-146

Conditions of Approval (58 for Loxahatchee Groves) Pages 131-142

Project Manager- Carol Glasser

Size: 21.86 acres ±

BCC District: 6

MOTION: To adopt a resolution approving a Development Order Amendment to delete land area.

10. **ZV2007-1786** Title: Resolution approving a Type II Variance application of S & S Enterprises, Inc., by Jon E Schmidt & Associates, Agent. Request: To allow reduction in buffer width, 100% buffer encroachment, elimination of queing spaces, reduction of parking spaces and terminal islands, reduction of the pervious area, and reduction of the front setbacks. General Location: Northeast corner of Lake Worth Road and Kirk Road. **(SUNOCO LAKE WORTH AND KIRK)** (Control 1975-104)

Pages 147-183

Conditions of Approval (5) Pages 168-169

Project Manager- Sandra Gonzalez

Size: 0.97 acres ±
3

BCC District:

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction in buffer width, 100% buffer encroachment, elimination of queing spaces, reduction of parking spaces and terminal islands, reduction of the pervious area, and reduction of the front setbacks.

11. **PDD/DOA2007-883** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of New Country Motor Cars Of Palm Beach, LLC, by Gary M. Brandenburg and Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of New Country Motor Cars Of Palm Beach, LLC, by Gary M. Brandenburg and Associates, Agent. Request: To add land area, add building square footage, to allow vehicle sales and rental and to restart the commencement clock. General Location: Approximately 0.2 miles west of Palm Beach Lakes Boulevard on the south side of Okeechobee Boulevard. **(MERCEDES MASERATI DEALERSHIP)** (Control 1983-161)

Pages 184-221

Conditions of Approval (80) Pages 201-213

Project Manager: Douglas Robinson

Size: 13.92 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area, add building square footage, to allow vehicle sales and rental and to restart the commencement clock.

12. **ZV/Z2007-1380** Title: Resolution approving a Type II Zoning Variance application of Atlantis Reserve, by Land Design South, Inc., Agent. Request: To allow the building to exceed the height limitation in the Community Commercial (CC) Zoning District. Title: Resolution approving an Official Zoning Map Amendment application of Atlantis Reserve, by Land Design South, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Community Commercial (CC) Zoning District. General Location: Southwest corner of Collier Road and Military Trail. **(ATLANTIS RESERVE)** (1Control 991-027)

Pages 222-253

Conditions of Approval (21) Pages 239-243

Project Manager Autumn Sorrow

Size: 1.30 acres \pm
3

BCC District:

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow the building to exceed the height limitation in the Community Commercial (CC) Zoning District.

MOTION: To recommend approval of an Official Zoning Map Amendment from the General Commercial (CG) Zoning District to the Community Commercial (CC) Zoning District.

13. **DOA2007-1803** Title: Resolution approving a Development Order Amendment application of Shadowwood Square, Ltd, by Jon E Schmidt & Associates, Agent. Request: To reconfigure the site plan and add square footage. General Location: Northeast corner of Glades Road and State Road 7/US441. **(NATIONAL GYMNASTICS AT SHADOWWOOD SQUARE)** (Control 1973-043)

Pages 254-278

Conditions of Approval (36) Pages 268-274

Project Manager Ora Owensby

Size: 34.93 acres \pm

BCC District: 5

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan and add square footage.

14. **ZV2008-282** Title: Resolution approving a Type II Zoning Variance application of Okee Property East, LLC, by Urban Design Studio, Agent. Request: To allow 100% palms in the north right-of-way buffer; east compatibility buffer; buffer adjacent to the parking area and to allow signage on a facade not facing a right-of-way. General Location: Approximately 0.25 mile west of Interstate 95 on the south side of Okeechobee Boulevard. **(OKEECHOBEE PLACE VARIANCE)** (Control 1981-094)

Pages 279-313
Conditions of Approval (7) Pages 291-292
Project Manager Anthony Wint

Size: 1.89 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 100% palms in the north right-of-way buffer; east compatibility buffer; buffer adjacent to the parking area and to allow signage on a facade not facing a right-of-way.

15. **ZV2008-308** Title: Resolution approving a Type II Zoning Variance application of Boynton Beach Associates, XVII, LLP, by Kilday & Associates, Inc., Agent. Request: To allow off-site directional signage with frontage on arterial/collector road; to allow off-site directional signage on a parcel not abutting the parcel identified; to allow off-site directional signage on a parcel without a recorded document insuring ingress and egress; to allow off-site directional signage greater than 50 feet of the point of ingress; to allow off-site directional signage in excess of the one sign per parcel for each access or frontage. General Location: Southwest corner of Boynton Beach Boulevard and Lyons Road. **(FOGG SOUTH SIGN VARIANCE)** (Control 2002-069)

Pages 314-348
Conditions of Approval (6) Page 326
Project Manager Douglas Robinson

Size: 105.75 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance: To allow off-site directional signage with frontage on arterial/collector road; to allow off-site directional signage on a parcel not abutting the parcel identified; to allow off-site directional signage on a parcel without a recorded document insuring ingress and egress; to allow off-site directional signage greater than 50 feet of the point of ingress; to allow off-site directional signage in excess of the one sign per parcel for each access or frontage.

16. **Z2007-1809** Title: Resolution approving an Official Zoning Map Amendment application of Latham Road Commerce Ctr., Inc., by David L. Carpenter & Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Light Industrial (IL) Zoning District. General Location: Southeast corner of Latham Road and Old Okeechobee Road. **(OLD OKEECHOBEE INDUSTRIAL)** (Control 1973-008)

Pages 349-370

Conditions of Approval (4) Pages 360-361

Project Manager Autumn Sorrow

Size: 6.68 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the General Commercial Zoning District to the Light Industrial Zoning District.

17. **Z/CA2006-1180** Title: Resolution approving an Official Zoning Map Amendment application of Boynton National Chapel, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District. Title: Resolution approving a Class A Conditional Use application of Boynton National Chapel, LLC, by Miller Land Planning, Agent. Request: To allow a Funeral Home. General Location: Northwest corner of State Road 7/US441 and Heritage Farms Road. **(BOYNTON BEACH NATIONAL CHAPEL)** (Control 2005-515)

Pages 371-397

Conditions of Approval (17) Pages 385-388

Project Manager Ron Sullivan

Size: 5.23 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Community Commercial Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a Funeral Home.

18. **ZV2008-090** Title: Resolution approving a Type II Zoning Variance application of Barbara Logan, William Mazzoni, by Kilday & Associates, Inc., Agent. Request: To waive the four (4) foot high visual screen in a Right of Way (ROW) buffer; and to waive the planting requirements for trees, shrubs and hedges for perimeter buffers. General Location: Southeast corner of Lyons Road and Boynton Beach Boulevard. **(CANYON TOWN CENTER TMD)** (Control 2004-471)

Pages 398-422

Conditions of Approval (5) Pages 408-409

Project Manager- Sandra Gonzalez

Size: 333.08 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to waive the four (4) foot high visual screen in a Right of Way buffer; and to waive the planting requirements for trees, shrubs and hedges for perimeter buffers.

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. PREVIOUSLY POSTPONED ITEMS

19. **ZV2008-304** Title: Resolution approving a Type II Zoning Variance application of Gam Realty, LLC, by Land Design South, Inc., Agent. Request: To allow reduction of the required lot frontage. General Location: Approximately 125 feet east of East Grace Drive and directly south of the Southern Boulevard/Australian Avenue overpass and the C-51 Canal. **(VOLVO RENTS)** (Control 2004-550)

Pages 423-436

Conditions of Approval (5) Page 430

Project Manager Ora Owensby

Size: 1.84 acres \pm

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow reduction of the required lot frontage.

20. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. **(LAKE HARBOR QUARRY)** (Control 2007-054)

Pages 437-469

Conditions of Approval (42) Pages 455-463

Project Manager- Douglas Robinson

Size: 7351.24 acres \pm

BCC District: 6

Affected area 640.0 acres \pm

MOTION: To recommend approval of a Class A Conditional to allow a Type IIIB Excavation.

21. **DOA2007-1590** Title: Resolution approving a Development Order Amendment application of Square Lake North Dev Company, Inc., by Gentile, Holloway, O'Mahoney & Assoc, Agent. Request: To modify a condition of approval (use limitation). General Location: Northeast corner of Square Lake and Military Trail. **(SQUARE LAKE NORTH)** (Control 2001-043)

Pages 469-492

Conditions of Approval (35) Pages 482-488

Project Manager- Autumn Sorrow

Size: 2.92 acres \pm

BCC District: 1

MOTION: To recommend approval of a Development Order Amendment to modify a condition of approval (use limitation).

22. **ZV2007-2016** Title: Resolution approving a Type II Zoning Variance application of Marquez Jones Joint Venture, LLC, by Land Design South, Inc., Agent. Request: To eliminate the location criteria of arterial/collector road and to eliminate the frontage requirement on a arterial/collector road. General Location: Approximately 600 feet west of Hypoluxo Farms Road and Haverhill Road. **(MARQUEZ-JONES PUD)** (Control 2005-414)

Pages 493-519

Conditions of Approval (5) Pages 509-510

Project Manager-Sandra Gonzalez

Size: 20.48 acres ±

BCC District: 3

MOTION: To adopt a resolution denying a Type II Zoning Variance to eliminate the location criteria of arterial/collector road and to eliminate the frontage requirement on a arterial/collector road.

23. **Z/CA/TDR2006-1914** Title: Resolution approving an Official Zoning Map Amendment application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the transfer of development rights for 10 units and to allow the 10 units to be purchased at a reduced cost of \$1.00 per TDR unit. General Location: Approximately 1300 feet north of Belvedere Road on the west side of Haverhill Road. **(THE RESIDENCES AT HAVERHILL)** (Control 2006-551)

Pages 520-552

Conditions of Approval (20) Pages 539-542

Project Manager Douglas Robinson

Size: 2.70 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential High Density Zoning District to the Multi-family Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights.

MOTION: To recommend approval to allow the Transfer of Development Rights for 10 units.

MOTION: To recommend approval to allow the reduced cost of \$1.00 per unit (10) for the Transfer of Development Rights units.

24. **CA2007-1199** Title: Resolution approving a Class A Conditional Use application of Bergeron Sand, Rock & Aggregates, Inc., by Jon E Schmidt & Associates, Agent. Request: To allow a TYPE IIIB excavation. General Location: Approximately 6.56 miles south of CR-827 on the west side of US Highway 27. **(BERGERON SAND ROCK AND AGGREGATE EXPANSION)** (Control 1978-099)

Pages 553-587

Conditions of Approval (45) Pages 572-579

Project Manager-Douglas Robinson

Size: 552.97 acres \pm

BCC District: 6

MOTION: To recommend approval of a Class A Conditional to allow an expansion of a TYPE IIIB excavation.

25. **ZV/PDD/R2007-1592** Title: Resolution approving a Type II Zoning Variance application of Paul Thomas, by Kilday & Associates, Inc., Agent. Request: To allow a reduction in the required setback for a single-family residence to allow the relocation of landscaping required for the perimeter buffers, to allow a reduction of the rear setback for 3 recreational vehicle (RV) spaces, and to allow the reduction of required recreation area. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) application of Paul Thomas, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to Recreational Vehicle Planned Development (RVPD) District. General Location: Approximately one mile west of Jupiter Farms Road on the North side of Indiantown Road. **(JUPITER RV RESORT RVPD)** (Control 2006-185)

Pages 588-635

Conditions of Approval (21) Pages 610-615

Project Manager-Ora Owensby

Size: 17.91 acres \pm

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction in the required setback for a single-family residence to allow the relocation of landscaping required for the perimeter buffers, to allow a reduction of the rear setback for 3 recreational vehicle spaces, and to allow the reduction of required recreation area.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to Recreational Vehicle Planned Development District.

26. **ZV/PDD/DOA/W2007-884** Title: Resolution approving a Type II Zoning Variance application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: To allow replacement of the required six-foot high wall with a six-foot high hedge and berm combination and to reduce the width of the east buffer. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: To add land area, reconfigure the master plan, add units, and to allow a model row. Title: Resolution approving a Waiver application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: To allow more than 40% of the local streets to terminate in dead-ends or cul-de-sacs. General Location: Development Area - Southwest corner of Boynton Beach Boulevard and Lyons Road. **(LYONS WEST AGR-PUD)** (Control 2005-003)

Pages 636-725

Conditions of Approval (61) Pages 670-691

Project Manager- Ora Owensby

Size: 1080.49 acres ±

BCC District: 3 & 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of the required six-foot high wall with a six-foot high hedge and berm combination and to reduce the width of the east buffer.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve Zoning District to the Agricultural Reserve Residential Planned Unit Development Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area, reconfigure the master plan, add units, and to allow a model row.

MOTION: To recommend denial of a request for a Waiver to allow more than 40% of the local streets to terminate in dead-ends or cul-de-sacs.

27. **Z/CA2006-1912** Title: Resolution approving an Official Zoning Map Amendment application of No Big Deal, LLC, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Agricultural Residential (AR) Zoning District. Title: Resolution approving a Class A Conditional Use application of No Big Deal, LLC, by Jon E Schmidt & Associates, Agent. Request: To allow a daycare, general. General Location: Southwest corner of Indiantown Road and 130th Avenue North. **(PLANET KIDS XVI)** (Control 1979-256)

Pages 726-771-
Conditions of Approval (32) Pages 745-750
Project Manager- Anthony Wint

Size: 9.18 acres ±

BCC District: 1

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Estate Zoning District to the Agricultural Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a daycare, general.

B. REGULAR AGENDA

28. **Z/CA2007-991** Title: Resolution approving an Official Zoning Map Amendment application of Levy Ventures, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Levy Ventures, by Jon E Schmidt & Associates, Agent. Request: To allow a School elementary or secondary (private). General Location: Southeast corner of Northlake Boulevard and Bates Road. **(LEVY LEARNING CENTER)** (Control 2005-193)

Pages 772-795
Conditions of Approval (21) Pages 787-791
Project Manager Ora Owensby

Size: 0.98 acres ±

BCC District: 1

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Estate Zoning District to the Residential Transitional Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a School elementary or secondary (private).

- 29. **DOA/TDR2007-1202** Title: Resolution approving a Development Order Amendment application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD). Title: Resolution approving a Transfer of Development Right application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 28 additional TDR units. General Location: Northwest corner of Myers Road and Lantana Road. **(COLONY AT LAKE WORTH PUD)** (Control 2003-011)

Pages 796-837

Conditions of Approval (46 & C1 12) Pages 817-833

Project Manager Joyce Lawrence

Size: 22.29 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD).

MOTION: To recommend approval to allow the Transfer of Development Rights for an additional 28 units in a PUD Zoning District and designate the subject property as the receiving area.

MOTION: To recommend approval to allow the reduced cost of \$1.00 per unit (28) for the Transfer of Development Rights units.

5. COMMISSIONER COMMENTS

6. DIRECTOR COMMENTS

30. ANNUAL ZONING COMMISSION REPORT

7. ADJOURNMENT