



**PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA
Thursday, June 5, 2008**

AGENDA

ITEM #/PAGE # PETITION / CHANGE

MOVE TO CONSENT

13. Pgs 249-278 **DOA2007-1594 TRINITY CHURCH INTL**
(Control 1980-187)

Move to consent and Modify as follows:

Add All Petitions 4 to read as follows:

4. Based on Article 2.E of the Unified Land Development Code, this development order meets the requirements to receive a new three (3) year review date from the date of approval of this resolution. (ONGOING:MONITORING-Zoning)

Modify Landscaping Standards 1, 3 as follows:

1. Prior to the final approval by the Development Review Officer, the property owner shall submit a revised Landscape Plan for the overall site to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)
3. Prior to December 1, 2008, Issuance of a Building Permit for Buildings F (Gymnasium), the property owner shall replace all dead and missing plant materials on the entire subject property and to be consistent with approved Landscape Plan pursuant to Landscape Condition 1. (BLDG. PERMIT: LANDSCAPE - Zoning)

Modify Landscaping Along East Property Line (Military Trail Frontage Only) Number 6, b and renumber accordingly to read as follows:

- a. a minimum forty (40) foot wide landscape buffer strip;
- b. ~~an undulating berm with an average height of three (3) feet measured from top of curb;~~
- eb. one (1) palm or pine tree for each thirty (30) linear feet of frontage. A group of three or more palms or pine trees shall not be substituted the required for a canopy tree in that location. (DRO: LANDSCAPE-Zoning)

Modify Signs Condition 1, a, b and delete Condition 2 to read as follows:

- a. maximum sign height, measured from finished grade to highest point – ~~eight (8)~~ ten (10) feet;
- b. maximum sign face area per side – ~~eighty (80)~~ one hundred twenty (120) square feet;

Modify Use Limitations to read as follows:

4. Condition P.4 of Resolution R-1998-738, Control No. 1980-187) which currently states:

Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, rummage sales, bake sales, carnivals, circuses, auctions, or tent revivals, etc.), shall be limited to a maximum of three (3) events per year and shall be setback a minimum of 100 feet from all perimeter property lines. (ONGOING/SPECIAL PERMIT: CODE ENF – ZONING) (~~Previous Condition P.4 of Resolution R-1998-738, Control No. 1980-187)~~

Is hereby amended to read:

Accessory outdoor uses such as temporary sales events, (i.e. Christmas tree and pumpkin sales, rummage sales, bake sales, carnivals, circuses, auctions, or tent revivals, etc.), shall be limited to a maximum of three (3) events per year and shall be setback a minimum of one hundred (100) feet from all residential property lines and a minimum of fifty (50) feet from the east property line adjacent to Military Trail. (ONGOING/SPECIAL PERMIT: CODE ENF - ZONING)

14. Pgs 279-299 **ZV2008-629 PBIA PHASE II PARKING STRUCTURE**
(Control 1982-190)

POSTPONEMENTS (30 days to July 3, 2008)

8. Pgs 118-140 **DOA2007-2013 DEL MAR PLAZA**
(Control 1989-117)

AMENDMENTS TO THE AGENDA

6. Pgs 52-74 **ZV/DOA/R2008-306 ADDISON PLACE MUPD**
(Control 1997-118)

Delete Variance Motion

~~MOTION: To adopt a resolution approving a Type II Zoning Variance to allow overlap of utility easement within the right-of-way buffer.~~

Delete All Petitions Condition 4

Add Condition, Building and Site Design Condition 5 to read as follows:

5. Prior to final approval by the Development Review Officer (DRO), the site plan shall be amended to indicate a six (6) foot opaque fence along the east side of the outdoor seating, located on the north end of the building. (DRO:LANDSCAPE-Zoning)

ABN/PDD/R2007-2023 PALM MEADOWS AGR PUD
(Control 2006-099)

Modify Motion to read as follows:

MOTION: To recommend approval of a Requested Use to allow for 342 grooms quarters. ~~in excess of 342 units.~~

Modify Landscape Condition 1 to read as follows:

1. Prior to approval by the Development Review Officer ~~issuance of the first building permit~~, the property owner shall submit a Landscape Plan for the ~~entire~~ developable area of the project to the Landscape Section for review and approval. The Plan shall be prepared in compliance with all the landscape conditions as contained herein. (DRO:LANDSCAPE – 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
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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY JUNE 5, 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 4-8)**
- 4. REGULAR AGENDA (Pages 9-10)**
- 5. COMMISSIONER COMMENTS (Page 10)**
- 6. DIRECTOR COMMENTS (Page 10)**
- 7. ADJOURNMENT (Page 10)**

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

JUNE 5, 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, June 30, 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. [DOA/R2007-1597](#) Title: Resolution approving a Development Order Amendment application of Publix Super Market, Inc., by Ruden, McClosky, Agent. Request: To reconfigure the site plan and modify conditions of approval (Building & Site Design, Planning, Use Limitations). Title: Resolution approving a Requested Use application of Publix Super Markets, Inc., by Ruden, McClosky, Agent. Request: To allow an Auto Service Station. General Location: Northeast corner of Orange Boulevard and Seminole Pratt Whitney Road. **(PRATT AND ORANGE MUPD)** (Control 1998-023)

Page 1

Project Manager- Ron Sullivan

Size: 24.67acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, July 3, 2008.

2. [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 2

Conditions of Approval () Page

Project Manager-Ora Owensby

Size: 16.04 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, July 3, 2008.

3. **PDD2006-1682** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of W & W IX LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Southeast corner of 112th Terrace and Northlake Boulevard. **(112TH/NORTHLAKE OFFICE)** (Control 2006-529)

Page 3
Conditions of Approval () Page
Project Manager-Joyce Lawrence

Size: 10.80 acres \pm

BCC District: 6

MOTION: To postpone thirty (60) days to Thursday, August 7, 2008.

B. WITHDRAWALS

END OF POSTPONEMENTS/ WITHDRAWALS

CONSENT AGENDA

A. ZONING APPLICATIONS

- 4. **Z2007-1188** Title: Resolution approving An Official Zoning Map Amendment application of Curtis Lewis, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential High (RH) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ). General Location: Northeast corner of the intersection of Wabasso Drive & Chickamauga Avenue. **(LEWIS PROPERTY)** (Control 2007-342)

Pages 4-24
 Conditions of Approval (7) Pages 15-16
 Project Manager- Autumn Sorrow

Size: 0.46 acres ± BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential High Zoning District to the General Commercial Zoning District with a Conditional Overlay Zone.

- 5. **ZV/ABN/PDD2007-728** Title: Resolution approving a Type II Zoning Variance application of Tidal Wave Development Corp, Tidal Wave Management Corp, Inc., by Kilday & Associates, Inc., Agent. Request: To allow a reduction in the required parking. Title: Resolution approving a Development Order Abandonment application of Tidal Wave Development Corp, Tidal Wave Management Corp, Inc., by Kilday & Associates, Inc., Agent. Request: To abandon the Special Exceptions granted under Resolution 1995-0721, 1995-1116, 1996-1950 and 2002-1645. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Tidal Wave Development Corp, Tidal Wave Management Corp, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Northwest corner of Tall Pines Road and Wallis Road east of Cleary Road on the north side of Southern Boulevard. **(TIDAL WAVE INDUSTRIAL PARK) (2007-236)**

Pages 25-51
 Conditions of Approval (20) Pages 40-44
 Project Manager- - Anthony Wint

Size: 41.59 acres ± BCC District 6

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction in the required parking.

MOTION: To abandon the Special Exceptions granted under Resolution 1995-0721, 1995-1116, 1996-1950 and 2002-1645.

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

- 6. **ZV/DOA/R2008-306** Title: Resolution approving A Type II Zoning Variance application of Bear on Jog Ltd, by Kilday & Associates, Inc., Agent. Request: To allow overlap of utility easement within the right-of-way buffer. Title: Resolution approving A Development Order Amendment application of Bear on Jog Ltd, by Kilday & Associates, Inc., Agent. Request: To add square footage and modify a condition of approval (Building and Site Design). Title: Resolution approving a Requested Use application of Bear on Jog Ltd, by Kilday & Associates, Inc., Agent. Request: To allow a Type II Restaurant. General Location: Approximately 1 mille south of Linton Blvd., on the east side of Jog Road. **(ADDISON PLACE MUPD)** (Control 1997-118)

Pages 52-74
 Conditions of Approval (33) Pages 64-70
 Project Manager-Douglas Robinson

Size: 3.32 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow overlap of utility easement within the right-of-way buffer.

MOTION: To recommend approval of a Development Order Amendment to add square footage and modify a condition of approval (Building and Site Design).

MOTION: To recommend approval of a Requested Use to allow a Type II Restaurant.

- 7. **ABN/PDD/R2007-2023** Title: Resolution approving a Development Order Abandonment application of 20004 Delaware, Inc., by Land Design South, Inc., Agent. Request: To Abandon a Class A Conditional Use granted under R2002-1483. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of 20004 Delaware, Inc., by Land Design South, 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 Requested Use application of 20004 Delaware, Inc., by Land Design South, Inc., Agent. Request: To allow grooms quarters in excess of 342 units. General Location: West of Florida Turnpike, east of Lyons Road, approximately one (1) mile north of W. Boynton Beach Boulevard. **(PALM MEADOWS AGR PUD)** (Control 2006-099)

Pages 75-118
 Conditions of Approval (33) Pages 92-99
 Project Manager-Autumn Sorrow

Size: 461.89 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Abandonment for a Class A Conditional Use granted under R2002-1483.

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 Requested Use to allow for grooms quarters in excess of 342 units.

8. **DOA2007-2013** Title: Resolution approving a Development Order Amendment application of MS Woolbright Del Mar, LLC, by Miller Land Planning, Agent. Request: To reconfigure site plan, add square footage and modify a condition of approval (square footage limitation). General Location: West side of Powerline Road south of Palmetto Circle North. **(DEL MAR PLAZA)** (Control 1989-117)

Pages 118-140
 Conditions of Approval (17) Pages 137-135
 Project Manager-Autumn Sorrow

Size: 13.26 acres ± BCC District: 4

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan, add square footage; and modify a condition of approval (square footage limitation).

9. **DOA2007-1777** Title: Resolution approving a Development Order Amendment application of Lake Worth Road Associates Ltd., by Corporate Property Services, Agent. Request: Modification of a Condition of Approval. General Location: Southeast corner of Lake Worth Road and SR7/US441; Wendy's **(LAKE WORTH ROAD & SR 7/US441 MUPD)** (Control 1999-004)

Pages 141-162
 Conditions of Approval (43) Pages 149-157
 Project Manager - Anthony Wint

Size: 11.35 acres ± BCC District: 6

MOTION: To recommend approval of a Development Order Amendment Modification of an Condition of Approval (Engineering).

10. **DOA2008-283** Title: Resolution approving a Development Order Amendment application of Okee Property East, LLC, by Urban Design Studio, Agent. Request: To modify two conditions of approval (Signs, Site Design). General Location: Approximately 0.25 mile west of Interstate 95 on the south side of Okeechobee Boulevard. **(OKEECHOBEE PLACE)** (Control 1981-094)

Pages 163-183
 Conditions of Approval (28) Pages 171-175
 Project Manager-Anthony Wint

Size: 1.89 acres ± BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to modify two conditions of approval (Signs, Site Design).

- 11. **ZV/DOA/R2008-288** Title: Resolution approving a Type II Zoning Variance application of KRG/Atlantic Delray Beach, LLC, by Urban Design Studio, Agent. Request: To allow an increase in maximum building height and an increase in maximum building frontage. Title: Resolution approving a Development Order Amendment application of KRG/Atlantic Delray Beach, LLC, by Urban Design Studio, Agent. Request: To reconfigure the site plan and modify/delete conditions of approval (Building and Site Design, Engineering, Use Limitations, and Landscape). Title: Resolution approving a Requested Use application of KRG/Atlantic Delray Beach, LLC, by Urban Design Studio, Agent. Request: To allow a single tenant over 25,000 square feet. General Location: Northwest Corner of West Atlantic Avenue and Lyons Road. **(DELRAY MARKETPLACE)** (Control 2004-616)

Pages 184-225
 Conditions of Approval (84) Pages 202-217
 Project Manager-Carol Glasser

Size: 83.19 acres ± BCC District: 5
 (affected area 32.82 acres ±)

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an increase in maximum building height and an increase in maximum building frontage.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan and modify/delete conditions of approval (Building and Site Design, Engineering, Use Limitations, and Landscape).

MOTION: To recommend approval of a Requested Use to allow a single tenant over 25,000 square feet.

- 12. **ABN/Z/CA2008-444** Title: Resolution approving a Development Order Abandonment application of Palm Beach Aggregates Inc., by Carlton Fields, P.A., Agent. Request: To abandon the Requested Use granted under Resolution R-2006-029 and the Waiver of Objectives and Standards granted under Resolution R-2006-030. Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach Aggregates, Inc., by Carlton Fields, P.A., Agent. Request: Rezoning from the Residential Planned Unit Development (PUD) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Palm Beach Aggregates, Inc., by Carlton Fields, P.A., Agent. Request: To allow bona fide agricultural. General Location: Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard. **(LAZY F)** (Control 2005-394)

Pages 226-248
 Conditions of Approval (8) Pages 237- 239
 Project Manager-Carrie Rechenmacher

Size: 1209.06 acres ± BCC District: 6

MOTION: To abandon the Requested Use granted under Resolution R-2006-029 and the Waiver of Objectives and Standards granted under Resolution R-2006-030.

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

MOTION: To recommend approval of a Class A Conditional Use to allow bona fide agricultural.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

REGULAR AGENDA

A. PREVIOUSLY POSTPONED ITEMS

B. REGULAR AGENDA

13. **DOA2007-1594** Title: Resolution approving a Development Order Amendment application of Trinity Church International, Inc., by Land Design South, Inc., Agent. Request: To reconfigure site plan, relocate square footage, delete congregate living facilities, add square footage, restart of commencement clock, and modify/delete 8 Conditions of Approval (Building & Site Design, Landscape, Engineering, Sign, and Use Limitations). General Location: Approximately .25 miles south of Hypoluxo Road on the west side of Military Trail. **(TRINITY CHURCH INTL)** (Control 1980-187)

Pages 249-278
 Conditions of Approval (41) Pages 266-275
 Project Manager-Joyce Lawrence

Size: 33.21 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan, relocate square footage, modify/delete congregate living facilities, add square footage restart of commencement clock and delete 8 Conditions of Approval (Building & Site Design, Landscape, Engineering, Sign, and Use Limitations).

14. **ZV2008-629** Title: Resolution approving a Type II Zoning Variance application of Palm Beach County Department of Airports, by Kilday & Associates, Inc., Agent. Request: To eliminate the perimeter planter requirements for the Phase II Parking Structure. General Location: South side of Belvedere Road within the PBIA complex. **(PBIA PHASE II PARKING STRUCTURE)** (Control 1982-190)

Pages 279-299
 Conditions of Approval (n/a) Page
 Project Manager-David McGuire

Size: 647.81 acres ±
 (affected 5.82 affected area ±)

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to eliminate the perimeter planter requirements for the Phase II Parking Structure.

- 15. **CA/TDR2007-1190** Title: Resolution approving a Class A Conditional Use application of Mohammad Mirzadeh, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights application of Mohammad Mirzadeh, by Seminole Bay Land Company, Inc., Agent. Request: To allow for the Transfer of Development Rights for 11 units, to designate this application as the receiving area, and to allow the reduced cost of \$1.00 per unit for the Transfer of Development Rights units. General Location: Approximately 510 feet north of Purdy Lane on the west side of Major Drive. **(MIRZADEH APARTMENTS)** (Control 2007-339)

Pages 300-321

Conditions of Approval (16) Pages 314-317

Project Manager-Douglas Robinson

Size: 2.97 acres ±

BCC District: 2

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights for more than 2 units to the acre.

MOTION: To recommend approval to allow the Transfer of Development Rights for 11 units and to designate this application as the receiving area

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

5. COMMISSIONER COMMENTS

6. DIRECTOR COMMENTS

7. ADJOURNMENT