



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
JUNE 7, 2012**

AGENDA ITEM # (PAGE #) APPLICATION/CHANGE

AMENDMENTS

- 1. (1-24) CB-2012-388 Tidal Wave Central

Correct Applicant's Name to read: Prime Capital Realty, LLC

- 5. (109-140) DOA/R/TDR-2012-0387 Cobblestone Place CLF

Amend All Petitions Condition 1 to read as follows:

ALL PETITIONS

1. The approved Preliminary Master Plan and the Preliminary Site Plan for the Congregate Living Facility for Tract N are dated April 12, 2012. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer (DRO) as established in the Unified Land Development Code (ULDC), must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

Delete Landscape- General Condition 1.

Add Landscape General Condition and renumber as follows:

LANDSCAPE – GENERAL

1. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to identify all existing pines. The property owner shall incorporate existing pines within the required landscape buffers, or any portion of the site, where preservation of exsiting vegetation is feasible. The Final Site Plan shall be reviewed and approved by the Landscape Section, Zoning Division to ensure this requirement is satisfied. (DRO:LANDSCAPE-Zoning).

Amend Landscape Condition 2 to read as follows:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE NORTH PROPERTY LINE ADJACENT TO RESIDENTIAL PROPERTIES

2. In addition to Code requirements, the proposed landscaping and buffering along the north property line shall be upgraded to include:

- a. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. Palms or pines shall be located in areas of the buffer to screen the view of the proposed building. The locations of the palms or pines shall be finalized on the Final Landscape Plan. (BLDG PERMIT: LANDSCAPE Zoning)

Add Landscape Conditions 3 and 4 to read as follows:

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE SOUTH AND EAST PROPERTY LINES ABUTTING COBBLESTONE WAY AND PONDEROSA DRIVE

3. In addition to Code requirements, the proposed landscaping and buffering along the south and east property lines shall be upgraded to include:

a. one pine tree for each twenty (20) linear feet of the property line. Pines shall be planted in clusters of seven (7) to nine (9) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation;

b. credit may be given for existing pines that meet the requirements of the Unified Land Development Code;

c. fifty (50) percent of the required medium shrubs shall be Saw palmetto, and shall be planted in the pine clusters; and,

d. all other required shrubs shall be of native species. (BLDG PERMIT: LANDSCAPE Zoning)

4. Prior to the issuance of a Building Permit, all existing pines that are identified on the approved Final Landscape Plan, shall be barricaded, to ensure survivalability of the existing pines. (BLDG PERMIT: LANDSCAPE- Zoning)

8. (204-230) Z/CA-2011-1995 Tri County Humane County, Inc.

Amend Architectural Review Condition 1 to read as follows:

1. At time of submittal for final approval by the Development Review Officer (DRO), the architectural elevations for all proposed buildings in Phase one shall be submitted for final architectural review and approval. Architectural elevations for all phases shall comply with the standards indicated in Article 5.C of the Unified Land Development Code (ULDC). Development shall be consistent with the approved architectural elevations, the DRO approved site plan, all applicable conditions of approval, and all ULDC requirements. (DRO: ARCH REVIEW - Zoning)

Replace Landscape Condition 1 as follows:

1. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to indicate a Type 2 Incompatibility buffer along the west property line and the west 480 feet of the south property line. In addition to Code requirements, the buffer shall include:

a. a minimum width of thirty (30) feet; and,

b. a minimum eight (8) foot high hedge of areca palms planted to create an opaque screen. (DRO: LANDSCAPE-Zoning)

Amend Site Design Condition 1 to read as follows:

Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to show a maximum of two (2) phases. Landscaping shall be installed in accordance with the Final Phasing Plan. ~~All of the perimeter landscape buffers shall be included in Phase 1 except that the portion of the north right-of-way buffer west of the access point may be included in Phase 2.~~ (DRO: ZONING - Zoning)

In the event this is approved these changes are recommended:

10. (247-274) ZV-2012-981 Trails at Canyon AGR PUD

Amend Variance Condition 1 to read as follows:

This Variance was approved based on the layout of the approved Final Master Plan dated April 18, 2012 ~~and Final Subdivision Plans for Pods D and E within Plats 5 and 6 dated April 18, 2012.~~ (ONGOING: BLDG - Bldg)

Delete Variance Condition 5 and renumber accordingly.



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

THURSDAY JUNE 7, 2012

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

JUNE 7, 2012

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, June 28, 2012 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**
- D. ZONING APPLICATIONS - NEW**

1. **CB-2012-00388** Title: a Class B Conditional Use application of Southern Waste Systems LLC by Urban Design Kilday Studios, Agent. Request: to allow a Recycling Plant.

General Location: Northwest corner of Wallis Road and Tall Pines Road. **(Tidal Wave Central)** (Control 2007-00236)

Pages 1 - 24

Conditions of Approval Pages (17 - 17)

Project Manager: Donna Adelsperger

Size: 18.22 acres ±

BCC District: 2

(affected area 10.56 acres ±)

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

MOTION: To adopt a resolution approving a Class B Conditional Use to allow a Recycling Plant subject to the Conditions of Approval as indicated in Exhibit C.

2. **ZV-2011-02967** Title: a Type II Variance application of Robert Malt by Land Research Management Inc., Agent. Request: to allow 100% of the landscape material to be planted on the inside of a wall; to allow a reduction for an Incompatibility Buffer width along the west property line; to eliminate the landscape barrier; and to eliminate trees and shrubs within the Incompatibility Buffer along the west property line; and to allow 100% encroachment of an easement within an Incompatibility Buffer.

General Location: Approximately 400 feet west of Military Trail on the north side of Orleans Court. **(Orleans Court Industrial)** (Control 2003-00098)

Pages 25 - 47

Conditions of Approval Pages (38 - 39)

Project Manager: Donna Adelsperger

Size: 1.58 acres ±

BCC District: 7

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

MOTION: To adopt a resolution approving a Type II Variance to allow 100% of the landscape material to be planted on the inside of a wall; to allow a reduction for an Incompatibility Buffer width along the west property line; to eliminate the landscape barrier; and to eliminate trees and shrubs within the Incompatibility Buffer along the west property line; and to allow 100% encroachment of an easement within an Incompatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C.

3. **DOA-2011-03183** Title: a Development Order Amendment application of Allegro Development Company LLC by Cotleur & Hearing Inc., Agent. Request: to modify the Preliminary Site Plan to reconfigure the site, add beds, add square footage and modify Conditions of Approval (Planning).

General Location: Approximately 0.5 mile south of Woolbright Road on the east side of Hagen Ranch Road. **(Allegro at Boynton Beach)** (Control 1997-00075)

Pages 48 - 74

Conditions of Approval Pages (62 - 65)

Project Manager: Joyce Lawrence

Size: 7.50 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 19 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify the Preliminary Site Plan to reconfigure the site, add beds, add square footage and modify Conditions of Approval (Planning) subject to Conditions of Approval as indicated in Exhibit C.

4. **ZV-2012-00982** Title: a Type II Variance application of Bethesda Healthcare System Inc by Urban Design Kilday Studios, Agent. Request: to allow internally lit signage and to allow a reduction in setback for an entry sign in the AGR Tier.

General Location: Northeast corner of Boynton Beach Blvd and State Road 7. **(Bethesda West Hospital MUPD)** (Control 2006-00011)

Pages 75 - 108

Conditions of Approval Pages (91 - 91)

Project Manager: Carrie Rechenmacher

Size: 58.83 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of 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 allow internally lit signage and to allow a reduction in setback for an entry sign in the AGR Tier subject to Conditions of Approval as indicated in Exhibit C.

5. **DOA/R/TDR-2012-00387** Title: a Development Order Amendment application of Cobblestone Place LLC by Miller Land Planning, Agent. Request: to reconfigure the Master Plan; to add beds and add an access point
Title: a Requested Use application of Cobblestone Place LLC by Miller Land Planning, Agent. Request: to allow a Type 3 Congregate Living Facility (CLF) and Transfer of Development Rights (TDR)
Title: a Transfer of Development Rights (TDR) application of Cobblestone Place LLC by Miller Land Planning, Agent. Request: to allow 6 Transfer of Development Rights (TDR) units
General Location: Northwest corner of Ponderosa Drive and Cobblestone Way. **(Cobblestone Place CLF)** (Control 1975-00068)

Pages 109 - 140

Conditions of Approval Pages (127 - 136)

Project Manager: Joyce Lawrence

Size: 1,814.00 acres ±

BCC District: 5

(affected area 6.00 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 52 Conditions of Approval as indicated in Exhibit C-1, 12 Conditions of Approval as indicated in Exhibit C-2 and 7 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; to add beds and add an access point subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of Requested Uses to allow a Type 3 Congregate Living Facility (CLF) and Transfer of Development Rights (TDR) subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of Transfer of Development Rights (TDR) to allow 6 Transfer of Development Rights (TDR) units subject to Conditions of Approval as indicated in exhibit C-3.

6. **DOA-2012-00116** Title: a Development Order Amendment application of Anasca Acquisition LLC by CMS Engineering LLC, Agent. Request: to reconfigure the Master and Subdivision Plans and to amend Conditions of Approval (Arch Review, Engineering, Planning, PUD, School Board).
General Location: Northwest corner of Hagen Ranch Road and Atlantic Ave. **(Villaggio Isles PUD)** (Control 2004-00456)

Pages 141 - 178

Conditions of Approval Pages (160 - 171)

Project Manager: David McGuire

Size: 92.07 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 43 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of the Development Order Amendment to reconfigure the Master and Subdivision Plans and to amend Conditions of Approval (Arch Review, Engineering, Planning, PUD, and School Board) subject to the Conditions of Approval as indicated in Exhibit C.

- 7. **ZV-2012-00697** Title: Type II Variance application of Estates Prop Owners Assn Inc by G.L. Homes, Agent. Request: to allow Temporary Residential Development Signs to be located off-site and to exceed the maximum square footage and the maximum height.

General Location: Northlake Blvd approximately 4 miles west of Beeline Hwy. **(Stonewall PUD (Bay Hill))** (Control 1983-00018)

Pages 179 - 203

Conditions of Approval Pages (189 - 189)

Project Manager: Douglas Robinson

Size: 374.00 acres ±

BCC District: 6

(affected area 10.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 3 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow Temporary Residential Development Signs to be located off-site and to exceed the maximum square footage and the maximum height subject to the Conditions of Approval as indicated in Exhibit C.

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

8. **Z/CA-2011-01995** Title: an Official Zoning Map Amendment application of Tri County Humane Society Inc. by Miller Land Planning, Agent. Request: to allow a rezoning from the Public Ownership (PO) and the Agriculture Residential (AR) Zoning Districts to the Institutional and Public Facilities (IPF) Zoning District
Title: a Class A Conditional Use application of Tri County Humane Society Inc. by Miller Land Planning, Agent. Request: to allow a Type IV (Animal Shelter) Kennel
General Location: Southwest corner of Boca Rio Road and Via Ancho Road (**Tri County Humane Society, Inc**) (Control 1976-00152)

Pages 204 - 230

Conditions of Approval Pages (221 - 224)

Project Manager: Carol Glasser

Size: 14.05 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends approval of the rezoning with a Conditional Overlay Zoning (COZ) subject to 7 Conditions of Approval as indicated in Exhibit C-1; and approval of the Conditional Use subject to 9 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) and the Agriculture Residential (AR) Zoning Districts to the Institutional and Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type IV Kennel subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

9. **ZV-2012-00967** Title: a Type II Variance application of Gateway Palms Properties LLC by Miller Land Planning, Agent. Request: to allow an extension for an existing mobile home to continue to be used as a Temporary Sales Model.
General Location: Approximately 2 miles north of La Chalet Blvd on the west side of Military Trail. (**Gateway Gardens PUD**) (Control 1997-00085)

Pages 231 - 246

Conditions of Approval Pages (239 - 239)

Project Manager: Douglas Robinson

Size: 0.46 acres \pm

BCC District: 3

Staff Recommendation: Staff recommends denial of the request for failure to satisfy all of the Standards of Article 2.B.3.E.

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow a time extension for an existing mobile home to continue to be used as a Real Estate Sales Office.

- 10. **ZV-2012-00981** Title: a Type II Variance application of Boynton Beach Associates XXIII LLLP by Urban Design Kilday Studios, Agent. Request: to allow an increase in building coverage for single story single-family units within Pods D and E of the Trails at Canyon Agricultural Reserve-Planned Unit Development (AGR-PUD).
General Location: Development parcel is located approximately 1 mile south of Boynton Beach Boulevard, on the east side of Acme Dairy Road. **(Trails at Canyon AGR PUD)** (Control 2006-00550)

Pages 247 - 274

Conditions of Approval Pages (260 - 261)

Project Manager: Donna Adelsperger

Size: 201.94 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the request for failure to satisfy the Standards of Article 2.B.3.E.

MOTION: To adopt a resolution denying a Type II Variance to allow an increase in building coverage for single story single-family units within Pods D and E.

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT