

**Zoning Commission  
Continuance will be held on  
April 6, 2015 at 9:00 am**

The April 2, 2015 Zoning Commission Hearing will be continued to Monday, April 6, 2015 at 9:00 am in the Ken Rogers Memorial Chambers, 2300 North Jog Road, West Palm Beach on the first floor in room VC-1W-47.

The following agenda items will be heard:

[SV/ABN/PDD/R-2014-01882 – Harbor Chase](#)

[DOA-2014-01615 – Cheney Ranch](#)

[RUOT-2015-00572 – JAG Palm Beach Replacement](#)

If you have any questions, please contact Maryann Kwok, Chief Planner at: [MKwok@pbcgov.org](mailto:MKwok@pbcgov.org) or call 561-233-5036.



**ZONING COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
APRIL 2, 2015**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

<b>6.</b>	<b>(138-169)</b>	<b>DOA-2016-2096</b>	<b>Southern Light Industrial Park</b>
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**MOTION:** To postpone to Thursday, May 7, 2015.

**C. WITHDRAWALS**

<b>12.</b>	<b>(356-412)</b>	<b>ZV/W/PDD-2014-01878</b>	<b>Liberty Trust AGR-PUD</b>
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**MOTION:** To withdraw the requests without prejudice.

**CONSENT AGENDA**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

<b>1.</b>	<b>(9-24)</b>	<b>DOA/R-2014-01619 (Control 2004-00619)</b>	<b>Delray Marketplace – Happy Hollow Charter School</b>
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**DELETE** Engineering – Condition 2 of Exhibit C-1 and renumber accordingly.

**AMEND** Engineering – Condition 7 of Exhibit C-1 to read as follows:

~~7.Previous ENGINEERING condition 7 of Resolution R-2014-567, Control No. 2004-00616, which currently states:~~

~~CORRIDOR CONVEYANCE OF RIGHT OF RIGHT OF WAY The property owner.....relocating all encroachments within the ultimate right of way. (DRO: ENGINEERING - Engineering)~~

~~Is hereby amended to read:~~

~~CORRIDOR CONVEYANCE OF RIGHT OF RIGHT OF WAY The property owner shall convey to Palm Beach County Land Development Division by road right of way warranty deed for the roads below. All Right of way conveyances shall be free of all encumbrances and encroachments, unless noted otherwise. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Grantor also agrees to provide Palm Beach County an environmental report, subject to the approval of County~~

~~Engineer, demonstrating that this property meets all appropriate and applicable environmental agency requirements. In the event the report makes a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the Grantee harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, Engineering or other expert witness fees including Attorney's fees as well as the actual cost of the clean up prior to dedication. Thoroughfare Plan Road right-of-way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include where appropriate as determined by the County Engineer provisions for Expanded Intersection Details and Corner Clips.~~

~~a. Lyons Road 55 feet from centerline, prior to January 1, 2006~~

~~b. West Atlantic Avenue an additional 70 feet of right of way to provide for a total of 126 feet of right of way. Right of way shall be free and clear of all encumbrances and encroachments prior to widening of Atlantic Avenue. Prior to final DRO approval for the development parcel, Property Owner shall enter into an agreement with Right of Way Acquisition Section to allow encroachments until right of way is required for widening. The agreement shall require that the property owner be responsible for the costs associated with removing and relocating all encroachments within the ultimate right of way.~~

~~c. Expanded Intersection right of way at West Atlantic Avenue and Lyons Road on an alignment approved by the County Engineer. Right of way shall be free and clear of all encumbrances and encroachments prior to widening of Atlantic Avenue. Prior to final DRO approval for the development parcel, Property Owner shall enter into an agreement with Right of Way Acquisition Section to allow encroachments until right of way is required for widening. The agreement shall require that the property owner be responsible for the costs associated with removing and relocating all encroachments within the ultimate right of way.~~

**REPLACE** Engineering – Condition 6 of Exhibit C-2 to read as follows:

6. The property owner shall provide to the Palm Beach County Roadway Production Division, Right of Way Acquisition Section, a road right of way deed and all associated documents as required by the County Engineer for 55 feet, measured from centerline of the Lyons Road right of way. All right of way deed(s) and associated documents shall be provided and approved prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first. Right of way conveyance shall be along the entire frontage and shall be free and clear of all encroachments and encumbrances. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments, including a topographic survey. The Grantor must further warrant that the property being conveyed to Palm Beach County meets all appropriate and applicable environmental agency requirements. In the event of a determination of contamination which requires remediation or clean up on the property now owned by the Grantor, the Grantor agrees to hold the County harmless and shall be responsible for all costs of such clean up, including but not limited to, all applicable permit fees, engineering or other expert witness fees including attorney's fees as well as the actual cost of the clean up. Thoroughfare Plan Road right of way conveyances shall be consistent with Palm Beach County's Thoroughfare Right of Way Identification Map and shall include, where appropriate as determined by the County Engineer, additional right of way for Expanded Intersections and Corner Clips. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the property owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (BLDG PERMIT/ONGOING: MONITORING-Eng)

**AMEND** Engineering – Condition 7 of Exhibit C-2 to read as follows:

7. Prior to issuance of the first building permit, the Property Owner shall provide to Palm Beach County sufficient public road drainage easement(s) through the project's internal drainage system, as required by and approved by the County Engineer, to provide legal positive outfall for runoff from those segments of:

i. Happy Hollow Road along the property frontage;

ii. Lyons Road along the property frontage; and

iii. a maximum of an additional 800 feet of these adjacent roadway(s)....

**ADD** Engineering – Condition 11 of Exhibit C-2 to read as follows:

11. In order to comply with the mandatory Traffic Performance Standards, the Property Owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2016. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code.

b. No Building Permits for the site shall be issued until the Property Owner makes a proportionate share payment in the amount of 12.31% of the total cost of widening Atlantic Boulevard between the Florida’s Turnpike and Hagen Ranch Road to a six-lane-divided cross-section. This proportionate share amount may be applied towards construction of this improvement or one or more other improvements that will benefit the mobility in the area impacted by the project, as determined by the County Engineer. The value of the improvement shall be based on an engineer’s certified cost estimate provided by the applicant and approved by the County Engineer or other method approved by the County Engineer at the time of the payment. The proportionate share has been calculated as \$249,573.

**3. (68) PDD-2014-01122 Flavor Pict Townhomes PUD  
(Control 2014-00064)**

**AMEND** Engineering – Condition 5 to read as follows:

5. The Property Owner shall construct separate left turn lane and right turn lane, south approach on the project's entrance road at Flavor Pict Road.  
This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner.  
~~a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit.~~  
~~b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy.~~

**ADD** Engineering – Condition 7 to read as follows:

7. Prior to issuance of the first Certificate of Occupancy, the property owner shall submit an acceptable permit application to the Land Development Division, receive a permit and remove the existing driveway connections to Flavor Pict Road and restore the right of way, as approved by the County Engineer.

**REGULAR AGENDA**

**D. ZONING APPLICATIONS – NEW**

**7. (174-174) Z-2014-02504 Morikami Park Rezoning**

**DELETE** Compliance Conditions 3 and 4 of Exhibit C.

**10. (273-274) SV/ABN/PDD/R-2014-01882 HarborChase of Wellington  
(Control 2004-00009) Crossing**

**AMEND** Engineering – Condition 5 of Exhibit C-2 to read as follows:

5. LAKE WORTH AND BLANCHETTE TRAIL SIGNALIZATION  
The Property Owner shall ~~fund~~ provide funds towards the cost of signal installation if warranted as determined by the County Engineer at Lake Worth Road and Blanchette Trail. Signalization shall be a mast arm structure installation. ~~The cost of installation shall also~~





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

**THURSDAY APRIL 2, 2015**

**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. Notice
- E. Proof of Publication
- F. Adoption of the Minutes
- G. Swearing In
- H. 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**

**APRIL 2, 2015**

**CALL TO ORDER**

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- 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, April 23, 2015 to take final action on the applications listed below.

D. Notice

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

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

- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. 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/R-2014-01619](#) Title: a Development Order Amendment application of Donna Klein Jewish Academy, Inc. by Land Design South Inc., Agent. Request: to modify the Master Site Plan, add square footage, and add a Requested Use.

Title: a Requested Use application of Donna Klein Jewish Academy, Inc. by Land Design South Inc., Agent. Request: to allow an Elementary or Secondary School, (Charter School).

General Location: North of Happy Hollow Road, west of Lyons Road. **(Delray Marketplace - Happy Hollow Charter School)** (Control 2004-00616)

Pages 1 - 44

Conditions of Approval Pages (7 - 25)

Project Manager: Osniel Leon

Size: 23.51 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 83 Conditions of Approval as indicated in Exhibit C-1 and 19 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Development Order Amendment to modify the site plan, add square footage, and add a Requested Use subject to the Conditions of Approval as indicated in Exhibits C-1.

**MOTION:** To recommend approval of a Requested Use to allow a School, Elementary or Secondary (Charter School) subject to the Conditions of Approval as indicated in Exhibits C-2.

**D. ZONING APPLICATIONS - NEW**

2. [CB-2014-02310](#) Title: a Class B Conditional Use application of J M A Properties Inc by Beril Kruger Planning Zoning Consultants, Agent. Request: to allow a Type II Kennel (Commercial).

General Location: Approximately 1/8 of mile east of Smith Sundry Road on the north side of West Atlantic Avenue. **(Angel Boarding Kennel II)** (Control 2013-00315)

Pages 45 - 60

Conditions of Approval Pages (49 - 50)

Project Manager: Melissa Matos

Size: 5.53 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the of the request subject to the 9 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow a Kennel Type II subject to the Conditions of Approval as indicated on Exhibit C.

3. [PDD-2014-01122](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Lois Dubois Ltd & William A. Sr Trust &, HGC, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

General Location: South side of Flavor Pict Road and west of Military Trail. **(Flavor Pict Townhomes PUD)** (Control 2014-00064)

Pages 61 - 95

Conditions of Approval Pages (67 - 70)

Project Manager: Joyce Lawrence

Size: 33.78 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 21 Conditions of Approval as indicated in Exhibit C.

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

4. [CB-2014-02362](#) Title: a Class B Conditional Use application of WH Cleary LLC by Urban Design Kilday Studios, Agent. Request: to allow Chipping and Mulching and a Recycling Plant.

General Location: Northwest corner of the intersection of Wallis Road and Cleary Road. **(Hemstreet Park)** (Control 1979-00226)

Pages 96 - 117

Conditions of Approval Pages (102 - 106)

Project Manager: Osniel Leon

Size: 9.24 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 13 Conditions of Approval in Exhibit C-1 and 14 Conditions of Approval in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow Chipping and Mulching subject to the Conditions of Approval as indicated in Exhibit C-1.

**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.

5. [ZV-2014-02498](#) Title: a Type II Variance application of Jewish Community Facilities Corp by Land Design South Inc., Agent. Request: to allow an increase in fence height; allow the fence to be located on the property line; and allow the landscape material to be located on the inside of the fence.

General Location: Southeast of Glades Road; east of State Road 7 ( **Rainberry PUD**) (Control 1984-00139)

Pages 118 - 137

Conditions of Approval Pages (124 - 124)

Project Manager: Hank Flores

Size: 24.32 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving Type II Variances to allow an increase in fence height, allow the fence to be located on the property line, and allow the landscape material to be located on the inside of the fence, subject to the Conditions of Approval as indicated in Exhibit C.

6. [DOA-2014-02096](#) Title: a Development Order Amendment application of Liberty Property Limited Partnership by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan, add square footage and modify Conditions of Approval (Use Limitation and Landscaping).

General Location: East of Jog Road; north side of Southern Boulevard. (**Southern Light Industrial Park**) (Control 2001-00064)

Pages 138 - 169

Conditions of Approval Pages (144 - 150)

Project Manager: Hank Flores

Size: 68.80 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 27 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan, add square footage and modify Conditions of Approval (Use Limitation and Landscaping) 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**

**D. ZONING APPLICATIONS - NEW**

- 7. **Z-2014-02504** Title: an Official Zoning Map Amendment application of Palm Beach County by Cotleur & Hearing Inc., Palm Beach County, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Public Ownership (PO) Zoning District.

General Location: Southwest corner of the intersection of Jog Road and Morikami Park Road. **(Morikami Park Rezoning)** (Control 2010-00336)

Pages 170 - 183

Conditions of Approval Pages (174 - 174)

Project Manager: Osniel Leon

Size: 173.17 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 7 Voluntary Commitments as indicated in Exhibit C.

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

- 8. **ZV-2015-00126** Title: a Type II Variance application of Amerigrow Recycling by Dunay Miskel Backman and Blattner LLP, Agent. Request: to eliminate the interior trees, the Right-of-Way Buffer along the south property line and the compatibility buffer along the north, east, and west property lines.

General Location: Approximately 1320 feet west of State Road 7 on the south side of West Atlantic Avenue. **(Amerigrow Recycling)** (Control 1993-00022)

Pages 184 - 220

Conditions of Approval Pages (189 - 189)

Project Manager: Donna Adelsperger

Size: 29.95 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the requests.

**MOTION:** To adopt a resolution denying three Type II Variances to eliminate the number of on-site trees within the mitigated wetlands area; the Right-of-Way Buffer along the south property line; and the 5-foot compatibility buffer along the east, west and the eastern 1,320 feet of the north property line.

- 9. [SV/DOA/CA-2014-02087](#) Title: a Subdivision Variance application of Atlantic Commons Associates LLLP by Atlantic Commons Associates LLLP, Agent. Request: to allow direct access to a major street (Atlantic Avenue), and to allow access on both a lower and higher classification of streets.

Title: a Development Order Amendment application of Atlantic Commons Associates LLLP by Atlantic Commons Associates LLLP, Agent. Request: to modify Conditions of Approval (Engineering).

Title: a Class A Conditional Use application of Atlantic Commons Associates LLLP by Atlantic Commons Associates LLLP, Agent. Request: to allow a Type I Restaurant with drive thru.

General Location: West of Stone Quarry Boulevard; north of Atlantic Avenue. **(Atlantic Commons Commercial)** (Control 2012-00646)

Pages 221 - 259

Conditions of Approval Pages (229 - 235)

Project Manager: Osniel Leon

Size: 4.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the Subdivision Variance. Staff recommends approval of the requests of the Development Order Amendment and the Class A Conditional Use subject to the 10 Conditions of Approval as indicated in Exhibit C-2, and 8 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution denying a Subdivision Variance to allow direct access to a major street (Atlantic Avenue), and to allow access on both a lower and higher classification of streets.

**MOTION:** To recommend approval of a Development Order Amendment to modify Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type I Restaurant with drive through subject to the Conditions of Approval as indicated in Exhibit C-3.

10. [SV/ABN/PDD/R-2014-01882](#) Title: a Subdivision Variance application of Bethel Assembly Of Lake Worth FI Inc - Mike Brummitt, Silverstone Healthcare Company, LLC by Urban Design Kilday Studios, Agent. Request: to allow direct access to a major street (Lake Worth Road), and to allow access on both a lower and higher classification of streets.

Title: a Development Order Abandonment application of Bethel Assembly Of Lake Worth FI Inc - Mike Brummitt, Silverstone Healthcare Company, LLC by Urban Design Kilday Studios, Agent. Request: to abandon a Class A Conditional Use granted under Resolution R-2005-2277 to allow a Place of Worship.

Title: an Official Zoning Map Amendment to a Planned Development District application of Bethel Assembly Of Lake Worth FI Inc - Mike Brummitt, Silverstone Healthcare Company, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Requested Use application of Bethel Assembly Of Lake Worth FI Inc - Mike Brummitt, Silverstone Healthcare Company, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Type 3 Congregate Living Facility (CLF).

General Location: North side of Lake Worth Road approximately 1275 lineal feet east of Lyons Road. (**HarborChase of Wellington Crossing**) (Control 2004-00009)

Pages 260 - 311

Conditions of Approval Pages (270 - 276)

Project Manager: Joyce Lawrence

Size: 18.28 acres ±

BCC District: 6

Staff Recommendation: Staff recommends denial of the Subdivision Variance request; and approval of the requests subject to 19 Conditions of Approval as indicated in Exhibit C-2 and 4 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution denying a Subdivision Variance to allow direct access to a major street (Lake Worth Road), and to allow access on both a lower and higher classification of streets.

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Class A Conditional Use granted under Resolution R-2005-2277 to allow a Place of Worship.

**MOTION:** To recommend approval of an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval a Requested Use to allow a Type 3 Congregate Living Facility (CLF) subject to the Condition of Approval as indicated in Exhibit C-3.

11. [DOA-2014-01615](#) Title: Development Order Amendment application of Cheney 109 LLC by Land Design South Inc., Agent. Request: to reconfigure the Master Plan, change unit type, reduce the number of units, and modify and delete Conditions of Approval (Planning and Dumpster).

General Location: East and west sides of Jog Road, south of Southern Boulevard and the C-51 Canal. (**Cheney Ranch**) (Control 2008-00290)

Pages 312 - 355

Conditions of Approval Pages (321 - 326)

Project Manager: Joyce Lawrence

Size: 40.88 acres  $\pm$

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to 26 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of the Development Order Amendment to reconfigure the Master Plan, change unit type, reduce the number of units, and modify and delete Conditions of Approval (Planning and Dumpster) as indicated in Exhibit C.

12. [ZV/W/PDD-2014-01878](#) Title: a Type II Variance application of 441 Acquisition, LLC by 441 Acquisition LLC, Agent. Request: to allow an increase in building coverage for single family lots.

Title: a Type II Waiver application of 441 Acquisition, LLC by 441 Acquisition LLC, Agent.

Request: to allow 50% of the streets to terminate in cul-de-sacs.

Title: an Official Zoning Map Amendment to a Planned Development District application of 441 Acquisition, LLC by 441 Acquisition LLC, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

General Location: State Road 7 South of Atlantic Avenue. (**Liberty Trust AGR-PUD**) (Control 2013-00211)

Pages 356 - 412

Conditions of Approval Pages (366 - 374)

Project Manager: Joyce Lawrence

Size: 424.07 acres  $\pm$

BCC District: 5,6

(affected area 282.01 acres  $\pm$ )

Staff Recommendation: Staff recommends approval of the Type II Waiver subject to 5 Conditions of Approval as indicated in Exhibit C-2, and approval of the Official Zoning Map Amendment subject to 26 Conditions of Approval as indicated in Exhibit C-3.

Staff recommends denial of the Type II Variance to allow an increase in the building coverage for single-family units from 40 percent to 44 percent.

**MOTION:** To adopt a resolution denying a Type II Variance to allow an increase in building coverage for single family lots.

**MOTION:** To recommend approval of a Type II Waiver to allow 50% of the streets to terminate in cul-de-sacs subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

## E. SUBDIVISION VARIANCE

**F. OTHER ITEMS**

- 13. [RUOT-2015-00572](#) Title: Release of Unity of Title application of JAG Palm Beach Replacement, LLC by Shutts & Bowen, LLP, Agent. Request: to release a Unity of Title. General Location: 7000 Okechobee Boulevard. (JAG Palm Beach Replacement) (Control 2015-00044)

Project Manager: Jan Rodriguez  
 Size: 13.82 acres+/-

BCC District: 2

Pages 413 - 422

**MOTION:** To approve the Release of Unity of Title.

**END OF REGULAR AGENDA**

**COMMENTS**

- A. COUNTY ATTORNEY**
- B. ZONING DIRECTOR**
- C. PLANNING DIRECTOR**
- D. EXECUTIVE DIRECTOR**
- E. COMMISSIONERS**

**ADJOURNMENT**