

Add All Petitions Condition 4 to read as follows:

4. Prior to final approval by the Development Review Officer (DRO), the applicant/property owner shall file an administrative abandonment for the Class B Conditional Use for the Chipping and Mulching use. (DRO:ZONING-Zoning)

Add All Petitions Condition 5 to read as follows:

5. 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)

Delete Use Limitations Conditions 1 and 2.

Add Landscape Condition 1 to read as follows, and renumbered accordingly:

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan 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. (BLDG PERMIT: LANDSCAPE - Zoning)

Add Landscape Condition 2 to read as follows:

2. All palms required to be planted on the property by this approval shall meet the following minimum standards at installation:
 - a. palm heights: twelve (12) feet clear trunk;
 - b. clusters: staggered heights twelve (12) to eighteen (18) feet; and,
 - c. credit may be given for existing or relocated palms provided they meet current ULDC requirements. (BLDG PERMIT: LANDSCAPE – Zoning)

Modify Landscape Condition 4 to read as follows:

4. In addition to the code requirements the north, east and west property lines shall be upgraded to include:
 - a. a minimum ten (10) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
 - b. a minimum ~~eight (8)~~ six (6) foot high ~~opaque~~ chain link fence shall be installed within the landscape buffer along the north, east and west property lines. Height of the fence shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property; and,
 - c. 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;and,
 - d. a six (6) foot high hedge. (BLDG PERMIT: LANDSCAPE - Zoning)

Delete Sign Condition 2.

11. Pgs 169-192 **Z/CA/TDR 2007-1621 COLE STREET VILLAS**
(Control 2007-052)

Add Landscape Condition 4 to read as follows, and renumbered accordingly:

4. All pines required to be planted on the property by this approval shall minimum standards at installation:
 - a. pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters.
 - b. credit may be given for existing pines provided they meet current ULDC requirements. (BLDG PERMIT: LANDSCAPE – Zoning)

Delete Landscape Condition 5.

Revise Landscape Condition 6 to read as follows:

- ~~4. 6.~~ Landscaping in the interior shall be upgraded to include the following:
 - a. ~~additional landscaping including but not limited to a six (6) foot high hedge shall be provided on both the north, east and west sides and west side of the lift station and in the area located between the 709 square foot Dry Detention Area to the south and end unit Building #1;~~
 - b. ~~interior planting is to be distributed equally throughout the development; and~~
 - c. ~~maximum or 100% foundation planting shall be provided in a manner acceptable to the Landscaping section. (DRO:ZONING BLDG PERMIT:LANDSCAPE-Zoning)~~

Revise Landscape Condition 6 to read as follows:

LANDSCAPING ALONG THE PERIMETER WEST PROPERTY LINES

6. In addition to the code requirements, landscaping along the perimeter property lines shall be upgraded to include:
 - 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)~~ forty (40) feet between clusters. (BLDG PERMIT: LANDSCAPE - Zoning)

12. Pgs 193-221 **CA2007-1790 BEDNER PRODUCE STAND**
(Control 2007-357)

Add Landscape Condition 1 to read as follows, and renumbered accordingly:

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan and/or an Alternative Landscape Plan 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. (BLDG PERMIT: LANDSCAPE - Zoning)

Add Landscape Conditions 4 and 5 to read as follows:

4. All pines required to be planted on the property by this approval shall meet the following minimum standards at installation:
 - a. pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters; and,
 - b. credit may be given for existing pines provided they meet current ULDC requirements. (BLDG PERMIT: LANDSCAPE – Zoning)

5. LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF STATE ROAD 7/US441)

1. In addition to the code requirements, landscaping along the east property line shall be upgraded to include:
 - a. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of forty feet between clusters. (BLDG PERMIT: LANDSCAPE - Zoning)

13. Pgs 222-243 **Z2007-2004 OSORIO REZONING**
(Control 1979-124)

Amend Official Zoning Map Amendment motion to read as follows:

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

Delete School Board Condition 1

15. Pgs 274-313 **ZV/DOA/R2008-094 SHOPPES OF SHERBROOK**
(Control 1999-006)

Modify All Petitions Condition 2 to read as follows:

Development of the site is limited to ~~25,717 square feet retail, a 49,989 square foot fitness center and, a 3,980 square feet of retail use in Phase 2.~~ and the site design as approved by the Board of County Commissioners. The approved preliminary site plan is dated February 25, 2008. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (ONGOING: ZONING - Zoning)

Delete Architectural Review Condition 2.

16. Pgs 314-347 **ZV/Z/CA2008-097 AMERICAN RED CROSS ZCL**
(Control 1986-013)

Amend Official Zoning Map Amendment motion to read as follows:

MOTION: To recommend approval of an Official Zoning Map Amendment Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ).

Modify Landscape Condition 1 to read as follows:

ZONING - LANDSCAPING ALONG THE NORTH PROPERTY LINE

1. In addition to the ~~proposed landscaping and~~ code requirements, landscaping ~~and or buffer width on~~ along the north property line shall be upgraded to include:
 - a. ~~a minimum fifteen (15) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;~~
 - b.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)~~ forty (40) feet between clusters. (BLDG PERMIT: ZONING –Landscape)

Add Landscape Condition 3 to read as follows, and renumbered accordingly:

3. All pines required to be planted on the property by this approval shall meet the following minimum standards at installation:
 - a. pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation and have a maximum spacing of forty (40) feet between clusters; and,
 - b. credit may be given for existing pines provided they meet current ULDC requirements. (BLDG PERMIT: LANDSCAPE – Zoning)

Delete Palm Tram Conditions 1 & 2.

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

THURSDAY MAY 1, 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 4-11)**
- 4. REGULAR AGENDA (Pages 12-14)**
- 5. COMMISSIONER COMMENTS (Page 14)**
- 6. DIRECTOR COMMENTS (Page 14)**
- 7. ADJOURNMENT (Page 14)**

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

MAY 1, 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, May 22, 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, to allow the building to exceed the number of stories and to allow reduction of the required incompatibility buffer width. 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: To postpone thirty days (60) to July 3, 2008.

2. **PDD2006-1682** Title: Resolution approving 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 2

Project Manager-Joyce Lawrence

Size: 10.80 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, June 5, 2008.

3. **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. 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 3

Project Manager- Sandra Gonzalez

Size: 24.67 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, June 5, 2008.

4. **ABN/PDD2007-728** 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) (Control 2007-236)**

Page 4

Project Manager- Anthony Wint

Size: 41.59 acres ±

BCC District 6

MOTION: To postpone thirty (30) days to Thursday, June 5, 2008.

B. WITHDRAWALS

5. **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)**

Page 5

Project Manager Douglas Robinson

Size: 2.70 acres ±

BCC District: 2

MOTION: No motion required.

END OF POSTPONEMENTS/ WITHDRAWALS

CONSENT AGENDA

A. ZONING APPLICATIONS

- 6. **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)

Pages 6-68
 Conditions of Approval (6) Page 26
 Project Manager David G McGuire

Size: 0.99 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance 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.

- 7. **Z2007-1180** Title: Resolution approving an Official Zoning Map Amendment application of Eastern Asset Management, Inc., by Seminole Bay Land Company, Inc., Agent. Request: Rezoning from the Residential High (RH) Zoning District to the General Commercial (CG) Zoning District. General Location: Northeast corner of Nokomis Avenue and Tallahassee Drive, one block south of Westgate Avenue and four blocks south of Okeechobee Boulevard. **(NOKOMIS LOFTS)** (Control 2006-442)

Pages 69-91
 Conditions of Approval (13) Pages 82-84
 Project Manager-Sandra Gonzalez

Size: 0.34 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

- 8. **DOA/R2007-1428** Title: Resolution approving a Development Order Amendment application of Darosy, Inc., by Corporate Property Services, Agent. Request: To reconfigure the site plan and add square footage. Title: Resolution approving a Requested Use application of Darosy, Inc., by Corporate Property Services, Agent. Request: To allow a Type I Restaurant. General Location: Southwest corner of Okeechobee Boulevard and Drexel Road. **(CHICK-FIL-A)** (Control 1976-121)

Pages 92-118
 Conditions of Approval (34) Pages 109-113
 Project Manager- Ora Owensby

Size: 12.02 acres ± BCC District:6

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

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

- 9. **ZV/CA2007-739** Title: Resolution approving a Type II Zoning Variance application of Tuller Properties, LLC. Request: To allow the reduction of the required right-of-way buffer for Military Trail; allow the reduction of the right of way buffer for Childs Street and Cross Street, allow the reduction of the number of shrubs for Childs Street and Cross Street, and allow reduction of landscape island widths. Title: Resolution approving a Class A Conditional Use application of Tuller Properties, LLC. Request: To allow Repair and Maintenance, General and Dispatching over 4 vehicles. General Location: Approximately 100 feet south of Lake Worth Road on the east side of Military Trail. **(BOB'S AUTO GLASS)** (Control 2007-166)

Pages 119-147
 Conditions of Approval (14) Pages 136-138
 Project Manager- Ora Owensby

Size: 0.36 acres ± BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow the reduction of the required right-of-way buffer for Military Trail; allow the reduction of the right of way buffer for Childs Street and Cross Street, allow the reduction of the number of shrubs for Childs Street and Cross Street, and allow reduction of landscape island widths.

MOTION: To recommend approval of a Class A Conditional Use to allow Repair and Maintenance, General and Dispatching over 4 vehicles.

- 10. **DOA2007-1005** Title: Resolution approving a Development Order Amendment application of The Whiteside Group, by Kilday & Associates, Inc., Agent. Request: To modify a condition of approval (Building and Site Design), re-start the commencement clock, and approve a vinyl coated chain link fence within the perimeter buffer. General Location: Approximately 1,000 feet east of Pike Road on the north side of 7th Place North. **(WHITESIDE INDUSTRIAL PARK)** (Control 1998-062)

Pages 148-168
 Conditions of Approval (17) Pages 160-164
 Project Manager- Douglas Robinson

Size: 9.62 acres ± BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to modify a condition of approval (Building and Site Design), re-start the commencement clock, and approve a vinyl coated chain link fence within the perimeter buffer.

- 11. **Z/CA/TDR2007-1621** Title: Resolution approving an Official Zoning Map Amendment application of Asacol, LLC, by Seminole Bay Land Company, Inc., Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Transfer of Development Rights application of Asacol, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights for 5 units, designate this application as the receiving area, and to allow the sale of development rights at \$1.00 per unit. General Location: West end of Cole Street, West of Military Trail, and North of Belvedere Road. **(COLE STREET VILLAS)** (Control 2007-052)

Pages 169-192
 Conditions of Approval (16) Pages 185-187
 Project Manager- Anthony Wint

Size: 1.42 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 for 5 units, designate this application as the receiving area, and to allow the sale of development rights at \$1.00 per unit.

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

12. **CA2007-1790** Title: Resolution approving a Class A Conditional Use application of Bedner Farm, Inc., by Land Design South, Inc., Agent. Request: To allow a produce stand. General Location: Southwest corner of Lee Road and SR7/US441. **(BEDNER PRODUCE STAND)** (Control 2007-357)

Pages 193-221
 Conditions of Approval (12) Pages 211-213
 Project Manager- Sandra Gonzalez

Size: 14.0 acres ±

BCC District: 5

MOTION: To recommend approval of a Class A Conditional Use to allow a produce stand.

13. **Z2007-2004** Title: Resolution approving an Official Zoning Map Amendment application of Carlos Osorio, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. General Location: North side of Pioneer Road between Benoist Farms Road and Lyons Road. **(OSORIO REZONING)** (Control 1979-124)

Pages 222-243
 Conditions of Approval (5) Pages 234-235
 Project Manager- Anthony Wint

Size: 3.14 acres ±

BCC District: 6

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

14. **ZV/SV/DOA-2008-092** Title: Resolution approving a Type II Zoning Variance application of South Florida Water Mgmt District, by Kilday & Associates, Inc., Agent. Request: To allow zero feet of lot frontage. Title: Resolution approving a Subdivision Variance application of South Florida Water Mgmt District, by Kilday & Associates, Inc., Agent. Request: To allow legal access from an easement. Title: Resolution approving a Development Order Amendment application of South Florida Water Mgmt District, by Kilday & Associates, Inc., Agent. Request: To delete land area. General Location: Approximately 2 miles west of SR7/US441 and 2 miles south of Lake Worth Road. **(WFLX TOWER SITE)** (Control 1980-085)

Pages 244-273
 Conditions of Approval (6) Pages 260-261
 Project Manager- Carol Glasser

Size: 111.104 acres acres ±
 Affected Area: 40.325 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow zero feet of lot frontage.

MOTION: To adopt a resolution approving a Subdivision Variance to allow legal access from an easement.

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

15. **ZV/DOA/R2008-094** Title: Resolution approving a Type II Zoning Variance application of SBM Associates, Inc., Slabrage Group LLC, Inc., by Kilday & Associates, Inc., Agent. Request: To allow 24-hour operation adjacent to residential. Title: Resolution approving a Development Order Amendment application of SBM Associates Inc., Slabrage Group, LLC, Inc., by Kilday & Associates, Inc., Agent. Request: To reconfigure the site plan, modify the uses, modify conditions of approval and delete square footage. Title: Resolution approving a Requested Use application of SBM Associates, Inc., Slabrage Group, LLC, Inc., by Kilday & Associates, Inc., Agent. Request: To allow a fitness center. General Location: Southeast corner of Lantana Road and Lyons Road. **(SHOPPES OF SHERBROOK)** (Control 1999-006)

Pages 274-313
 Conditions of Approval (48) Pages 288-301
 Project Manager- Anthony Wint

Size: 10.06 acres ± BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 24-hour operation adjacent to residential.

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

MOTION: To recommend approval of a Requested Use to allow a fitness center.

16. **ZV/Z/CA2008-097** Title: Resolution approving a Type II Zoning Variance application of Gun Club, LLC, by Miller Land Planning, Agent. Request: To allow a reduction in the required parking. Title: Resolution approving an Official Zoning Map Amendment application of Gun Club, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District. Title: Resolution approving a Class A Conditional Use application of Gun Club, LLC, by Miller Land Planning, Agent. Request: To allow an Assembly Non Profit Institute. General Location: Approximately 200 feet west of Military Trail on the south side of Gun Club Road. **(AMERICAN RED CROSS ZCL)** (Control 1986-013)

Pages 314-347
 Conditions of Approval (21) Pages 331-334
 Project Manager- Autumn Sorrow

Size: 6.96 acres ± BCC District: 2

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

MOTION: To recommend approval of an Official Zoning Map Amendment Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow an Assembly Non Profit Institute.

17. **ZV2008-435** Title: Resolution approving a Type II Zoning Variance application of Richard Pribell, by Miller Land Planning, Agent. Request: To allow a reduction to the side setback and to eliminate trees in two parking terminal islands. General Location: East side of Jog Road and north side of Joe Delong. **(PARK VISTA PLACE) (Control 2006-366)**

Pages 348-369
Conditions of Approval (5) Page 359
Project Manager- Carrie Rechenmacher

Size: 1.64 acres ±

BCC District:3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction to the side setback and to eliminate trees in two parking terminal islands.

18. **ZV2008-460** Title: Resolution approving a Type II Zoning Variance application of Loxahatchee Venture, LLC, by Kilday & Associates, Inc., Agent. Request: To allow reduction in the required pervious surface. General Location: Southeast corner of Seminole Pratt Whitney Road and Orange Boulevard. **(SEMINOLE ORANGE PLAZA) (2006-012)**

Pages 370-391
Conditions of Approval (2) Page 381
Project Manager- Anthony Wint

Size: 11.88 acres ±

BCC District: 6

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

19. **ZV2008-465** Title: Resolution approving a Type II Zoning Variance application of Joan Mattison, by Jay Carpenter, Agent. Request: To allow replacement of a zero lot line with a larger unit and a reduction of the rear setback, General Location: Indian Town Road and A1A **(MATTISON RESIDENCE VARIANCE) (Control 1974-195)**

Pages 392-415
Conditions of Approval (5) Page 403
Project Manager- Ron Sullivan

Size: 0.279 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of a zero lot line with a larger unit and a reduction of the rear setback.

- 20. **ZV2008-466** Title: Resolution approving a Type II Zoning Variance application of Carpenter General Contractors Incorporate, by Jay Carpenter, Agent. Request: To allow replacement of a zero lot line with a larger unit. General Location: Indiantown Road and A1A. **(LOT 17 BAYTOWN)** (Control 1974-195)

Pages 416-433
 Conditions of Approval (5) Page 425
 Project Manager- Ron Sullivan

Size: 0.2 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of a zero lot line with a larger unit.

- 21. **ZV2008-467** Title: Resolution approving a Type II Zoning Variance application of Nolene Scranton, by Jay Carpenter, Agent. Request: To allow replacement of a townhouse with a larger unit, reduction of front setback to a parking tract, and a reduction to the building separation. General Location: Indiantown Road and A1A. **(SCRANTON RESIDENCE VARIANCE)** (Control 1974-195)

Pages 434-459
 Conditions of Approval (5) Page 446
 Project Manager- Ron Sullivan

Size: 0.141 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of a townhouse with a larger unit, reduction of front setback to a parking tract, and a reduction to the building separation.

- 22. **ZV2008-468** Title: Resolution approving a Type II Zoning Variance application of Richard Morits, by Jay Carpenter, Agent. Request: To allow replacement of a townhouse with a larger unit, to allow reduction of front setback to parking tract, and reduction to the building separation. General Location: Indiantown Road and A1A **(MORITS RESIDENCE VARIANCE)** (Control 1974-195)

Pages 460-484
 Conditions of Approval (5) Page 471
 Project Manager- Ron Sullivan

Size: 0.151 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of a townhouse with a larger unit, to allow reduction of front setback to parking tract, and reduction to the building separation.

23. **ZV2008-469** Title: Resolution approving a Type II Zoning Variance application of Dennis Hanley, by Jay Carpenter, Agent. Request: To allow replacement of a townhouse with a larger unit, to allow reduction of front setback to a parking tract, and reduction to the building separation. General Location: Indiantown Road and A1A. **(HANLEY RESIDENCE VARIANCE)** (Control 1974-195)

Pages 485-507

Conditions of Approval (5) Page 496

Project Manager- Ron Sullivan

Size: 0.158 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow replacement of a townhouse with a larger unit, to allow reduction of front setback to a parking tract, and reduction to the building separation.

– END OF CONSENT AGENDA –

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

24. **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 508-534

Conditions of Approval (5) Pages 524-525

Project Manager-Sandra Gonzalez

Size: 20.48 acres \pm

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.

B. REGULAR AGENDA

25. **DOA2007-994** Title: Resolution approving a Development Order Amendment application of Ruth Rales Jewish Family Service, by Land Design South, Inc., Agent. Request: To reconfigure the site plan and add square footage. General Location: Approximately 241 feet west of Cumberland Drive on the north side of West Atlantic Avenue. **(RUTH RALES FAMILY SERVICE)** (Control 1981-139)

Pages 535-559

Conditions of Approval (15) Pages 548-550

Project Manager- Joyce Lawrence

Size: 5.96 acres \pm

BCC District: 5

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

26. **DOA/TDR2007-1400** Title: Resolution approving a Development Order Amendment application of Haverhill Acres LLC by Jeff H. Iravani, Inc., Agent. Request: To reconfigure master plan and site plan and to add 71 units. Title: Resolution approving a Transfer of Development Rights application of Haverhill Acres LLC by Jeff H. Iravani, Inc., Agent. Request: To allow for the Transfer of Development Rights for 29 units, to designate this application as the receiving area, and to allow 29 units to be purchased at a reduced cost of \$1.00 per TDR unit. General Location: Stacy Street 0.5 mile west of Haverhill Road. **(HAVERHILL ACRES)** (Control 2005-103)

Pages 560-593

Conditions of Approval (C-26 & C1-6) Pages 560-589

Project Manager- Joyce Lawrence

Size: 11.82acres ±

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to reconfigure master plan and site plan and to add 71 units.

MOTION: To recommend approval to allow the Transfer of Development Rights to allow for the Transfer of Development Rights for 29 units, to designate this application as the receiving area, and to allow 29 units to be purchased at a reduced cost of \$1.00 per TDR unit.

27. **ZV2007-2009** Title: Type II Zoning Variance. Request: To allow a reduction in the front and rear setbacks, the elimination of the west right-of-way buffer, the reduction in width of the south right-of-way buffer, elimination of required trees and hedges for the west and south right-of-way buffers, reduction of required parking, elimination of the foundation planting on the west side of the structure, a reduction in width for landscape terminal islands, and a reduction in the minimum lot depth. General Location: Northeast corner of South Congress Avenue. **(ETC OFFICE/WAREHOUSE)** (Control 1984-020)

Pages 594-632

Conditions of Approval (5) Pages 612-613

Project Manager- Carrie Rechenmacher

Size: 1.18 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction in the front and rear setbacks, the elimination of the west right-of-way buffer, the reduction in width of the south right-of-way buffer, elimination of required trees and hedges for the west and south right-of-way buffers, reduction of required parking, elimination of the foundation planting on the west side of the structure, a reduction in width for landscape terminal islands, and a reduction in the minimum lot depth.

- 28. **ZV2008-310** Title: Resolution approving a Type II Zoning Variance application of Marc Scholsser, by Land Design South, Inc., Agent. Request: To allow 24 hour operation adjacent to a residential district and to allow ficus trees closer than 30 feet to any structure or utility. General Location: Northeast corner of Boynton Beach Boulevard and The Florida's Turnpike. **(GROVE MUPD HOURS VARIANCE)** (Control 2006-367)

Pages 633-656

Conditions of Approval (5) Pages 642-643

Project Manager- Joyce Lawrence

Size: 10.19 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 24 hour operation adjacent to a residential district and to allow ficus trees closer than 30 feet to any structure or utility.

5. COMMISSIONER COMMENTS

6. DIRECTOR COMMENTS

29. ANNUAL ZONING COMMISSION REPORT

7. ADJOURNMENT