



**ZONING COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
JANUARY 8, 2016**

**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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**CONSENT AGENDA**

**D. ZONING APPLICATIONS – NEW**

<b>2.</b>	<b>(38-43)</b>	<b>Z/CA-2015-01024 (1973-00206)</b>	<b>Place of Hope at the Rinker Campus</b>
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**AMEND** Engineering – Condition 3 of Exhibit C-2 to read as follows:

3. Prior to the recordation of the plat, the Property Owner shall abandon or release, and relocate as necessary, the embankment easement recorded in ORB 22776 PG 930}.

**DELETE** Landscape-General Condition 2 of Exhibit C-2

**REPLACE** Lighting Condition 1 of Exhibit C-2 as follows:

~~1. Outdoor lighting for the Basketball Court and Open Play areas shall:~~  
~~a. low intensity and directed away from adjacent properties;~~  
~~b. have a timer for automatic shut off when not in use; and~~  
~~c. shall be extinguished no later than 10:00 p.m. (excluding security lighting)~~  
~~(BLDG/PMT/ONGOING: BUILDING DIVISION - Zoning)~~

1. No outdoor lighting shall be located at the outdoor play area adjacent to the west property line.

**DELETE** Planning Conditions of Exhibit C-3

<b>3.</b>	<b>(68-70)</b>	<b>CA-2015-01712 (2015-00120)</b>	<b>Opportunity Inc. Daycare</b>
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**REPLACE** Engineering – Condition 3 of Exhibit C to read as follows:

Prior to final site plan approval by the DRO, the Property Owner shall reserve for future dedication thirty (30) feet, measured from centerline of the proposed right of way sixty (60) feet in width on an alignment approved by the County Engineer, for Donnell Road. The reservation shall be shown on the site plan.  
(DRO: ENGINEERING - Eng)

**DELETE** Engineering Condition 4 and re-number accordingly.

**AMEND** Engineering Condition 6 of Exhibit C to read as follows:

6. Prior to recordation of the plat, the Property Owner shall abandon or release, and relocate as necessary, the Southern Bell easement on the site plan.

**F. SUBDIVISION VARIANCE**

5. (135) SD-152 Daversa  
(2015-00138)

**DELETE** Engineering Condition 3 and re-number accordingly.

**REGULAR AGENDA**

**D. ZONING APPLICATIONS – NEW**

7. (165-168) PDD-2015-01732 Hamlet Estates at Lake Worth  
(2015-0119)

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

7. Prior to ~~DRO approval~~ issuance of the first building permit, the Property Owner shall abandon the 20ft drainage, construction and access easement and ~~re-locate if~~ provide a new outfall for the gas-station outparcel as necessary.

**AMEND LANDSCAPE - PERIMETER-LANDSCAPING ALONG SOUTH AND WEST PROPERTY LINES (LAKE WORTH ROAD AND LYONS ROAD FRONTAGES)** Condition 3 of Exhibit C to read as follows

3. Landscaping and buffering along the south and west property lines shall be upgraded to include:
- a. A minimum ~~twenty-five (25)~~ thirty (30) foot wide landscape buffer strip with a maximum five (5) feet overlap into a utility easement;
  - b. A minimum ~~two to three foot high undulating berm with an average height of two and one-half (2.5) feet measured from top of curb. The proposed berm shall not be required where existing native vegetation and/or preserve areas are incorporated into the south and west property line buffers;~~
  - b. Equivalent of one (1) canopy tree planted every twenty (20) feet of linear property line;
  - c. Equivalent of one (1) palm or pine tree for each twenty-five (25) linear feet of frontage with a maximum spacing of fifty (50) feet between clusters. A group of three or more palms/pines in a cluster may not supersede the requirement for a canopy tree in that location; and,
  - e. ~~Twenty four (24) inch high shrub or hedge material spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty six (36) inches. (ONGOING: ZONING - Zoning)~~

**DELETE LANDSCAPE - PERIMETER-LANDSCAPING ALONG NORTH AND EAST PROPERTY LINES (EXCLUDING THE SOUTH 300' OF EAST PROPERTY LINE)** Condition 4 of Exhibit C and re-number accordingly.



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

**FRIDAY JANUARY 8, 2016**

**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**

**JANUARY 8, 2016**

**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 takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. 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, January 28, 2016 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

- 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. [ZV-2015-01451](#) Title: a Type II Variance application of Adrenalin Rush WPB, LLC, MPC 3 LLC by Jon E Schmidt & Associates, Agent. Request: to allow a reduction in the number of parking spaces.

General Location: East side of the Turnpike, northwest corner of Cleary Rd & Southern Blvd. (**MPC III Turnpike Business Park**) (Control 2002-00011)

Pages 1 - 30

Conditions of Approval Pages (5 - 5)

Project Manager: Osniel Leon

Size: 61.40 acres ±

BCC District: 2

(affected area 33.89 acres ±)

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

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the number of parking spaces subject to the Conditions of Approval as indicated in Exhibit C.

**D. ZONING APPLICATIONS - NEW**

- 2. [Z/CA-2015-01024](#) Title: an Official Zoning Map Amendment application of Place of Hope at the Haven Campus Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Public Ownership (PO) Zoning District to the Institutional and Public Facilities (IPF) Zoning District.

Title: a Class A Conditional Use application of Place of Hope at the Haven Campus Inc. by Cotleur & Hearing Inc., Agent. Request: to allow a Type 3 Congregate Living Facility (CLF) use; and an Assembly, Nonprofit Institutional use.

General Location: South of Glades Road, west of Boca Rio Road. **(Place of Hope at the Rinker Campus)** (Control 1973-00206)

Pages 31 - 61

Conditions of Approval Pages (38 - 43)

Project Manager: Melissa Matos

Size: 13.01 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requested Rezoning and Class A Conditional Uses subject to 1 Condition of Approval as indicated in Exhibit C-1; 17 Conditions of Approval as indicated in Exhibit C-2; and 11 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Public Ownership (PO) Zoning District to the Institutional and Public Facilities (IPF) Zoning District 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 3 Congregate Living Facility (CLF) subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Assembly, Nonprofit Institutional Use subject to the Conditions of Approval as indicated in Exhibit C-3.

- 3. [CA-2015-01712](#) Title: a Class A Conditional Use application of Opportunity Inc Of Palm Beach County, R & L Properties Westgate LLC by Jon E Schmidt & Associates, Agent. Request: to allow a General Daycare.

General Location: Northeast corner of Donnell Road and Westgate Avenue. **(Opportunity Inc. Daycare)** (Control 2015-00120)

Pages 62 - 90

Conditions of Approval Pages (68 - 70)

Project Manager: Carlos Torres

Size: 3.70 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Class A Conditional Use to allow a General Daycare subject to Conditions of Approval as indicated in Exhibit C.

4. [ZV/DOA-2015-00542](#) Title: a Type II Variance application of Evangelical Christian Credit Union by Shutts and Bowen LLP, Agent. Request: to eliminate a compatibility buffer.  
Title: a Development Order Amendment application of Evangelical Christian Credit Union by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan and delete land area.

General Location: Southeast corner of Haverhill Road and Summit Boulevard. **(Evangelical Christian Credit Union)** (Control 1986-00114)

Pages 91 - 128

Conditions of Approval Pages (98 - 107)

Project Manager: Joyce Lawrence

Size: 16.85 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1, and 49 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution approving a Type II Variance to eliminate a compatibility buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of the Development Order Amendment to reconfigure the Site Plan and delete land area subject to the Conditions of Approval as indicated in Exhibit C-2.

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

5. [SD-152:](#) Daversa TITLE: a Subdivison Variance application of Jeffrey N and Judith G Daversa, by Land Research Management, Inc., Agent. Request: To allow a variance from the requirement that access shall not be permitted by a major roadway. (Article 11.E.9.B.2).

General Location: 19050 Loxahatchee River Rd; east side of Loxahatchee River Road, north of Indiantown Road and south of the Martin County line.

Pages 129 - 144

Conditions of Approval Pages (135 - 135)

Project Manager: Joanne M. Keller

Size: 1.33 acres +/-

Pages 129 - 144

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 a Subdivison Variance to allow variance from the requirement that access to lots created by subdivision be by a local street and instead allow access by a major roadway subject to the Conditions of Approval as indicated in Exhibit C.



6. **SD-155:** TITLE: a Subdivision Variance application of First and Ten Real Estate Corp., by Jon E. Schmidt and Associates, Agent. Request: To allow a variance from the requirement that access shall not be permitted by a local residential street. (Table 11.E.2.A-2).

Pages 145 - 157

Conditions of Approval Pages (150 - 151)

Project Manager: Joanne M. Keller

Size: 1.0 acres +/-

Pages 145 - 157

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 Subdivision Variance to allow for reduction of the required 80 foot wide right-of-way and instead utilize the existing 60 ft. and 40 ft. rights-of-way as legal access to the lots to be combined subject to the Conditions of Approval as indicated in Exhibit C.

**END OF CONSENT AGENDA**

**REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS****D. ZONING APPLICATIONS - NEW**

7. [PDD-2015-01732](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Herbert Kahlert, Gerald Barbarito by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) and Agriculture Residential (AR) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

General Location: Northeast corner of Lake Worth Road and Lyons Road. **(Hamlet Estates at Lake Worth)** (Control 2015-00119)

Pages 158 - 188

Conditions of Approval Pages (165 - 168)

Project Manager: Osniel Leon

Size: 34.56 acres  $\pm$

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 22 Conditions of Approval as indicated in Exhibit C.

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

8. [ZV/Z/CA-2015-01731](#) Title: a Type II Variance application of Herbert Kahlert, Lyons Petroleum Inc by Urban Design Kilday Studios, Agent. Request: to allow a reduction in the terminal islands widths.

Title: an Official Zoning Map Amendment application of Herbert Kahlert, Lyons Petroleum Inc by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Multiple Use Planned Development (MUPD) Zoning District to the Commercial General (CG) Zoning District.

Title: a Class A Conditional Use application of Herbert Kahlert, Lyons Petroleum Inc by Urban Design Kilday Studios, Agent. Request: to allow a Convenience Store with Gas Sales.

General Location: Northeast corner of Lake Worth Road and Lyons Road. (**Village Corner Commercial**) (Control 1998-00077)

Pages 189 - 220

Conditions of Approval Pages (197 - 200)

Project Manager: Osniel Leon

Size: 14.26 acres ±

BCC District: 6

(affected area 2.43 acres ±)

Staff Recommendation: Staff recommends approval of the Type II Variance V1, subject to 5 Conditions of Approval as indicated in Exhibit C-1; the Rezoning subject to a Conditional Overlay Zone and 3 Conditions of Approval as indicated in Exhibit C-2; and, the Class A Conditional Use subject to the 15 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the terminal islands widths 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 Multiple Use Planned Development (MUPD) Zoning District to the Commercial General (CG) Zoning District subject to a Conditional Overlay Zone (COZ) and Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-3.

9. [ZV/Z/DOA-2015-01385](#) Title: an Official Zoning Map Amendment application of AMKBJ Partners LTD LLLP, TLH 29 Anwar LLC, TLH 35 Bac Pioneer LLC by Wantman Group Inc., Agent. Request: to allow a rezoning from Agricultural Residential (AR), Residential Estate (RE), and Residential Transitional (RT) Zoning Districts to the Residential Single-family (RS) Zoning District.

TITLE: Stipulated Settlement Agreement REQUEST: to request relief filed pursuant to FLA. STAT. §70.51, F.S.

General Location: Approximately 520 feet east of Lyons Road, on the north side of Pioneer Road (**Pioneer Royale**) (Control 2012-00650)

Pages 221 - 258

Conditions of Approval Pages (228 - 230)

Project Manager: Wendy Hernandez

Size: 22.94 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 23 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from Agricultural Residential (AR), Residential Estate (RE) Zoning District, and Residential Transitional (RT) Zoning District to the Residential Single-family (RS) Zoning District, subject to a Conditional Overlay Zone (COZ) and Conditions of Approval as indicated in Exhibit C.

## 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**