



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

THURSDAY JUNE 4, 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/

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



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

JUNE 4, 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, June 25, 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

D. ZONING APPLICATIONS - NEW

1. [ABN/Z-2015-00333](#) Title: a Development Order Abandonment application of Palm Beach County Department of Airports by Urban Design Kilday Studios, Agent. Request: to abandon a Special Exception for a self-service gasoline station facility granted under Resolution R-1978-874.

Title: an Official Zoning Map Amendment application of Palm Beach County Department of Airports by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multi-family Residential (RM) and the General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District.

General Location: 12 Parcels generally located at: Northeast corner of Military Trail and Country Club; the north and southwest corners of Military Trail and Bertram Street; the southwest corner of Military Trail and Cambridge Street; the southeast corner of Jules Street and Pine Road; the northeast corner of Wallis Road and William Road; on the west side at the terminus of Sandra Lane; and approximately 370 feet south of Wallis Road on the east side of Wayne Road. **(PBIA Properties Rezoning)** (Control 2008-00362)

Pages 1 - 22

Conditions of Approval Pages (8 - 8)

Project Manager: Donna Adelsperger

Size: 5.45 acres ±

BCC District: 2,7

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone (COZ) and 7 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception for a self-service gasoline station facility granted under Resolution R-1978-874.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Multi-family Residential (RM) and the General Commercial (CG) Zoning Districts to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

2. [DOA-2014-02507](#) Title: a Development Order Amendment application of All American Lube of Boca Inc by Land Design South Inc., Agent. Request: to reconfigure the site plan, add square footage, modify Conditions of Approval (Landscaping and Engineering), and abandon a Car Wash (Permitted Use).

General Location: Northwest corner of SR 7/US 441 and Lantana Road. **(US 441 Land Trust Auto Repair)** (Control 2002-00027)

Pages 23 - 48

Conditions of Approval Pages (28 - 36)

Project Manager: Roger Ramdeen

Size: 11.53 acres ±

BCC District: 6

(affected area 0.97 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 43 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, modify Conditions of Approval (Landscaping and Engineering), and abandon a Car Wash (Permitted Use) subject to Conditions of Approval as indicated in Exhibit C.

3. [DOA/TDR-2014-02516](#) Title: a Development Order Amendment. application of Windsor Place Acquisition LLC by CMS Engineering LLC, Agent. Request: to modify/delete Conditions of Approval (Architectural, Landscape and Planning); reconfigure the Master Plan; restart of the commencement clock; and release the Restrictive Covenant.

Title: a Transfer of Development Rights application of Windsor Place Acquisition LLC by CMS Engineering LLC, Agent. Request: to modify Conditions of Approval (Transfer of Development Rights).

General Location: Northwest corner of Lyons Road and Hypoluxo Road. **(Windsor Place MXPD)** (Control 2003-00079)

Pages 49 - 84

Conditions of Approval Pages (58 - 71)

Project Manager: Melissa Matos

Size: 40.00 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 48 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to modify/delete Conditions of Approval (Architectural, Landscape and Planning); reconfigure the Master Plan; restart the commencement clock; and to release the Restrictive Covenant subject to the Conditions of Approval as indicated in Exhibit C-1.

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

4. [Z/CA-2014-02502](#) Title: an a Official Zoning Map Amendment application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.
Title: a Class A Conditional Use application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care General.
General Location: On the south side of SW 185th Street, approximately 400 feet west of SR7/US 441. (**Florence Fuller Child Development Center**) (Control 1987-00150)

Pages 85 - 107

Conditions of Approval Pages (92 - 96)

Project Manager: Carrie Rechenmacher

Size: 5.98 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval subject to 1 Condition of Approval as indicated in Exhibit C-1 and 24 Conditions of Approval as indicated in Exhibit C-2.

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

MOTION: To recommend approval of a Class A Conditional Use to allow a Day Care, General subject to Conditions of Approval as indicated in Exhibit C-2.

5. [ABN/CA-2015-00139](#) Title: a Development Order Abandonment application of Gateway Community Church Inc, D.R Horton by Land Design South Inc., Agent. Request: to abandon the Class A Conditional Use granted under Resolution R-1999-2065 for a Place of Worship.
Title: a Class A Conditional Use application of Gateway Community Church Inc, D.R Horton by Land Design South Inc., Agent. Request: to allow Zero Lot Line lots.
General Location: Approximately 2,121 feet north of Hypoluxo Road on the west side of Lawrence Road. (**Veritas**) (Control 1999-00045)

Pages 108 - 125

Conditions of Approval Pages (113 - 115)

Project Manager: Osniel Leon

Size: 5.19 acres ±

BCC District: 3

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

MOTION: To recommend approval of a Development Order Abandonment to abandon the Class A Conditional Use granted under Resolution R-1999-2065 for a Place of Worship.

MOTION: To recommend approval of a Class A Conditional Use to allow Zero Lot Line lots subject to Conditions of Approval as indicated in Exhibit C.

6. **CB-2015-00138** Title: a Class B Conditional Use application of Equine Bedding of Florida LLC by Land Research Management Inc., Agent. Request: to allow a Recycling Plant.
General Location: North side of Wallis Road, between Cleary Road and Tall Pines Road.
(Equine Bedding of Florida) (Control 2007-00172)

Pages 126 - 142

Conditions of Approval Pages (131 - 133)

Project Manager: Osniel Leon

Size: 5.87 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 16 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.

7. **ZV-2014-02505** Title: a Type II Variance application of Mpc 3 LLC by McCraney Property Co., Agent. Request: to eliminate the landscape buffer adjacent to the Florida's Turnpike; the landscape buffers within parcels 2 and 3 east of Cleary Road; and the landscape barrier wall in all buffers.
General Location: South of Belvedere Road east of the Florida's Turnpike. **(MPC III Turnpike Business Park)** (Control 2002-00011)

Pages 143 - 181

Conditions of Approval Pages (148 - 148)

Project Manager: Osniel Leon

Size: 33.88 acres ±

BCC District: 2

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

MOTION: To adopt a resolution approving Type II Variances to eliminate the landscape buffer adjacent to the Florida's Turnpike; the landscape buffers within parcels 2 and 3 east of Cleary Road; and the landscape barrier wall in all buffers, subject to Conditions of Approval as indicated in Exhibit C.

- 8. [Z/CA-2014-02097](#) Title: an Official Zoning Map Amendment application of Bethany Baptist Church of the PB, Inc. by Land Research Management Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use application of Bethany Baptist Church of the PB, Inc. by Land Research Management Inc., Agent. Request: to allow a Place of Worship.

General Location: North side of Wallis Road, approximately 0.15 mile east of North Jog Road. **(Bethany Baptist Church)** (Control 2007-00016)

Pages 182 - 201

Conditions of Approval Pages (188 - 190)

Project Manager: Hank Flores

Size: 3.08 acres ±

BCC District: 2

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

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

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. [ZV/Z/CA-2014-01883](#) Title: a Type II Variance application of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to eliminate a six foot opaque barrier, to reduce the number of trees with a the Type II Incompatibility Buffer and to allow flexibility of the tree spacing in the landscape buffer.

Title: an Official Zoning Map Amendment application of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditonal Use application of K. Hovnanian Homes by Land Design South Inc., Agent. Request: to allow a golf course (existing).

General Location: Lyons Road and State Road 7, on the north side of Southwest 18th Street. (**Boca Dunes Golf Course**) (Control 2013-00354)

Pages 202 - 243

Conditions of Approval Pages (209 - 211)

Project Manager: Hank Flores

Size: 153.81 acres ±

BCC District: 5

(affected area 112.23 acres ±)

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

MOTION: To adopt a resolution approving a Type II Variance to eliminate a six foot opaque barrier, to reduce the number of trees within the Type II Incompatibility Buffer and to allow flexibility of the tree spacing in the landscape buffer 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 Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District 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 golf course (existing) subject to the Conditions of Approval as indicated in Exhibit C-3.

10. [ZV/PDD-2014-01885](#) Title: a Type II Variance application of Cove Club Inv Ltd by Land Design South Inc., Agent. Request: to eliminate a six foot opaque barrier, to reduce the number of trees within the Type II Incompatibility Buffer, and to allow flexibility of the tree spacing in the landscape buffer.

Title: an Official Zoning Map Amendment to a Planned Development District application of Cove Club Inv Ltd by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: Lyons Road and State Road 7 on the north side of Southwest 18th Street. (**Boca Dunes PUD**) (Control 2014-00169)

Pages 244 - 297

Conditions of Approval Pages (252 - 254)

Project Manager: Hank Flores

Size: 153.81 acres ±

BCC District: 5

(affected area 41.58 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 13 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to eliminate a six foot opaque barrier, to reduce the number of trees within the Type II Incompatibility Buffer, and to allow flexibility of the tree spacing in the landscape buffer 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 Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT