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

**MONDAY SEPTEMBER 16, 2013**

**9:00 A.M.**

**Vista Center, Ken Rogers 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**

**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**

**SEPTEMBER 16, 2013**

**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, Ken Rogers 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, September 26, 2013 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. **Z/CA-2013-00493** Title: an Official Zoning Map Amendment application of MG3 ALF Military LLC, Hernan Leonoff by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multi-Family Residential (RM) Zoning District.  
Title: a Class A Conditional Use application of MG3 ALF Military LLC, Hernan Leonoff by Miller Land Planning, Agent. Request: to allow an Elementary or Secondary School (Charter).  
General Location: Approximately 0.25 mile north of Hypoluxo Road on the east side of Military Trail. (**Trails Charter School**) (Control 2013-00085)

Pages 1 - 1

Project Manager: Joyce Lawrence

Size: 7.48 acres ±

BCC District: 3

(affected area 7.40 acres ±)

Staff Recommendation: Staff recommends a postponement to October 3, 2013.

**MOTION:** To postpone to October 3, 2013.

**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-2013-01062** Title: an Official Zoning Map Amendment application of D.R. Horton, Inc. 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: North side of Hypoluxo Road, approximately 2,000 feet west of Haverhill Road. **(Abbingdon PUD)** (Control 2013-00179)

Pages 2 - 21

Conditions of Approval Pages (7 - 8)

Project Manager: Carol Glasser

Size: 13.03 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 12 Conditions of Approval as indicated in Exhibit C.

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

3. **ABN/PDD/R-2013-00499** Title: a Development Order Abandonment Request application of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent. Request: to abandon a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146.  
Title: an Official Zoning Map Amendment to a Planned Development District application of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.  
Title: a Requested Use application of PBA Holdings Inc - Enrique Tomeu by Urban Design Kilday Studios, Agent. Request: to allow a School, Elementary or Secondary.  
General Location: Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard. **(Highland Dunes PUD)** (Control 2005-00394)

Pages 22 - 64

Conditions of Approval Pages (34 - 45)

Project Manager: Carrie Rechenmacher

Size: 1,209.96 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 41 Conditions of Approval as indicated in Exhibit C-1 and 3 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval to abandon a Class A Conditional Use for a Bona Fide Agricultural Use approved under Resolution R-2008-1146.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District subject to Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval to allow a School, Elementary or Secondary subject to Conditions of Approval as indicated in Exhibit C-2.

4. **DOA-2013-01334** Title: a Development Order Amendment Request application of Boca Pointe Country Club Inc by Land Design South Inc., Agent. Request: to modify the Master Plan, redesignate land area, and add units.  
General Location: On the east side of Powerline Road and SW 18th Street. **(Boca Pointe Y-2)** (Control 1973-00085)

Pages 65 - 84

Conditions of Approval Pages (71 - 72)

Project Manager: Autumn Sorrow

Size: 1,019.02 acres ±

BCC District: 4

(affected area 14.08 acres ±)

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

**MOTION:** To recommend approval of a Development Order Amendment to modify the Master Plan, redesignate land area, and add units subject to the Conditions of Approval as indicated in Exhibit C.

5. **DOA-2013-01343** Title: a Development Order Amendment application of Boynton Beach Assoc XVIII LLLP by G.L. Homes, Agent. Request: to reconfigure the Site Plan, modify the Conditions of Approval (Engineering and Planning) and add square footage.

General Location: Southeast corner of Boynton Beach Boulevard and Lyons Road. **(Canyon Town Center TMD)** (Control 2004-00471)

Pages 85 - 130

Conditions of Approval Pages (91 - 102)

Project Manager: David McGuire

Size: 37.55 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 70 Conditions of Approval as indicated in Exhibit C.

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

## E. CORRECTIVE RESOLUTIONS

6. **SV/Z/CA-2011-03176** Title: a Subdivision Variance application of Iglesia De Cristo Misionera by Land Research Management Inc., Agent. Request: to allow access to a non-residential property from a right-of-way less than 80 feet in width.

General Location: East of Military Trail, north of 10th Ave North along the south side of Diamond Road. **(Iglesia De Cristo Misionera)** (Control 2010-00073)

Pages 131 - 132

Project Manager: David McGuire

Size: 2.07 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the Corrective Resolution.

**MOTION:** To adopt a Corrective Resolution for a Subdivision Variance to incorporate Engineering Condition 5 into Exhibit C-1 of Resolution ZR-2013-0002.

## F. SUBDIVISION VARIANCE

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- 7. **SV/Z/CA-2012-03112** Title: a Subdivision Variance application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow access to a non-residential property from a 60-foot wide ultimate right-of-way for Ranches Road, which is 20 feet less than the required 80 feet in width.  
Title: an Official Zoning Map Amendment application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow the rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District.  
Title: a Class A Conditional Use application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow a General Day Care Center.  
General Location: South of Hypoluxo Road on the northeast side of Jog Road and Ranches Road. (**Learning Place Academy**) (Control 1975-00145)

Pages 133 - 165

Conditions of Approval Pages (139 - 142)

Project Manager: Joyce Lawrence

Size: 1.05 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow a reduction in the required access width for a non-residential project subject to the Conditions of Approval as indicated in Exhibit C-1.

**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 Class A Conditional Use to allow a General Daycare subject to the Conditions of Approval as indicated in Exhibit C-2.

**D. ZONING APPLICATIONS - NEW**

- 8. **ZV-2013-01345** Title: a Type II Variance application of Boynton Beach Associates XXII LLLP by G.L. Homes, Agent. Request: to allow an increase in building coverage for one-story Single Family dwelling units.  
General Location: Northwest corner of Lyons Road and Boynton Beach Boulevard. (**Amestoy AGR PUD**) (Control 2005-00162)

Pages 166 - 184

Conditions of Approval Pages (172 - 172)

Project Manager: Carol Glasser

Size: 636.42 acres ±

BCC District: 5

(affected area 252.08 acres ±)

Staff Recommendation: Staff recommends denial of the request.

**MOTION:** To adopt a resolution denying a Type II Variance to allow an increase in building coverage for one-story Single Family units.



- 9. **ZV-2013-01344** Title: a Type II Variance application of Boynton Beach Associates XXIV, LLLP, Boca Raton Associates VII, LLLP by G.L. Homes, Agent. Request: to allow an increase in building coverage for single story single family dwelling units and single story zero lot line homes.

General Location: Bound on the west by State Road 7, on the east by Lyons Road, on the north by the L-36 Canal and the south by the L-39 Canal. **(Hyder AGR-PUD)** (Control 2005-00455)

Pages 185 - 214

Conditions of Approval Pages (190 - 190)

Project Manager: Joyce Lawrence

Size: 719.64 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

**MOTION:** To adopt a resolution denying a Type II Variance to allow an increase in building coverage for the single story Single Family dwelling units and the single story Zero Lot Line homes.

- 10. **ZV-2013-01620** Title: a Type II Variance application of CA Miami 7788 OMT, LLC by Urban Design Kilday Studios, Agent. Request: to allow an increase in height and sign face area for an entrance sign.

General Location: Northeast corner of Military Trail and Knolwood Road and north of Gateway Boulevard. **(Franklin Academy - Boynton)** (Control 2005-00589)

Pages 215 - 234

Conditions of Approval Pages (219 - 219)

Project Manager: Joyce Lawrence

Size: 9.93 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the requests.

**MOTION:** To adopt a resolution denying Type II Variances to allow an increase in height and sign face area for an entrance sign.

11. **ZV/Z-2013-00145** Title: a Type II Variance application of AMKBJ Partners, Ltd - Brian Lulfs by Land Design South Inc., Agent. Request: to allow a reduction in the minimum lot size; minimum lot width/frontage; minimum lot depth; the side and rear setbacks; and an increase in the building coverage.

Title: an Official Zoning Map Amendment application of AMKBJ Partners, Ltd - Brian Lulfs by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

General Location: The property is located approximately 600 feet east of the Pioneer Road and Lyons Road intersection, on the north side of Pioneer Road. **(Pine Tree Residential)** (Control 2012-00650)

Pages 235 - 256

Conditions of Approval Pages (241 - 243)

Project Manager: Joyce Lawrence

Size: 10.00 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1 and 6 Conditions of Approval with a Conditional Overlay Zone (COZ) as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving Type II Variances to allow a reduction in the minimum lot size; minimum lot width/frontage; minimum lot depth; the side and rear setbacks; and an increase in the building coverage subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of the Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to Conditions of Approval as indicated in Exhibit C-2.

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. EXECUTIVE DIRECTOR**

**D. COMMISSIONERS**

**ADJOURNMENT**