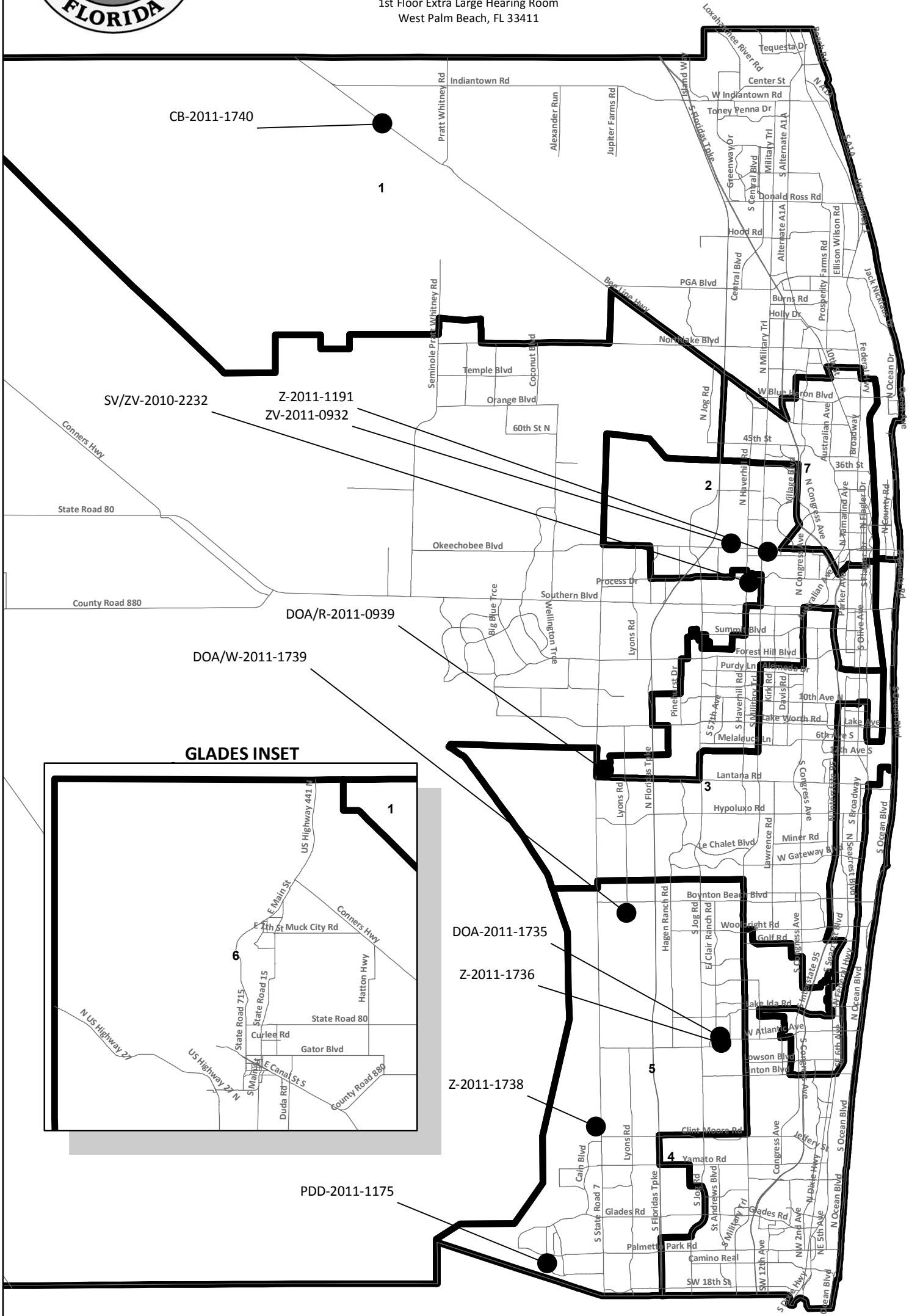




# PALM BEACH COUNTY ZONING COMMISSION PUBLIC HEARING

THURSDAY, November 3, 2011  
9:00 A.M. in the VISTA CENTER COMPLEX  
2300 N. Jog Road, Room VC-1W-47  
1st Floor Extra Large Hearing Room  
West Palm Beach, FL 33411



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

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

**THURSDAY NOVEMBER 3, 2011**

**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**

**NOVEMBER 3, 2011**

**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, December 1, 2011 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**

- 1. **SV/ZV-2010-02232** Title: a Subdivision Variance application of Malt Robert C & Co by Land Research Management Inc., Agent. Request: to allow a reduction in the required minimum access width.

Title: a Type II Zoning Variance application of Malt Robert C & Co by Land Research Management Inc., Agent. Request: to allow a reduction for an Incompatibility Buffer width along the west property line; to allow 100 percent of the landscape material to be planted on the inside of a wall; to allow off-site signage; to allow an increase in the sign height and sign face area; to allow an off-site directional sign to be located greater than 50 feet from the point of ingress, and to allow the off-site directional sign to be attached to an existing sign.

General Location: Approximately 380 feet west of Military Trail, on the north side of Orleans Court. (**Orleans Court Industrial**) (Control 2003-00098)

Pages 1 - 29

Project Manager: Donna Adelsperger

Size: 2.24 acres ±

BCC District: 6

(affected area 1.58 acres ±)

Staff Recommendation: Staff recommends a postponement to Friday December 2, 2011.

**MOTION:** To postpone to Friday December 2, 2011.

**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**
- D. ZONING APPLICATIONS - NEW**

2. **PDD-2011-01175** Title: an Official Zoning Map Amendment to a Planned Development District (PDD) application of Minto Communities LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District  
General Location: Approximately 1,300 feet south of the West Palmetto Park Road and Riverside Drive Intersection ( **Boca Reserve PUD**) (Control 2011-00244)

Pages 30 - 57

Conditions of Approval Pages (45 - 48)

Project Manager: Joyce Lawrence

Size: 18.92 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 18 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to a Planned Development District (PDD) to allow a rezoning from Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

3. **Z-2011-01191** Title: an Official Zoning Map Amendment application of Heber Docampo by Jim Spagnoli, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to General Commercial (CG) Zoning District  
General Location: Approximately 500 feet east of Indian Road on the north side of Westgate Avenue (**Do Campo**) (Control 1994-00094)

Pages 58 - 78

Conditions of Approval Pages (69 - 69)

Project Manager: Douglas Robinson

Size: 0.28 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request with a Conditional Overlay Zone subject to 3 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a rezoning from the Neighborhood Commercial (CN) Zoning District to General Commercial (CG) Zoning District with a Conditional Overlay Zone subject to Conditions of Approval as indicated in Exhibit C.

4. **DOA-2011-01735** Title: a Development Order Amendment application of Api Cameron Park Llc by Charles Putman & Associates, Agent. Request: to delete land area and reconfigure the Master Plan.  
General Location: Southwest corner of Atlantic Avenue & Sims Road extension  
**(Cameron Park PUD)** (Control 1993-00039)

Pages 79 - 108

Conditions of Approval Pages (92 - 101)

Project Manager: David McGuire

Size: 39.78 acres ±

BCC District: 5

(affected area 13.94 acres ±)

Staff Recommendation: Staff recommends approval of the request, subject to 42 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of the Development Order Amendment to delete land area and reconfigure the Master Plan subject to the Conditions of Approval as indicated in Exhibit C.

5. **Z-2011-01736** Title: an Official Zoning Map Amendment application of Nicole Smith by Lake Worth Drainage District, Agent. Request: to allow a rezoning from the Residential Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ)  
General Location: Southwest corner of Atlantic Avenue & Sims Road extension  
**(Lake Worth Drainage District Canal E-3)** (Control 2011-00332)

Pages 109 - 119

Conditions of Approval Pages (118 - 118)

Project Manager: David McGuire

Size: 1.80 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 3 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 Planned Unit Development (PUD) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

6. **CB-2011-01740** Title: a Class B Conditional Use application of Floral Path Llc & Not Wet Land Inc. by Miller Land Planning, Agent. Request: to allow an Industrial Reserach Laboratory  
General Location: North side of the Bee Line Highway (SR -710) west of Pratt Whitney Road, approximately 0.6 miles south of Indiantown Road. **(Complete Turbine)** (Control 2010-00474)

Pages 120 - 149

Conditions of Approval Pages (132 - 133)

Project Manager: Douglas Robinson

Size: 45.85 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 10 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow an Industrial Research Laboratory subject to the Conditions of Approval as indicated in Exhibit C.

7. **DOA/W-2011-01739** Title: a Development Order Amendment application of by Boynton Beach XIX Corp General Partner by G.L. Homes, Agent. Request: to reconfigure the Master Plan to delete land area, units, and access point  
Title: a Waiver application of by Boynton Beach XIX Corp General Partner by G.L. Homes, Agent. Request: to allow an increase of streets allowed to terminate in a cul-de-sac

General Location: Between Lyons Road and SR7/US441, south of Boynton Beach Boulevard **(Lyons West AGR PUD)** (Control 2005-00003)

Pages 150 - 201

Conditions of Approval Pages (173 - 184)

Project Manager: Carol Glasser

Size: 1,793.31 acres ±

(affected area 766.33 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 46 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Master Plan to delete land area, units, and an access point subject to the Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Waiver to allow an increase of streets allowed to terminate in a cul-de-sac.

8. **Z-2011-01738** Title: an Official Zoning Map Amendment application of by Boynton Beach XXIV Corp General Partner by G.L. Homes, 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 SR7/US441, South of West Atlantic Avenue (**Hyder Preserve**) (Control 2011-00340)

Pages 202 - 217

Project Manager: Carol Glasser

Size: 18.00 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request.

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

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

**END OF CONSENT AGENDA**



**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 9. **DOA/R-2011-00939** Title: a Development Order Amendment application of Mission Lakes II LLC, Mission Lakes I LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan and increase square footage; modify Conditions of Approval (Architectural Review, Landscape, Signs); and, re-start the Commencement of Development Clock  
Title: a Requested Use application of Mission Lakes II LLC, Mission Lakes I LLC by Urban Design Kilday Studios, Agent. Request: to allow a Type I Restaurant  
General Location: Northeast corner of Lantana Road and SR7/US441 (**Mission Lakes MUPD**) (Control 2003-00007)

Pages 218 - 269

Conditions of Approval Pages (237 - 253)

Project Manager: Carol Glasser

Size: 37.85 acres ±

BCC District: 2

(affected area 7.24 acres ±)

Staff Recommendation: Staff recommends approval of the Development Order Amendment in part and denial of the request to modify Condition of Approval (Architectural Review 4) subject to 86 Conditions of Approval as indicated in Exhibit C-1; and, approval of the Requested use subject to 4 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan and increase square footage; modify Conditions of Approval (Architectural Review 1, Landscape, Signs), and restart of the Commencement of Development Clock subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend denial of the request to modify Condition of Approval (Architectural Review 4).

**MOTION:** To recommend approval of a Requested Use to allow a Type 1 Restaurant subject to the Conditions of Approval as indicated in Exhibit C-2.

- 10. **ZV-2011-00932** Title: a Type II Zoning Variance application of Pine Trail Square Llc by Seigel Lipman Dunay Shepart & Miskel LLP, Agent. Request: to allow an increase in square footage for wall signage along the north facade.  
General Location: Generally located on the southwest corner of Military Trail and Okeechobee Boulevard. **(Pine Trail Square)** (Control 1978-00273)

Pages 270 - 300

Conditions of Approval Pages (288 - 288)

Project Manager: Douglas Robinson

Size: 22.26 acres ±

BCC District: 2

Staff Recommendation: Staff recommends denial of the request for failure to satisfy Criteria 1-6.

**MOTION:** To adopt a resolution denying with prejudice a Type II Zoning Variance to allow wall signage on the north facade to exceed the maximum square footage allowed by code.

**D. ZONING APPLICATIONS - NEW**

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

- 11. Please note that the December 2011 and January 2012 Zoning Commission Hearings will be held on Friday December 2, 2011 and Friday January 6, 2012.

Pages

**MOTION:**

**C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**