



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

August 5, 2010

**AGENDA ITEM #
PAGE #**

APPLICATION/CHANGE

POSTPONE TO SEPTEMBER 2, 2010

- | | | | |
|----|----------|--|---|
| 1. | (1-24) | DOA-2010-00143
(Control 2006-520) | Hagen Ranch/Boynton Beach MUPD |
| | | | |
| 5. | (79-111) | DOA/R-2010-00144
(Control 1995-063) | Boca Congress Center/ Costco Gas |

AMENDMENTS

- | | | | |
|----|---------|---|--------------------------------------|
| 3. | (43-59) | Z-2010-0980
(Control 1992-50027) | ITID Hamlin Property Rezoning |
|----|---------|---|--------------------------------------|

Modify voluntary commitment to read as follows:

SITE DESIGN 1. Within ~~one hundred and twenty (120)~~ one hundred and eighty (180) days of this approval by the Board of County Commissioners the property owner shall apply for a building permit to convert the existing single-family residence to an accessory structure as part of the public park. (DATE: MONITORING/BLDG - Bldg)



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

THURSDAY AUGUST 5, 2010

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/

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

AGENDA
PALM BEACH COUNTY ZONING COMMISSION

AUGUST 5, 2010

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, August 26, 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

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

1. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage

General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road (**Hagen Ranch/Boynton Beach MUPD**) (Control 2006-00520)

Pages 1 - 24

Conditions of Approval Pages (15 - 20)

Project Manager: Joyce Lawrence

Size: 3.70 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 29 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify the site plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

2. **ZV-2010-01430** Title: A Type II Standalone Variance application of Tidal Wave Management Corp Inc by Urban Design Kilday Studios, Agent. Request: to eliminate a wall within a Type III incompatibility buffer along the west property line.

General Location: Located on the southwest corner of Tall Pines Road and the LWDD L-4 Canal (**Tidal Wave North**) (Control 2009-02435)

Pages 25 - 42

Conditions of Approval Pages (35 - 35)

Project Manager: Donna Adelsperger

Size: 18.54 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval the request subject to 5 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Zoning Variance to eliminate a wall within a Type III incompatable buffer subject to the Conditions of Approval as indicated in Exhibit C.

3. **Z-2010-00980** Title: an Official Zoning Map Amendment application of Indian Trail Improvement District by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District
General Location: Approximately 0.2 miles south of Northlake Boulevard and 250 feet east of Hall Road on the north side of 89th Place North (**ITID Hamlin Property Rezoning**) (Control 1992-50027)

Pages 43 - 59

Conditions of Approval Pages (57 - 58)

Project Manager: Donna Adelsperger

Size: 4.32 acres \pm

BCC District: 6

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment subject to 7 Voluntary Commitments as indicated in Exhibit C.

MOTION: To recommend approval of the request for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District subject to the Voluntary Commitments as indicated in Exhibit C.

4. **DOA-2009-04746** Title: a Development Order Amendment application of Packer Family Ltd by Johnston Group Land Development Consultants Inc., Agent. Request: To reconfigure the site plan to include the existing 7,735 square feet of the automobile sales and service.

General Location: Approximately 700 feet south of Westgate Avenue on the east side of Military Trail (**AI Packer Ford East**) (Control 1973-00098)

Pages 60 - 78

Conditions of Approval Pages (72 - 73)

Project Manager: David McGuire

Size: 9.30 acres \pm

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of the request to reconfigure the site plan and add square footage subject to Conditions of Approval as indicated in Exhibit C.

- 5. **DOA/R-2010-00144** Title: a Development Order Amendment application of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage
Title: a Requested Use application of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to allow an auto service station
General Location: Approximately 0.8 mile north of the intersection of Clint Moore Road and Congress Avenue, on the east side of Congress Avenue. (**Boca Congress Center/ Costco Gas**) (Control 1995-00063)

Pages 79 - 111

Conditions of Approval Pages (97 - 106)

Project Manager: Autumn Sorrow

Size: 21.02 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the request subject to 50 Conditions of Approval as indicated in Exhibit C-1 and 6 Conditions of Approval as indicated in Exhibits C-2.

MOTION: To recommend approval of a Development Order Amendment to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Requested Use to allow an auto service station subject to Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 6. **ZV/PDD-2010-00415** Title: a Type II Zoning Variance application of H & M Development LLC by Land Design South Inc., Agent. Request: to allow the east perimeter buffer 60 feet inside the property boundary
Title: an Official Zoning Map Amendment to a Planned Development District application of H & M Development LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District
General Location: East side of SR7/US441 approximately 0.5 mile south of Lake Worth Rd. (**Legend Lakes Center**) (Control 2003-00015)

Pages 112 - 145

Conditions of Approval Pages (130 - 132)

Project Manager: Carol Glasser

Size: 9.23 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the variance request subject to 5 Conditions of Approval as indicated in Exhibit C-1 and denial of the rezoning request. If the Zoning Commission recommends approval of the rezoning, then staff recommends approval subject to 10 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to allow the east perimeter buffer 60 feet inside the property boundary subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend denial of an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

- 7. **ZV-2010-00658** Title: a Type II Zoning Variance application of Boca Raton Commerce Center II LLC by Jon E Schmidt & Associates, Agent. Request: to allow the elimination of frontage requirements and legal access on an arterial or collector street and a reduction in minimum lot size for a Planned Development District.

General Location: West of Boca Rio Road at the terminus of South 210th Street **(Boca Raton Commerce Center)** (Control 1997-00032)

Pages 146 - 169

Conditions of Approval Pages (159 - 159)

Project Manager: Carol Glasser

Size: 4.79 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the Type II Variances to allow the elimination of the requirements for frontage along and legal access on an arterial or collector street subject to 5 Conditions of Approval indicated in Exhibit C and denial of the Type II Variances to allow a reduction in minimum lot size for a Planned Development District.

MOTION: To adopt a resolution approving Type II Variances to allow the elimination of the requirements for legal access on and frontage along an arterial or collector street subject to the Conditions of Approval indicated in Exhibit C.

To adopt a resolution denying Type II Variances to allow a reduction in minimum lot size for a Planned Development District.

- 8. **ZV-2010-00976** Title: a Type II Standalone Variance application of Haverhill Quadplex LLC by Land Design South Inc., Agent. Request: to allow a reduction in minimum lot size and the number of parking spaces and to eliminate the south incompatibility buffer.

General Location: East side of Haverhill Road approximately 335 feet South of Vilma Lane **(Haverhill Road Medical Office)** (Control 2005-00147)

Pages 170 - 192

Conditions of Approval Pages (181 - 181)

Project Manager: Carol Glasser

Size: 0.67 acres ±

BCC District: 2

Staff Recommendation: Staff recommends denial of the Type II Variances. If the Zoning Commission approves the variance requests, then staff recommends approval subject to 6 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution denying Type II Variances to allow a reduction in minimum lot size; a reduction in the number of parking spaces; and, to eliminate the south incompatibility buffer.

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT