



**PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA
Friday, December 5, 2008**

AGENDA

ITEM #/PAGE # APPLICATION / CHANGE

ADOPTION OF THE MINUTES

Request to postpone thirty (30) days to January 9, 2009

MOVE TO POSTPONEMENTS

17. Pgs. 451-461 Z-2008-01669 (Peanut Island Rezoning)

Request to postpone sixty (60) days to February 5, 2009

AMENDMENTS TO THE CONSENT

4. Pgs. 4-34 ZV/DOAR-2007-02022 (Sykes Commercial)

Modify Engineering condition 2 to read as follows:

2. The property owner shall pay a Fair Share Fee in the amount equal to 1.5 times the required impact fee. This increased impact fee payment to be paid at the time of issuance of the first Building Permit. (ONGOING: ACCOUNTING-Impact Fee Coordinator) (Previous Condition E.2, Resolution R-2007-0078, Control Number 1982-00129)
~~(Is hereby deleted) REASON: CODE REQUIREMENT~~

Modify Engineering condition 5 to read as follows:

5. Prior to DRO Final Site Plan approval, property owner shall obtain and record proper drainage easements for ~~drainage to site drainage~~ to achieve ~~be conveyed to point of~~ legal positive outfall. (DRO: ENGINEERING-Eng)

5. Pgs. 35-106 ZV/PDD/DOA 2008-0448 (Amestoy AGR PUD)

Modify Planned Unit Development Condition 4 to read as follows:

4. The model row approved in Pod E ~~will serve the entire development and is the only model row for this PUD.~~ will serve Pods A, E and G. These pods will not be permitted additional sales models above those in the BCC approved model row. (ONGOING: ZONING - Zoning)

Modify Engineering condition 4 to read as follows:

4. Condition E.4 of Resolution R-2008-0123, Control No. 2005-162, which currently states: Prior to June 15, 2008, the property owner shall complete construction plans for all improvements identified in Condition No. 1C, ~~and 1D~~ above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. Construction plans shall also include signal modifications for any intersection improvements. (DATE: MONITORING-Eng)
[Note:Complete]

Modify Engineering condition 5 to read as follows:

5. Prior to November 15, 2008, the property owner shall complete construction plans for all improvements identified in Condition No. 1C, ~~and 1D~~ above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. Construction plans shall also include signal modifications for any intersection improvements. (DATE: MONITORING-Eng)

Is hereby amended to read:

Prior to November 15, 2008, the property owner shall complete construction plans for all improvements identified in Condition No. 1C above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. Construction plans shall also include signal modifications for any intersection improvements. (DATE: MONITORING-Eng)

[Note:Complete]

Modify Engineering condition 6 to read as follows:

6. The property owner shall convey to Palm Beach County Land Development Division by road right of way warranty deed for:

- a. Lyons Road 55 feet from centerline;
- b. Boynton Beach Boulevard 120 feet north of the existing north right of way line of the LWDD L24 Canal.
- c. Sufficient right of way to provide for an Expanded Intersection at Boynton Beach Boulevard and Lyons Road.

Right of way shall be dedicated prior to July 1, ~~2008~~ 2009. All Right of way conveyances shall be free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Grantor also agrees to provide Palm Beach County an environmental report, subject to the approval of County Engineer, demonstrating that this property meets all appropriate and applicable environmental agency requirements. In the event the report makes a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up prior to dedication. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate as determined by the County Engineer provisions for Expanded Intersection Details and Corner Clips." (DATE: MONITORING-Eng)

Modify Engineering condition 8 to read as follows:

8. The Property owner shall construct:

- Restricted median opening and associated left turn lane west approach on Boynton Beach Boulevard at the Project's Entrance Road.
- Right turn lane east approach on Boynton Beach Boulevard at the Project's Entrance Road.
- Left turn lane south approach on Lyons Road at the Project's Entrance Road.
- Right turn lane north approach on Lyons Road at the Project's Entrance Road

This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with this construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required by Palm Beach County for the construction on Lyons Road and the Florida Department of Transportation for the construction on Boynton Beach Blvd. shall be obtained prior to the issuance of the first Building Permit or if these improvements will be developed in phases, prior to the first building permit located within the plat associated with the entrance constructed second. (BLDG PERMIT: MONITORING-Eng)

b. Construction for these improvements shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING Eng)

Modify Engineering condition 10 to read as follows:

10. On or before July 15, ~~2008~~ 2009, the property owner shall convey to Palm Beach County sufficient road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of Boynton Beach Boulevard along the property frontage; and up to a maximum of an additional 800 feet of these adjacent roadway(s). The limits of this additional 800 feet of drainage shall be determined by the County Engineer. Said easements shall be no less than 20 feet in

width. Portions of such system not included within roadways or waterways dedicated for drainage purposes will be specifically encumbered by said minimum 20-foot drainage easement from the point of origin, to the point of legal positive outfall. The drainage system within the project shall have sufficient retention/detention, Compensating storage within this projects retention system as required by all permitting agencies, and conveyance capacity to meet the storm water discharge and treatment requirements of Palm Beach County and the applicable Drainage District, as well as the South Florida Water Management District, for the combined runoff from the project to accommodate the ultimate Thoroughfare Plan Road Section(s) of the included segment. If required and approved by the County Engineer the property owner shall construct within the proposed drainage easements a minimum of 24 inch closed piping system and appropriate wingwall or other structures as required by and approved by the County Engineer. Elevation and location of the entire drainage system shall be approved by the County Engineer. Any and all excess fill material from excavation by Palm Beach County within said easements shall become the property of Palm Beach County, which at its discretion may use this fill material. (DATE: MONITORING - Eng)

Add new Engineering condition 12 to read as follows:

12. The property owner shall amend the site plan to show a line of sight easement at the two driveways for the Recreation Site. Line of sight easement shall be approved by the County Attorney and the County Engineer prior to recordation.

a. The site plan shall be amended prior to site plan approval by DRO. (DRO:ENGINEERING-Eng)

b. Line of sight easement shall be approved by the County Attorney and the County Engineer prior to recordation. The easement shall be recorded prior to the issuance of the first building permit. (BLDG PERMIT:MONITORING-Eng)

Modify Landscape condition 6.a to read as follows:

a. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, with the exception of the 293 foot length of the buffer south the existing lake, in Pod G. The maximum spacing requirement for trees and shrubs between clusters shall be waived for this area, and the required trees and shrubs may be relocated within the perimeter buffer. (BLDG PERMIT: LANDSCAPE-Zoning)

6. Pgs. 107-173 PDD/DOA2008-0626 (Lyons West AGR PUD)

Modify Landscape Condition 6 to read as follows:

6. In addition to code requirements, all perimeter landscape buffers shall be upgraded to include:

a. a minimum of one (1) native palm for each twenty (20) linear feet of the applicable property line with a maximum spacing of sixty (60) feet between clusters. Palms shall be planted alternating on both sides of a wall or fence, if required;

b. a minimum of one (1) pine tree for each thirty (30) linear feet of the applicable property line. Pines shall be planted in clusters of a minimum of five (5), with a maximum spacing of one hundred and fifty (150) feet between clusters. Pines clusters shall be planted alternating on both sides of a wall or fence, if required; and,

c. relocation of the above plant materials only shall be permitted only for the landscape buffer abutting the Rural Parkway, subject to review and approval by the Landscape Section. (BLDG PERMIT: LANDSCAPE - Zoning)

Modify Planned Unit Development condition 4 to read as follows:

4. The model row approved for in Pod G is the only model row for this development and will serve all the pods within this development. will serve Pods F, G and H. These pods will not be permitted additional sales models above those in the BCC approved model row. (ONGOING:ZONING-Zoning)

Modify Engineering condition 9 to read as follows:

9. SR 7/US441 NOISE MITIGATION

a. The Preliminary Development Plan for this site shall be amended to reflect noise mitigation requirements for dwelling units adjacent to SR 7/US441 as outlined in the applicants approved Noise Analysis. Requirements such as a sound wall and or landscape buffers, as determined by the County Engineer, shall be shown on the Preliminary Development Plan for this site subject to the approval of the County Engineer and Zoning Division. (DRO: ZONING /ENGINEERING)

b. Construction of any sound walls and landscape buffers required by the County Engineer as

outlined in the Noise Analysis shall be completed prior to the issuance of the first certificate of occupancy for any lot within Pods A or B. The property owner shall provide Land Development a listing of the applicable PCN numbers for all lots within Pod A and B prior to receipt of the first building permit within Pods A or B. (CO:MONITORING-Eng)

c. The property owner shall notify future home buyers by providing that all homeowners documents, sales contracts, as well as all sales brochures, Master Plans and related Site Plans contain a disclosure statement identifying that: (i) this site is adjacent to SR7/US 441, (ii) the proposed dwelling units are in an area subject to noise generated by traffic as a result of its location to SR7/US 441, and (iii) the Developer has installed noise abatement improvements determined by the County Engineer and Florida Department of Transportation to be effective in keeping noise levels from SR7/US 441 below the State noise abatement criteria in effect as of the date of issuance of this Development Order. All sales contracts and homeowner documents shall also include a statement that any additional noise mitigation measures requested in the future by the Residents will not be funded or constructed by Palm Beach County. (ONGOING: ENG - Eng)

d. The property owner shall submit documentation of compliance with c" above on an annual basis to the Monitoring Section of Planning, Zoning and the Building Department. The next report shall be submitted on or before December 15, 2006 and shall continue on an annual basis until all units within the development have been sold or the developer relinquishes control to the homeowner's association. (DATE: MONITORING-Eng) (Previously Condition E.9 of Resolution R-2008-701, Control Number 2005-003)

10. Pgs. 240-267 ZV2008-1356 (Santos Variance)

Correct Variance 19 to read:

V19 6.D.1.A.14 (Table 6.A.1.D.-7) Min. Parking Dimisnions	26' Drive Isle Width with 90 degree parking	26 <u>24'</u> Drive Isle Width with 90 degree parking	2' Reduction in Drive Isle Width
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AMENDMENTS TO THE REGULAR

14. Pgs. 347-389 PDD/R/TDR-2008-00798 (Andalucia PUD)

Modify Planning Condition 1.a to read as follows:

1. Prior to final approval by the Development Review Officer (DRO), the property owner shall record in the public records of Palm Beach County a restrictive covenant, in a form acceptable to the Palm Beach County Attorney, which includes but is not limited to the following:

- a. Guarantees the attainability of all 84 workforce units, which includes all units required per Article 5.G in the ULDC and 59 requested TDR units, for a period of twenty-five years (recurring). These units are to be distributed among the categories (low, moderate 1, moderate 2, and middle). This does not prohibit allowing higher numbers of lower income units. Final distribution of the units may be defined at the time of FDRO. consistent with the Workforce Housing requirements in Article 5.G in the ULDC; and
- b. Guarantees that these units shall not be further restricted beyond the requirement that the occupants qualify for the income limits. (DRO: COUNTY ATTY- Planning)

Modify Landscape condition 5 to read as follows:

5. LANDSCAPING ALONG THE WEST PROPERTY LINE OF POD C (ABUTTING OLIVER AND GARVEY PARCELS) In addition to code requirements for Pod C, the western perimeter buffer of Pod C shall be upgraded to include a ~~six (6)~~ eight (8) foot high opaque concrete panel or block wall. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure (multi-family buildings). (BLDG PERMIT: LANDSCAPE - Zoning)

Add new Engineering condition 8:

8. Prior to issuance of the first building permit, a 12.50 foot by 23 foot access easement, south of the

LWDD R/W reservation and along the northwestern corner of the property, shall be recorded to maintain existing access to the parcel located west of the subject property and having PCN 00-42-43-27-05-028-0392. The easement shall be located as shown on the site plan. (BLDG PERMIT: MONITORING- Eng)

16. Pgs. 420-450 DOA-2008-01353 (South Road Office MUPD)

Modify Landscaping Condition 12.c to read as follows:

12. c. a six (6) foot high opaque concrete panel wall shall be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is compatible and harmonious with abutting development; ~~and~~
~~d. installation of irrigation for berm.~~ (DATE: LANDSCAPE – Zoning)

Modify Landscaping Condition 13 to read as follows:

13. In addition to Code requirements, the property owner shall upgrade and complete landscape and buffering along the south half (Phase II) of the west property line to include:

- a. one (1) canopy tree planted for each twenty (20) linear feet of the property line, alternating on both sides of the wall; ~~and~~,
- b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters, alternating on both sides of the wall. (~~CO: LANDSCAPE – Zoning~~)
- c. installation of irrigation for berm; and
- d. Field adjustment of new plants and trees shall be permitted to provide for maximum screening. (CO: LANDSCAPE - Zoning)

Board of County Commissioners

County Administrator

Robert Weisman



Department of Planning, Zoning & Building

2300 N. Jog Rd.
West Palm Beach, FL 33411
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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

FRIDAY DECEMBER 5, 2008

9:00AM

**VISTA CENTER 1ST FLOOR HEARING ROOM, VC-1W-47
2300 N. JOG ROAD, WEST PALM BEACH**

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT AGENDA

REGULAR AGENDA

COMMISSIONER COMMENTS

DIRECTOR COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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

AGENDA
PALM BEACH COUNTY ZONING COMMISSION

DECEMBER 5, 2008

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 Vista Center 1st Floor Hearing Room VC-1W-47, 2300 N. Jog Road, 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, January 8, 2009 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. Adoption of the Minutes
- F. Swearing In – County Attorney
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS

A. POSTPONEMENTS

1. **Z/DOA/CA-2007-01185** Title: 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: a Development Order Amendment application of Winners Church International by Land Research Management Inc., Agent. Request: to reconfigure the site plan, add land area, and add building square footage.
Title: 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 1985-00072)

Pages 1-1

Project Manager: Ora Owensby

Size: 16.04 acres ±

BCC District: 6

STAFF RECOMMENDATION: Staff recommends a postponement of thirty (30) days to Friday, January 9, 2009.

MOTION: To postpone thirty (30) days to Friday, January 9, 2009.

2. **DOA-2008-00461** Title: a Development Order Amendment application of T Mobile by Glotel Inc / T Mobile, Agent. Request: to modify conditions of approval (Building & Site Design, Lighting, and Landscaping).
General Location: Northeast corner of Orange Ave and 130th Ave North. (**T Mobile Horizon Baptist**) (Control 1998-00015)

Pages 2-2

Project Manager: Douglas Robinson

Size: 2.66 acres ±

BCC District: 6

STAFF RECOMMENDATION: Staff recommends a postponement of sixty (60) days to Thursday, February 5, 2009.

MOTION: To postpone sixty (60) days to Thursday February 5, 2009

3. **CA-2008-00616** Title: a Class A Conditional Use application of Michael James by Burt Smith PE, Agent. Request: to allow a place of worship. General Location: Approximately 2300 feet east of Seminole Pratt Whitney Road and on the south side of Okeechobee Boulevard. (**Sacred Africa Church**) (Control 2008-00111)

Pages 3-3

Project Manager: Joyce Lawrence

Size: 1 .28 acres ±

BCC District: 6

STAFF RECOMMENDATION: To recommend (thirty) 30 days postponement to Friday, January 9, 2009.

MOTION: To postpone thirty (30) days to Friday January 9, 2009.

B. REMANDS

C. WITHDRAWALS

CONSENT AGENDA

B. ZONING APPLICATIONS

- 4. **ZV/DOA/R-2007-02022** Title: a Type II Zoning Variance application of West Palm Hospitality LLC by David L. Carpenter & Assoc., Agent. Request: to allow 24-hour operation.
Title: a Development Order Amendment application of West Palm Hospitality LLC by David L. Carpenter & Assoc., Agent. Request: to reconfigure the site plan, add square footage and restart the commencement clock.
Title: a Requested Use application of West Palm Hospitality LLC by David L. Carpenter & Assoc., Agent. Request: to allow a second hotel.
General Location: South side of Okeechobee Boulevard approximately 625 feet west of Drexel Road. (**Sykes Commercial**) (Control 1982-00129)

Pages 4-34

Conditions of Approval Pages (18-23)

Project Manager: Ora Owensby

Size: 7.22 acres ±

BCC District: 2

STAFF RECOMMENDATION: Staff recommends approval of the Type II Variance to allow 24 hours for business operation; and to recommend approval for a Development Order Amendment to revise the site plan and add square footage; and approval for a Requested Use to allow a second hotel, subject to 27 Conditions of Approval as indicated in Exhibit C and Exhibit C-1.

MOTION: To adopt a resolution approving a Type II Variance to allow 24 hours for business operations.

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

MOTION: To recommend approval of a Requested Use allowing a second hotel.

5. **ZV/PDD/DOA-2008-00448** Title: a Type II Zoning Variance application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to allow the reduction of the required width of the AGR buffer, to allow reduction of the number of shrubs; and to allow plant material to be planted in a linear pattern, rather than a meandering, naturalistic pattern.
Title: an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.
Title: Development Order Amendment application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to reconfigure the master plan, to delete land area, to add land area, to create a model row, to amend a condition of approval (Landscaping), and to restart the commencement clock.
General Location: Northwest corner of Boynton Beach Blvd. and Lyons Road.
(Amestoy AGR-PUD) (Control 2005-00162)

Pages 35-106

Conditions of Approval Pages (76-86)

Project Manager: Ora Owensby

Size: 785.51 acres +

BCC District: 5

STAFF RECOMMENDATION: Staff recommends approval of the Type II Variances for landscape; approval for an Official Zoning Map Amendment from the AGR to the AGR-PUD Zoning District; and to recommend approval for a Development Order Amendment to reconfigure the master plan, to delete land area, to add land area, to create a model row, to amend a condition of approval (Landscaping), and to restart the commencement clock subject to 40 Conditions of Approval as indicated in Exhibit C and Exhibit C-1.

MOTION: To adopt a resolution approving the reduction of the required width of the AGR buffer, to allow reduction in the number of shrubs; and to allow plant material to be planted in a linear pattern, rather than a meandering, naturalistic pattern.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District

MOTION: To recommend approval of a Development Order Amendment to reconfigure the master plan, to delete land area, to add land area, to create a model row, to amend a condition of approval (Landscaping), and to restart the commencement clock.

6. **PDD/DOA-2008-00626** Title: an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) Zoning District.
Title: a Development Order Amendment application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to reconfigure the master plan, add land area, delete land area, reduce number of units, to delete a condition of approval (Landscape), create a model row, and restart the commencement clock.
General Location: Southwest corner of Boynton Beach Boulevard and Lyons Road. (**Lyons West AGR PUD**) (Control 2005-00003)

Pages 107-173

Conditions of Approval Pages (137-149)

Project Manager: Ora Owensby

Size: 1,061 .07 acres ±

BCC District: 5

STAFF RECOMMENDATION: Staff recommends approval of an Official Zoning Map Amendment from the AGR to the AGR-PUD Zoning District; and to recommend approval of a Development Order Amendment to reconfigure the master plan, add land area, reduce land area, reduce number of units, delete a condition of approval (Landscape), and restart the commencement clock subject to 51 Conditions of Approval as found in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the master plan, add land area, reduce land area, reduce number of units, delete a condition of approval (Landscape), and restart the commencement clock.

7. **Z-2008-01368** Title: an Official Zoning Map Amendment application of Boynton Beach by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District. General Location: West side of State Road 7 and North of Clint Moore Road. (**Hyder Preserve B**) (Control 2008-00291)

Pages 174-188

Conditions of Approval Pages ()

Project Manager: Ora Owensby

Size: 265.24 acres ±

BCC District: 5

(affected area 159.04 acres ±)

STAFF RECOMMENDATION: Staff recommends approval of an Official Zoning Map Amendment from the AGR to the AGR-PUD Zoning District.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District.

8. **PDD-2008-01177** Title: an Official Zoning Map Amendment to a Planned Development District application of Byron Russell by Land Design South Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) and the Agricultural Residential (AR) Zoning Districts to the Residential Planned Unit Development (PUD) Zoning District. General Location: Southeast and Southwest corners of Southern Boulevard and Jog Road. (**Cheney Ranch**) (Control 2008-00290)

Pages 189-217

Conditions of Approval Pages (206-209)

Project Manager: Autumn Sorrow

Size: 41.09 acres ±

BCC District: 6

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to 27 conditions as indicated in Exhibit C.

MOTION: To recommend approval of a rezoning from the Residential Transitional (RT) and the Agricultural Residential (AR) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

9. **CB-2008-01181** Title: a Class B Conditional Use application of Shark Enterprises LLC by Frogner Consulting Inc., Agent. Request: to allow Agriculture, Sales and Service.
General Location: Approximately 0.5 miles south of Atlantic Avenue on the west side of SR7/US441. (**Shark Enterprises**) (Control 2007-00003)

Pages 218-239

Conditions of Approval Pages (230-231)

Project Manager: Carol Glasser

Size: 3.62 acres +

BCC District: 5

STAFF RECOMMENDATION: approval of the request subject to 9 conditions of approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Agriculture, Sales and Service

10. **ZV-2008-01356** Title: a Type II Zoning Variance application of Francisco Santos by Jon F Schmidt & Associates, Agent. Request: to allow the reduction of pervious area, plaza width, dumpster dimensions and the balcony width and length.; the elimination of loading space, the right-of-way, compatibility and incompatibility buffers and associated landscape materials, the terminal islands and trees and the drive isle width. (23 Variances in total).
General Location: Northeast corner of Westgate Avenue and Osceola Drive. (**Santos Building**) (Control 2008-00218)

Pages 240-267

Conditions of Approval Pages (261-261)

Project Manager: David McGuire

Size: 0.27 acres ±

BCC District: 2

STAFF RECOMMENDATION: Staff recommends approval of the requests subject to 4 of conditions as indicated in Exhibit C.

MOTION: To adopt a resolution approving the request for Type II Variances.

11. **ZV-2008-01359** Title: a Type II Variance application of Western Palm Beach Farm Bureau by Chris Wayne and Associates Inc., Agent. Request: to allow reduction in setbacks.
General Location: The Intersections of Hooker Highway and Livestock Market Road. (**Western Palm Beach Farm Bureau**) (Control 2008-00012)

Pages 268-289

Conditions of Approval Pages (278-279)

Project Manager: Monica Cantor

Size: 1.02 acres ±

BCC District: 6

STAFF RECOMMENDATION: Staff recommends approval of the request subject to 7 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in setbacks.

REGULAR AGENDA

C. PREVIOUSLY POSTPONED ITEMS

12. DOA/R-2008-00303 Title: a Development Order Amendment application of Lantana Charter LLC by Cotleur & Hearing Inc., Agent. Request: to add two external access points to the PUD for the Civic parcel.

Title: a Requested Use application of Lantana Charter LLC by Cotleur & Hearing Inc., Agent. Request: To allow a Place of Worship, a Private School, and a Daycare.

General Location: South side of Lantana Road, approximately 0.1 mile west of Grand Lacuna Blvd. (**Lantana Civic Pavillion**) (Control 1981-00233)

Pages 290-319

Conditions of Approval Pages (310-313)

Project Manager: Ronald Sullivan

Size: 5.24 acres +

BCC District: 3

STAFF RECOMMENDATION: Staff recommends approval of the request subject to 28 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to add two external access points to the PUD for the Civic parcel.

MOTION: To recommend approval of a Requested Use to allow a Place of Worship, a Private School, and a Daycare.

13. **Z/DOA-2008-01192** Title: an Official Zoning Map Amendment application of Royal Palm Presbyterian Church Inc by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.
Title: a Development Order Amendment application of Royal Palm Presbyterian Church Inc by Miller Land Planning, Agent. Request: to modify the site plan, to add square footage, to modify conditions of approval (Engineering, Landscape, Signage, Lighting), and to add land area.
General Location: Approximately 650 feet east of Jog Road on the south side of Hypoluxo Road. (**Royal Palm Presbyterian Church**) (Control 1994-00080)

Pages 320-346

Conditions of Approval Pages (335-342)

Project Manager: Joyce Lawrence

Size: 5.60 cres ±

BCC District: 3

STAFF RECOMMENDATION: Staff recommends approval of the request subject to 35 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval for an Official Zoning Map Amendment from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to modify the site plan, to add square footage, to modify Conditions of Approval (Landscape and Lighting), and to add land area and to recommend denial to amend the Engineering and Signage Conditions of Approval.

14. **PDD/R/TDR-2008-00798** Title: an Official Zoning Map Amendment to a Planned Development District application of Homes Westbrooke by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.
Title: a Requested Use application of Homes Westbrooke by Kilday & Associates Inc., Agent. Request: to allow the Transfer of Development Rights.
Title: a Transfer of Development Rights application of Homes Westbrooke by Kilday & Associates Inc., Agent. Request: to allow the Transfer of Development rights for 115 units, to designate this site as a receiving area, and to allow a reduced cost of \$1.00 per unit for 59 Transfer of Development Rights units.
General Location: Approximately 1 mile south of Lake Worth Road on the east side of Lyons Road. (**Andalucia PUD**) (Control 2008-00129)

Pages 347-389

Conditions of Approval Pages (372-377)

Project Manager: William Cross

Size: 78.41 acres ±

BCC District: 6

(affected area 58.03 acres ±)

STAFF RECOMMENDATION: Staff recommends approval of the Official Zoning Map Amendment; Requested Use; and, the Transfer of Development Rights (TDR) for 115 units, with a sale of 59 units for workforce housing at a price of \$1.00/unit, subject to 37 Conditions of Approval, as indicated in Exhibit C. TDR Requested Use: to recommend approval of the request. Transfer of 115 TDR Units: to recommend approval of the request, including the sale of 56 TDR units at a cost of \$1.00/unit.

MOTION: To recommend approval of a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District.

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

MOTION: To recommend approval to allow the Transfer of Development Rights for 115 units, to designate this site as a receiving area, and to allow a reduced cost of \$1.00 per unit for 59 Transfer of Development Rights units.

15. **DOA-2008-00786** Title: a Development Order Amendment application by Glotel Inc / T Mobile, Agent application of Betty Tufford by Glotel Inc. T-Mobile, Agent. Request: to modify a condition of approval (Commercial Pod).
General Location: Northwest corner of US 441 and Kimberly Blvd. (**Shoppes of Boca Green . T-Mobile**) (Control 1977-00013)

Pages 390-419

Conditions of Approval Pages (404-413)

Project Manager: Doug Robinson

Size: 1.00 acres -

(affected area 0.01 acres ±)

BCC District: 5

STAFF RECOMMENDATION: Staff recommends approval of the request subject to 74 Conditions of Approval as indicated in Exhibit C.

MOTION: to recommend approval of the Development Order Amendment request to modify a condition of approval (Commercial Pod).

16. **DOA-2008-01353** Title: a Development Order Amendment application of Homeland Plaza Llc, Jr Eisenman Properties LLC by Miller Land Planning, Agent. Request: to modify/delete Conditions of Approval (Landscape, Building and Site Design, Planning, and Access).
General Location: Approximately 0.75 mile south of Lake Worth Road, on the west side of State Road 7. (**South Road Office MUPD**) (Control 2003-00036)

Pages 420-450

Conditions of Approval Pages (433-442)

Project Manager: Joyce Lawrence

Size: 8.63 acres ±

BCC District: 3

STAFF RECOMMENDATION: Staff recommends approval of the request subject to 55 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify Landscape Conditions and to recommend denial to delete Access and Building and Site Design Conditions of Approval.

17. **Z-2008-01669** Title: an Official Zoning Map Amendment application of Palm Beach County by Palm Beach County, Agent. Request: Rezoning from the Preservation/Conservation (PC) Zoning District to the Public Ownership (P0) Zoning District.

General Location: Approximately 0.1 mile south of Blue Heron Boulevard and approximately 1,000 feet northeast of the Port of Palm Beach and 1,500 feet due west of Lake Worth Inlet. (**Peanut Island Rezoning**) (Control 1976-00101)

Pages 451-461

Conditions of Approval Pages (461)

Project Manager: Donna Adelsperger and Maryann Kwok

Size: 84.00 acres ±

BCC District: 1

STAFF RECOMMENDATION: Staff recommends approval of the request, subject to a Conditional Overlay Zone and to five (5) conditions as indicated in Exhibit C.

MOTION: To recommend approval of an Official Map Amendment from the Preservation/Conservation (PC) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone.

E. STATUS REPORTS

COMMISSIONER COMMENTS

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

ADJOURNMENT