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**PALM BEACH COUNTY ZONING COMMISSION  
AMENDMENTS TO THE AGENDA  
Thursday, December 6, 2007**

**AGENDA**

**ITEM #/PAGE #    PETITION / CHANGE**

**POSTPONEMENTS (30 days to January 4, 2008)**

7. Pgs 69-115    **PDD/DOA/W2006-1934 AMESTOY AGR PUD**  
(Control 2005-162)

**REMOVE FROM CONSENT**

5. Pgs 4-39    **DOA/R2007-528 (YAMATO COURT MUPD)**  
(Control 2005-597)

Modify the Motion to read as follows:

**MOTION:** To recommend approval of a Development Order Amendment to ~~add square footage and reconfigure the site plan.~~

Modify Signs Condition 2 and Delete Condition 3 and re-alphabetize accordingly to read as follows:

- 2.    Freestanding signs fronting on SR-7/US 441 shall be limited as follows:
  - a.    ~~maximum sign height, measured from finished grade to highest point - eight (8) feet;~~
  - b.a    maximum sign face area per side - ~~sixty (60)~~ one hundred (100) square feet;
  - c.b    maximum number of signs ~~two (2)~~ one (1);
  - d.c    style - monument style only;
  - e.d    location    one within fifty (50) feet of the SR-7/US 441 entrance drive ~~and one - at the northwest corner of property (intersection of SR-7/US 441 and Yamato Road).~~  
(BLDG PERMIT: BLDG - Zoning)

**AMENDMENTS TO THE AGENDA**

Reverse Agenda Items #10 and #11

44. 10. **ZV/DOA2007- (LAKES AT BOCA RATON PUD)**  
(Control 1983-121)

40. 11. **ZV/Z/CA2006-1933    ST. JOHN THE EVANGELIST-EAST**  
(Control 2006-555)

**DOA2007-896 TOWN COMMONS MUPD #2**  
(Control 2004-248)

Modify Engineering Condition E.1 to read as follows:

1. In order to comply with the mandatory Traffic Performance Standards, the Developer shall be restricted to the following phasing schedule: ~~a. No Building Permits shall be issued until construction has commenced for: 1) Lyons Road widening as a 4-lane median-divided section from Hypoluxo Road to Lantana Road, plus the appropriate paved tapers. 2) an additional north approach through lane at the intersection of Lantana Road and Lyons Road plus the appropriate paved tapers. (BLDG PERMIT: MONITORING Eng) 3) an additional left turn lane south approach and an additional west approach through lane at the intersection of Lantana Road and Hagen Ranch Road plus the appropriate paved tapers. (BLDG PERMIT: MONITORING Eng)~~ ~~b. Construction commences is defined as awarding the contract for the construction of the required improvements, the acquisition of all right-of-way and construction easements and the acquisition of all required permits. (ONGOING: MONITORING Eng)~~ ~~c. No Building Permits for the site may be issued after January 1, 2010. A time extension for this condition may be approved by the County Engineer only if 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 Article 2.E of the Unified Land Development Code. (DATE: MONITORING Eng)~~

Delete Engineering Conditions E2, E3, E4, E5, and E6.

The revised traffic study shows the previous TPS roadway improvements are no longer required.

Addie L. Greene, Chairperson  
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**ORDER OF BUSINESS  
ZONING COMMISSION  
PALM BEACH COUNTY, FLORIDA**

**THURSDAY DECEMBER 6, 2007**

**THURSDAY  
9:00 AM**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Opening Prayer and Pledge of Allegiance
  - C. Remarks of the Chair
  - D. Proof of Publication
  - E. Swearing In
  - F. Disclosures
- 2. POSTPONEMENTS/ WITHDRAWALS (Pages 2-3)**
- 3. CONSENT AGENDA (Pages 4-6)**
- 4. REGULAR AGENDA (Pages 7-8 )**
- 5. COMMISSIONER COMMENTS (Page 8)**
- 6. DIRECTOR COMMENTS (Page 8)**
- 7. ADJOURNMENT (Page 8)**

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

**AGENDA  
PALM BEACH COUNTY ZONING COMMISSION**

**DECEMBER 6, 2007**

**1. 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 Jane M. Thompson Memorial Chambers, 6<sup>th</sup> Floor, 301 N. Olive Avenue, 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, 6<sup>th</sup> Floor, at 9:30 A.M. on Thursday, January 3, 2008 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.

Public comment continues to be 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. Swearing In – County Attorney.
- F. Disclosures.

## 2. POSTPONEMENTS/WITHDRAWALS

### A. POSTPONEMENTS

1. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. **(LAKE HARBOR QUARRY)** (Control 2007-054)

Page 1

Project Manager- Douglas Robinson

Size: 7351.24 acres ±  
Affected area 640.0 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to **Friday**, January 4, 2008.

2. **ZV2007-1422** Title: Resolution approving a Type II Variance application of Darosy, Inc., by Corporate Property Services, Agent. Request: To allow a reduction of pervious area. General Location: Southwest corner of Okeechobee Boulevard and Drexel Road. **(CHICK-FIL-A)** (Control 1976-121)

Page 2

Project Manager-Ora Owensby

Size: 12.02 acres ±  
(affected area 1.20 acres ±)

BCC District: 2

MOTION: To postpone thirty (30) days to **Friday**, January 4, 2008.

3. **CA/TDR2007-509** Title: Resolution approving a Class A Conditional Use application of Situ Group, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights application of Situ Group, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights for 3 units. Title: Resolution approving a reduced price for Transfer of Development Rights units. Request: To allow a reduced cost of \$1.00 per Transfer of Development Rights unit. General Location: Approximately 950 feet south of Lake Worth Road on the west side of Gulfstream Road. **(GULFSTREAM VILLAS)** (Control 2007-053)

Page 3

Project Manager-Donna Adelsperger/Joyce Lawrence

Size: 0.98acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to **Friday**, January 4, 2008.

**B. WITHDRAWALS**

4. **ZV2007-1181** Title: Resolution approving a Type II Zoning Variance application of Jonathan Bramley. Request: To allow a reduction in the rear setback. General Location: South side of Stonehaven Estates Drive on the east side of SR 7/US441 approximately 0.25 mile north of Forest Hill Boulevard. **(BRAMLEY VARIANCE)** (Control 1996-084)

Page N/A

Project Manager-Andrea Harper

Size: 0.27 acres ±

BCC District: 6

MOTION: No motion required.

**END OF POSTPONEMENTS/WITHDRAWALS**

3. CONSENT AGENDA

A. ZONING APPLICATIONS

- 5. **DOA/R2007-528** Title: Resolution approving a Development Order Amendment application of Harvey Geller, by Land Design South, Inc., Agent. Request: To add square footage and to reconfigure site plan. Title: Resolution approving a Requested Use application of Harvey Geller, by Land Design South, Inc., Agent. Request: To allow a Daycare, General; an Assembly-Non-Profit Institutional; and a Veterinary Clinic. General Location: Southeast corner of Yamato Road and SR 7/US 441. **(YAMATO COURT MUPD)** (Control 2005-597)

Pages 4-39  
 Conditions of Approval Pages (21-30)  
 Project Manager-Ron Sullivan

Size: 24.98 acres ±  
 (affected area 15.0 acres ±)

BCC District: 5

MOTION: To recommend approval of a Development Order Amendment to add square footage and to reconfigure site plan.

MOTION: To recommend approval of a Requested Use to allow a Daycare, General; an Assembly-Non-Profit Institutional; and a Veterinary Clinic.

- 6. **DOA2007-896** Title: Resolution approving a Development Order Amendment application of Town Commons, LLC, by Michael Clanton, Agent. Request: To reconfigure site plan; to increase square footage; and to modify the use. General Location: Approximately 325 feet east of Lyons Road on the north side of Hypoluxo Road. **(TOWN COMMONS MUPD #2)** (Control 2004-248)

Pages 40-68  
 Conditions of Approval Pages (55-64)  
 Project Manager-Anthony Wint

Size: 3.10 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan; to increase square footage; and to modify the use.

7. **PDD/DOA/W2006-1934** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: To add land area, restart the commencement clock, re-designate preserve to development area, modify conditions of approval (Engineering), add units and to allow a model row. Title: Resolution approving a Waiver from performance standards application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: To allow more than 25% of the streets to end in cul-de-sacs or deadends. General Location: Northwest corner of Boynton Beach Boulevard and Lyons Road. **(AMESTOY AGR PUD)** (Control 2005-162)

Pages 69-115  
 Conditions of Approval Pages (101-115)  
 Project Manager-Ora Owensby

Size: 793.04 acres ±

BCC District: 3 & 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area, restart the commencement clock, re-designate preserve to development area, modify conditions of approval (Engineering), add units and to allow a model row.

MOTION: To recommend approval of a Waiver from performance standards to allow more than 25% of the streets to end in cul-de-sacs or deadends.

8. **ZV2007-1620** Title: Resolution approving a Type II Zoning Variance application of B P Products North America, Inc., by MDM Services, Inc., Agent. Request: To allow 24 hours operation, to allow reduction in the side and rear setbacks. General Location: Southwest corner of Hypoluxo Road and Military Trail. **(BP AMOCO)** (Control 1988-072)

Pages 116-132  
 Conditions of Approval Page (124)  
 Project Manager-Andrea Harper

Size: 1.58 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 24 hours operation, to allow reduction in the side and rear setbacks.



9. **ZV2007-1601** Title: Resolution approving a Type II Zoning Variance application of Wal-Mart Stores East, LP, by Kimley Horn and Associates, Inc., Agent. Request: To allow 100% overlap of utility easement; to eliminate the incompatibility buffer and tree and screen requirements; to allow additional hours of operation for commercial adjacent to residential; to allow reduction of dimensional criteria for parking spaces. General Location: Southwest Intersection of Lantana Road & Jog Road. **(LANTANA SQUARE SHOPPING CENTER)** (Control 1980-089)

Pages 133-154

Conditions of Approval Page (144)

Project Manager-Carrie Rechenmacher

Size: 17.74 acres ±  
(affected area 3.82 acres ±)

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow 100% overlap of utility easement; to eliminate the incompatibility buffer and tree and screen requirements; to allow additional hours of operation for commercial adjacent to residential; to allow reduction of dimensional criteria for parking spaces.

**– END OF CONSENT AGENDA –**

## - START OF REGULAR AGENDA -

## 4. REGULAR AGENDA

## A. PREVIOUSLY POSTPONED ITEMS

## B. REGULAR AGENDA

10. [ZV/Z/CA2006-1933](#) Title: Resolution approving a Type II Zoning Variance application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: To eliminate the incompatibility buffer and eliminate tree and screen requirements along the southwest property lines adjacent to the water management tract, to eliminate right-of-way buffer and to eliminate trees adjacent to Cain Boulevard screen requirements. Title: Resolution approving An Official Zoning Map Amendment application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: Rezoning from the Residential Transitional Suburban (RTS) Zoning District and the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving A Class A Conditional Use application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: To allow a Place of Worship. General Location: Southwest corner of SR 7/US441 and Yamato Road. **(ST. JOHN THE EVANGELIST-EAST)** (Control 2006-555)

Pages 155-175

Conditions of Approval Pages (172-175)

Project Manager- Douglas Robinson

Size: 20.50 acres  $\pm$

BCC District: 5

MOTION: To adopt a resolution denying a Type II Zoning Variance to eliminate the incompatibility buffer and eliminate tree and screen requirements along the southwest property lines adjacent to the water management tract, to eliminate right-of-way buffer and to eliminate trees adjacent to Cain Boulevard screen requirements.

MOTION: To recommend denial of an Official Zoning Map Amendment from the Residential Transitional Suburban Zoning District and the Agricultural Residential Zoning District to the Residential Transitional Zoning District.

MOTION: To recommend denial of a Class A Conditional Use to allow a Place of Worship.

- 11. **ZV/DOA2007-981** Title: Resolution approving a Type II Zoning Variance application of Gerald Barbarito, by Colome and Associates, Agent. Request: To eliminate the incompatibility buffer and to eliminate tree and screen requirements adjacent to the southeast boundary of the water management tract. Title: Resolution approving a Development Order Amendment application of Gerald Barbarito, by Colome and Associates, Agent. Request: To delete land area. General Location: West side of State Road 7/US 441 on the north and south sides of Yamato Road. **(LAKES AT BOCA RATON PUD)** (Control 1983-121)

Pages 176-197  
 Conditions of Approval Pages (190-197)  
 Project Manager-Douglas Robinson

Size: 8.93 acres ±

BCC District: 5

MOTION: To adopt a resolution denying a Type II Zoning Variance to eliminate the incompatibility buffer and to eliminate tree and screen requirements adjacent to the southeast boundary of the water management tract.

MOTION: To adopt a resolution denying a Development Order Amendment to delete land area.

- 5. **COMMISSIONER COMMENTS**
- 6. **DIRECTOR COMMENTS**
- 7. **ADJOURNMENT**