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**PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA**

Thursday, October 4, 2007

AGENDA

ITEM #/PAGE # PETITION / CHANGE

AMENDMENTS TO THE AGENDA

2. Pg 2 **CA2007-205 LAKE HARBOR QUARRY**
(Control 2007-054)

Modify Motion to read as follows:

MOTION: To postpone thirty (30) days to Thursday November 1, 2007.

7. Pgs 4-19 **Z2007-892 SOUTHWEST COUNTY TRANSFER STATION**
(Control 2005-140)

Modify Engineering Voluntary Commitment 2a to read as follows:

2a. The Property owner shall construct:

- left turn lane north approach on State Road 7 at the projects entrance road.
- right turn lane south approach on State Road 7 at the projects entrance road.
- close the existing median opening on State Road 7, 2800 feet south of Bob West Road and relocate this median opening to the projects entrance road in accordance with the Florida Department of Transportation approval.

Modify Health Voluntary Commitment 1 to read as follows:

- 1. Public water and sanitary sewer is available. Therefore no onsite potable water supply well will be permitted, and no onsite sewage treatment and disposal system will be permitted. All existing potable water supply wells and onsite sewage treatment and disposal systems shall be abandoned in accordance with Chapter 64E, FAC, and Palm Beach County Environmental Control Rules I & II. (ONGOING: HEALTH-Health)

9. Pgs 31-57 **PDD/R2006-953 MORGAN HOTEL**
(Control 1977-031)

Modify Architectural Review 2 to read as follows:

- 2. Prior to final approval by the Development Review Officer (DRO), the applicant shall provide a list of criteria ~~the building and site will from the Florida Green Building Standards which will be met for the project.~~ Meet to comply with the Florida Green Building standards. Development approval and construction shall be consistent with this list. This condition does not mandate that the Building be Certified to

comply with the Florida Green Building Standards Program. (DRO: ZONING-Zoning)

Modify Site Design Condition 1 to read as follows:

1. At time of submittal for building permit, the property owner shall provide the Building Division a copy of the Resolution, Result Letter, site plan and/or survey simultaneously with the building permit application. The site plan submitted to the Building Division shall be ~~identical to~~ consistent with the site plan approved by the Zoning Commission and the Board of County Commissioners. (BLDG PERMIT: BLDG-Zoning)

10. Pgs 58-92

ABN/ZV/CB/2007-335 OKEECHOBEE PLACE
(Control 1981-094)

Modify Engineering Condition 2 to read as follows

2. Prior to the issuance of the first building permit the property owner shall ~~replat the subject property into one legal lot of record~~ combine these lots into lots of record in accordance with Article 11 of the ULDC. (BLDG PERMIT-MONITORING- Eng)

Delete Planning Condition 1 and Modify Condition 3 to read as follows and renumber accordingly

- ~~23.~~ Prior to the issuance of a certificate of occupancy or a certificate of completion, whichever occurs first, the property owner shall construct and pave the cross access connections to the edge of the ~~northeast~~ and southwest property lines. (CC/CO: Monitoring – Planning)

MOVE TO CONSENT

11. Pgs 93-138

DOA2007-723 **APPOLONIA FARMS PUD**
(Control 2004-022)

Delete All Petitions Condition 3

Modify Civic Site Dedication Condition 1 to read as follows:

Platting & Deed.

1. The property owner shall provide Palm Beach County Board of County Commissioners with a Statutory Warranty Deed on a ~~net gross~~ net gross 15.63 acre public civic site (~~net usable area minus~~ inclusive of any buffers), in a location and form acceptable to Facilities, Development & Operations Department (FD&O) by February 2, 2009. Developer to plat and dedicate the civic site to Palm Beach County prior to conveying the deed, and shall have satisfied each of the following conditions prior to deed conveyance.

Board of County Commissioners

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
Jess R. Santamaria



County Administrator

Robert Weisman

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

THURSDAY OCTOBER 4, 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 (Pages 2-3)

3. CONSENT AGENDA (Pages 4-5)

4. REGULAR AGENDA (Pages 6-7)

5. COMMISSIONER COMMENTS (Page 7)

6. DIRECTOR COMMENTS (Page 7)

7. ADJOURNMENT (Page)

Web address: www.pbcgov.com/pzb/

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

AGENDA
PALM BEACH COUNTY ZONING COMMISSION

OCTOBER 4, 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, 6th 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, 6th Floor, at 9:30 A.M. on Thursday, October 25, 2007 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

A. POSTPONEMENTS

- 1. [Z/CA2006-022](#) Title: Resolution approving an Official Zoning Map Amendment application of Colonial Lake, LLC, by Kim Glas-Castro, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Colonial Lakes, LLC, by Kim Glas-Castro, Agent. Request: To allow the Transfer of Development Rights for 35 units. General Location: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road. **(COLONIAL LAKES)** (Control 2006-010)

Page 1
Project Manager-Anthony Wint

Size: 9.84 acres ± , BCC District: 2

MOTION: To postpone thirty (30) days to Thursday November 1, 2007.

- 2. [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 2
Project Manager-Douglas Robinson

Size: 7351.24 acres ± BCC District: 6
Affected area 640.0 acres ±

MOTION: To recommend approval of a Class A Conditional Use to allow a Type IIIB Excavation.

- 3. [DOA2006-1694](#) Title: Resolution approving a Development Order Amendment application of Haitian Bethel Baptist Church, Inc., Jean Joint, Robert Borgelin, by Ron Uphoff, Agent. Request: To reconfigure the site plan and add square footage. General Location: High Ridge Road approximately .44 miles south of Hypoluxo Road. **(FRIENDSHIP BAPTIST CHURCH)** (Control 1979-077)

Page 3
Project Manager-Douglas Robinson

Size: 1.93 acres ± BCC District: 3

MOTION: To postpone thirty (30) days to Thursday November 1, 2007.

4. **ZV/PDD/R2007-519** Title: Resolution approving a Type II Zoning Variance application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: To allow a reduction of side setback; to allow encroachment of landscape buffers into easements; to eliminate trees in the incompatibility buffer; and to allow a reduction in the incompatibility buffer width. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: To allow a Place of Worship. General Location: Southeast corner of Military Trail and Saturn Avenue. **(CASA DE RESTAURACION)** (Control 1977-148)

Pages N/A

Project Manager-Carol Glasser

Size: 7.58 acres ±
(affected area 2.47 acres ±)

BCC District: 2

MOTION: To postpone thirty (30) days to Thursday November 1, 2007 (Administratively postponed).

5. **ZV2007-1010** Title: Resolution approving a Type II Zoning Variance application of Deisy Jimenez. Request: To allow structure to encroach the rear setback. General Location: Approximately 1,400 feet west of North Florida Mango Road on the south side of Upland Road. **(JIMENEZ VARIANCE)** (Control 2005-575)

Pages N/A

Project Manager-Sandra Gonzalez

Size: .0.1533 acres ±

BCC District: 2

MOTION: To postpone thirty (30) days to Thursday November 1, 2007 (Administratively postponed).

6. **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)

Pages N/A

Project Manager-Andrea Harper

Size: 0.27 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday November 1, 2007. (Administratively postponed).

END OF POSTPONEMENTS

3. CONSENT AGENDA

A. ZONING APPLICATIONS – CONSENT

7. **Z2007-892** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County - Audrey Wolf, by Kilday & Associates, Inc., Agent. Request: To allow a rezoning from the Agricultural Reserve (AGR) to the Public Ownership (PO) Zoning District. General Location: Approximately 1.5 miles north of Atlantic Avenue on the east side of SR7/US441. **(SOUTHWEST COUNTY TRANSFER STATION)** (Control 2005-140)

Pages 4-19

Conditions of Approval Pages (17-19)

Project Manager-Ora Owensby

Size: 318.44 acres ±
(affected 40.88 acres ±)

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve to the Public Ownership Zoning District.

8. **ZV2007-1191** Title: Resolution approving a Type II Zoning Variance application of Lawrence Hawkins. Request: To allow a structure to encroach an easement. General Location: South side of Calumet Lane approximately 3/4 mile south of the intersection of Lyons Road and Lantana Road. **(HAWKINS RESIDENCE) (1976-139)**

Pages 20-30

Conditions of Approval Page (30)

Project Manager-Ora Owensby

Size: 1.31 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a structure to encroach in an easement.

9. **PDD/R2006-953** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Spots, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the General Commercial (CG), Neighborhood Commercial (CN) and Single Family Residential (RS) Zoning Districts to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Spots, Inc., by Kilday & Associates, Inc., Agent. Request: To allow a Hotel. General Location: Southeast corner of Congress Avenue and Kentucky Street. **(MORGAN HOTEL)** (Control 1977-031)

Pages 31-57

Conditions of Approval Pages (51-53)

Project Manager-Ron Sullivan

Size: 2.48 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the General Commercial, the Neighborhood Commercial and the Single Family Residential Zoning Districts to the Multiple Use Planned Development District.

MOTION: To recommend approval of a Requested Use to allow a Hotel.

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -**4. REGULAR AGENDA****A. PREVIOUSLY POSTPONED ITEMS**

10. **ABN/ZV/CB/2007-335** Title: Resolution approving a Development Order Abandonment application of Okee Property West, LLC, by Urban Design Studio, Agent. Request: To abandon the Special Exception granted under R1981-877. Title: Resolution approving a Type II Zoning Variance application of Okee Property West, LLC, by Urban Design Studio, Agent. Request: To allow a reduction in the side setback; and an increase in the required setback from the build to line requirement. Title: Resolution approving a Class B Conditional Use application of Okee Property West, LLC, by Urban Design Studio, Agent. Request: To allow a Type I Restaurant. General Location: Approximately 0.25 miles west of I-95 on the south side of Okeechobee Boulevard. **(OKEECHOBEE PLACE)** (Control 1981-094)

Pages 58-92
 Conditions of Approval Pages (75-79)
 Project Manager- Anthony Wint

Size: 1.89 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction in the side setback; and an increase in the required setback from the build to line requirement.

MOTION: To recommend approval of a Class B Conditional Use to allow a Type I Restaurant.

C. ZONING APPLICATION

11. **DOA2007-723** Title: Resolution approving a Development Order Amendment application of City National Bank Of Florida Trust, by Kilday & Associates, Inc., Agent. Request: To reconfigure the master plan, relocate the civic site, increase and relocate recreation area, relocate and access point, reduce portion of the buffer along the north and south property line and to add one unit. General Location: Approximately 5 miles north of Clint Moore Road on the east and west side of Lyons Road. **(APPOLONIA FARMS PUD)** (Control 2004-022)

Pages 93-138
 Conditions of Approval Pages (113-132)
 Project Manager-Joyce Lawrence

Size: 1528.89 acres ±

BCC District: 3&5

MOTION: To recommend approval of a Development Order Amendment to reconfigure the master plan, relocate the civic site, increase and relocate recreation area, relocate and access point, reduce portion of the buffer along the north and south property line and to add one unit.

12. **DOA/R2007-074** Title: Resolution approving a Development Order Amendment application of TA Cresthaven, LLC, by Land Design South, Inc., Agent. Request: To reconfigure site plan and to modify/delete conditions of approval. Title: Resolution approving a Requested Use application of TA Cresthaven, LLC, by Land Design South, Inc., Agent. Request: To allow a Restaurant, Type I. General Location: Northwest corner of Military Trail and Cresthaven Boulevard. **(SHOPPES OF CRESTHAVEN MCDONALDS)** (Control 1980-041)

Pages 139-164

Conditions of Approval Pages (155-160)

Project Manager(s)-Ron Sullivan/Donna Adelsperger

Size: 21.90 acres ±

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan and to modify/delete conditions of approval.

MOTION: To recommend approval of a Requested Use to allow a Restaurant, Type I.

13. **ZV2007-1013** Title: Resolution approving a Type II Zoning Variance application of William Evenden, by Michael John Docsh Architect, Agent. Request: To allow an accessory structure in the front setback. General Location: Approximately 1 mile north of Hypoluxo Road on the east side of Paul Mar Drive. **(EVEN DEN GARAGE)** (Control 2007-312)

Pages 165-174

Conditions of Approval Page (174)

Project Manager-Sandra Gonzalez

Size: 0.23 acres ±

BCC District: 3

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow an accessory structure in the front setback.

5. **COMMISSIONER COMMENTS**

6. **DIRECTOR COMMENTS**

7. **ADJOURNMENT**