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

**FRIDAY DECEMBER 4, 2009**

**9:00 A.M.**

**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 AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

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

**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**

**DECEMBER 4, 2009**

**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 7, 2010 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. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

Public comment is 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 AGENDA**

**A. POSTPONEMENTS**

**B. REMANDS**

**C. WITHDRAWALS**

- 1. [ZV-2009-02685](#) Title: a Type II Variance application of Richard Fulcher by Land Design South Inc., Agent. Request: to allow a reduction in required parking spaces.

General Location: Approximately 0.5 miles east of the intersection of Okeechobee Blvd. and Jog Road. (**Vista Center Parcel 23 - Subparcel 5**) (Control 1984-00130)

Pages 1 - 1

Project Manager: Douglas Robinson

Size: 1.14 acres ±

BCC District: 2

Staff Recommendation: None required. Application withdrawn by applicant.

**MOTION:** None required. Application withdrawn by applicant.

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

- A. REQUESTS TO PULL ITEMS FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**

- 2. **ZV/DOA-2009-00564** Title: a Type II Variance application of Sun Trust Bank by CPH Engineers Inc., Agent. Request: to allow an easement encroachment in the right-of-way buffer  
Title: a Development Order Amendment application of Sun Trust Bank by CPH Engineers Inc., Agent. Request: to reconfigure the site plan  
General Location: Northwest corner of North Military Trail and Old Clint Moore Road (**Polo Club Shoppes**) (Control 1986-00090)

Pages 2 - 36

Conditions of Approval Pages (22 - 25)

Project Manager: Joyce Lawrence

Size: 13.65 acres ±

BCC District: 5

(affected area 0.91 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject 3 Conditions of Approval as indicated in Exhibit C-1, and 13 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Type II Zoning Variance to allow a utility easement encroachment into the 15-foot required buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan subject to the Conditions of Approval as indicated in Exhibit C-2.

- 3. **Z/DOA-2009-00205** Title: an Official Zoning Map Amendment application of Church Of God At Palm Beach Gardens by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Development Order Amendment application of Church Of God At Palm Beach Gardens by Cotleur & Hearing Inc., Agent. Request: to reconfigure the site plan.

General Location: Northwest corner of Lone Pine Road and Prosperity Farms Road **(Maranatha Church)** (Control 1973-00160)

Pages 37 - 61

Conditions of Approval Pages (56 - 60)

Project Manager: Carol Glasser

Size: 12.47 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 20 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan subject to the Conditions of Approval as indicated in Exhibit C.

- 4. **CB/CA-2009-01498** Title: a Class B Conditional Use application of Jeff Smith by Frogner Consulting Inc., Agent. Request: to allow indoor entertainment

Title: a Class A Conditional Use application of Jeff Smith by Frogner Consulting Inc., Agent. Request: to allow a dispatch office with more than three vehicles

General Location: South of Westgate Avenue, east side of Military Trail **(Military Trail Jump n Slide)** (Control 1980-00228)

Pages 62 - 88

Conditions of Approval Pages (80 - 83)

Project Manager: David McGuire

Size: 2.57 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request for a Class B Conditional Use subject to 9 Conditions of Approval as indicated in Exhibit C-1 and approval of the request for a Class A Conditional Use subject to 12 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow indoor entertainment subject to the Conditions of Approval in Exhibit C-1.

**MOTION:** To recommend approval of the Class A Conditional Use to allow a dispatch office with more than three vehicles subject to the Conditions of Approval as indicated in Exhibit C-2.

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

5. [SD-137](#) Petition of MPC 3, LLC, requesting variance from the requirements that no direct access to a major street be allowed for subdivision lots. Requirements are set forth in the Unified Land Development Code, Article 11.E.9.D.2. Location: North Cleary Road, south of Belvedere Road and east of the Florida Turnpike, in the PIPD Zoning District.

Pages 89 - 98

**MOTION:** To adopt a resolution approving a Type II Subdivision Variance to allow two access points to the proposed subdivision lot via a major street.

**END OF CONSENT AGENDA**



**REGULAR AGENDA**

- A. ITEMS PULLED FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**
- E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

- A. COUNTY ATTORNEY**
- B. ZONING DIRECTOR**
  - 6. Zoning Commission Members - Contact by the public
  - Pages
  - MOTION:**
- C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

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