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

THURSDAY SEPTEMBER 6, 2007
Revised page numbers for #18-19
9-4-07

**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 7-11)**
- 5. COMMISSIONER COMMENTS (Page 11)**
- 6. DIRECTOR COMMENTS (Page 11)**
- 7. ADJOURNMENT (Page 11)**

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

SEPTEMBER 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, 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 **Monday**, September 24, 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. **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 1

Size: 1.93 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to Thursday October 4, 2007.

2. **CB2006-947** Title: Resolution approving a Class B Conditional Use application of Boynton Beach Associates, XXIII, LLLP, by Urban Design Studio, Agent. Request: To allow Agricultural, Sales and Service. General Location: Northwest corner of Lee Road and State Road 7/US 441. **(LEE ROAD PROPERTY)** (Control 2006-361)

Pages 2-3

Size: 5.0 acres ±

BCC District: 5

MOTION: To postpone sixty (60) days to Thursday November 1, 2007.

3. **Z/CA2006-1914** Title: Resolution approving an Official Zoning Map Amendment application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the Transfer of Development Rights for 10 units. General Location: Approximately 1300 feet north of Belvedere Road on the west side of Haverhill Road. **(THE RESIDENCES AT HAVERHILL) (2006-551)**

Pages 2A-3A

Size: 2.70 acres ±

BCC District: 2

MOTION: To postpone sixty (60) days to Thursday November 1, 2007.

4. **DOA/R2007-528** Title: Resolution approving a Development Order Amendment application of Harvey Geller, by Land Design South, Inc., Agent. Request: 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; a Assembly-Non-Profit and a Veterinary Clinic. General Location: Southeast corner of Yamato Road and SR 7/US 441. **(YAMATO COURT MUPD)** (Control 2005-597)

Page 4

Size: 24.98 acres \pm
(affected area 15.0 acres \pm)

BCC District: 5

MOTION: To postpone sixty (60) days to Thursday November 1, 2007.

B. WITHDRAWALS

5. **CA/TDR2006-1555** Title: Resolution approving a Class A Conditional Use application of Vivendi Homes, LLC, by Ruden, McClosky, Agent. Request: To allow the Transfer of Development Rights for 9 units. General Location: Approximately 300 feet east of Kirk Road on the south side of Melaleuca Lane. **(VIVENDI)** (Control 2000-111)

Page 5

Size: 3.50 acres \pm

BCC District: 3

MOTION: None (Applicant Requested).

END OF POSTPONEMENTS/WITHDRAWALS

3. CONSENT AGENDA

A. ZONING APPLICATIONS – CONSENT

6. **PDD2007-055** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development Zoning District application of Panattoni Development Company, LLC, by Gentile, Holloway, O'Mahoney & Assoc, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Northeast corner of Southern Boulevard and Sansbury's Way. **(SOUTHERN/SANSBURY'S MUPD)** (Control 2007-018)

Pages 6-33

Conditions of Approval (18-24) Pages

Size: 24.35 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District.

7. **ABN/Z2007-076** Title: Resolution approving a Development Order Abandonment application of Peter and Helen Angelo, by Charles Putman & Associates, Agent. Request: To abandon the Class B Conditional Use approval granted under ZR1996-002. Title: Resolution approving an Official Zoning Map Amendment application of Peter and Helen Angelo, by Charles Putman & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 0.5 mile south of Hypoluxo Road on the east side of Jog Road. **(ANGELO PROPERTY)** (Control 1975-161)

Pages 34-49

Conditions of Approval (44-45) Pages

Size: 4.90 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Development Order Abandonment for a Class B Conditional Use granted under ZR1996-002.

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Estate Zoning District to the Residential Transitional Zoning District.

8. **Z/DOA2007-190** Title: Resolution approving an Official Zoning Map Amendment application of Suburban of Palm Beach, LLC, by Land Design South, Inc, Agent. Request: Rezoning from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District. Title: Resolution approving a Development Order Amendment application of Suburban of Palm Beach, LLC, by Land Design South, Inc, Agent. Request: To add land area, reconfigure site plan and modify/delete Conditions of Approval. General Location: Southeast corner of Okeechobee Boulevard and Breezy Lane. **(PALM BEACH VOLVO - OKEECHOBEE BLVD.)** (Control 1984-051)

Pages 50-81

Conditions of Approval (64-72) Pages

Size: 3.41 acres ±
(affected area 0.47 acres ±)

BCC District: 2 & 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Multi-family Residential Zoning District to the General Commercial Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area, reconfigure site plan and modify/delete Conditions of Approval .

9. **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 82-114

Conditions of Approval (97-101) Pages

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.

10. **ZV2007-887** Title: Resolution approving a Type II Zoning Variance application of Boca Greens Realty Associates, LLC, by Gunster, Yoakley & Stewart, PA, Agent. Request: To allow an elimination of the opaque door on the dumpster enclosure. General Location: Northwest corner of US441/SR7 and Kimberly Road. **(BOCA GREENS PLAZA)** (Control 1977-013)

Pages 115-134

Conditions of Approval (124) Pages

Size: 19.60 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an elimination of the opaque door on the dumpster enclosure.

11. **CA2007-056** Title: Resolution approving a Class A Conditional Use application of Boynton Beach Community Church, Inc., by Land Research Management, Inc., Agent. Request: To allow a Place of Worship. General Location: North side of West Boynton Beach Boulevard (SR804) east of SR7/441 and West of Lyons Road. **(BOYNTON BEACH COMMUNITY CHURCH)** (Control 2007-010)

Pages 135-159

Conditions of Approval (147-151) Pages

Size: 9.41 acres ±

BCC District: 5

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

12. **Z2007-524** Title: Resolution approving an Official Zoning Map Amendment including a Conditional Overlay Zone (COZ) application of James Farris, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential Transitional (RT) Zoning District to the Light Industrial (IL) Zoning District. General Location: North side of Wallis Road, approximately .25 mile east of Cleary Road. **(FARIS PROPERTY)** (Control 2007-174)

Pages 160-180

Conditions of Approval (170-172) Pages

Size: 1.36 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Transitional Zoning District to the Light Industrial Zoning District.

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. PREVIOUSLY POSTPONED ITEMS

13. **PDD2006-960** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Woolbright Investment Group, LLC, by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 200 feet west of Jog Road on the south side of Woolbright Road. **(WOOLBRIGHT OFFICE CENTER)** (Control 2006-305)

Pages 181-200

Conditions of Approval (194-197) Pages

Size: 3.62 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District.

14. **PDD/R2006-1675** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of GKK-Hagen, Ltd., by F. Martin Perry & Associates, P.A., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of GKK-Hagen, Ltd., by F. Martin Perry & Associates, P.A., Agent. Request: To allow financial institutions (2) with drive through lanes. General Location: Northwest corner of Hagen Ranch Road and Boynton Beach Boulevard. **(HAGEN RANCH/BOYNTON BEACH MUPD)** (Control 2006-520)

Pages 201-224

Conditions of Approval (216-220) Pages

Size: 3.70 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District.

MOTION: To recommend approval of a Requested Use to allow financial institutions (2) with drive through lanes.

15. **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)

Pages 225-257

Conditions of Approval (244-250) Pages

Size: 9.84 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multi-family Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights for 35 Units.

16. **ZV2007-725** Title: Resolution denying a Type II Zoning Variance application of Signature Storage Property Owner, LLC, by Kilday & Associates, Inc., Agent. Request: To allow a wall sign not facing a right-of-way and to allow an increase in square footage of wall sign. General Location: Terminus of Venture Center Way approximately 0.5 mile west of Hagen Ranch Road. **(KAHLERT SSSF)** (Control 1998-073)

Pages 258-268

Conditions of Approval () Pages

Size: 4.85 acres ±

BCC District: 5

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow a wall sign not facing a right-of-way and to allow an increase in square footage of wall sign.

17. **Z/CA2006-1901** Title: Resolution approving an Official Zoning Map Amendment application of Military Trail Development Group, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use application of Military Trail Development Group, LLC, by Miller Land Planning, Agent. Request: To allow Townhomes. General Location: Southeast corner of Military Trail and Old Military Trail. (**GLENWOOD TOWNHOMES**) (Control 2005-589)

Pages 269-298

Conditions of Approval (288-292) Pages

Size: 8.01 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow Townhomes.

C. ZONING APPLICATION

18. **DOA/CB2006-1697** Title: Resolution approving a Development Order Amendment application of Brown Landholding, Inc., by Anna S. Cottrell & Associates, Agent. Request: To modify/delete conditions of approval and to reconfigure the site plan. Title: Resolution approving a Class B Conditional Use application of Brown Landholding, Inc., by Anna S. Cottrell & Associates, Agent. Request: To allow Vehicle Sales and Rental. General Location: West side of Benoist Farms Road approximately 0.2 mile south of Belvedere Road. (**BROWN LANDHOLDING, INC.**) (Control 1988-019)

Pages 299-325

Conditions of Approval (314-321) Pages

Size: 10.0 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Class B Conditional Use to allow Vehicle Sales and Rental.

19. **CA2006-1930** Title: Resolution approving a Class A Conditional Use application of King Ranch, Inc., by Greenberg Traurig, PA, Agent. Request: To allow a Type III B Excavation. General Location: Approximately 10 miles south of Belle Glade on the east side of SR827. **(SOUTH BAY QUARRY)** (Control 2006-554)

Pages 326A-358
Conditions of Approval (347-354) Pages

Size: 3773.42 acres ±

BCC District: 6

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

20. **DOA2007-049** Title: Resolution approving a Development Order Amendment application of Kabbalah Learning Center, Inc., by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: To modify/delete Conditions of Approval (Sign Condition J.1). General Location: Approximately 0.33 miles West of the intersection of Palmetto Park Road and the Florida's Turnpike. **(KABBALAH LEARNING CENTER)** (Control 1997-094)

Pages 359-380
Conditions of Approval (371-376) Pages

Size: 2.63 acres ±

BCC District: 5

MOTION: To recommend approval of a Development Order Amendment to modify/delete Conditions of Approval (Sign Condition J.1).

21. **PDD/DOA2007-051** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) application of Arrigo Enterprises, Inc., by Greenberg Traurig, PA, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of Arrigo Enterprises, Inc., by Greenberg Traurig, PA, Agent. Request: To add land area, reconfigure site plan, add square footage, add access point (Jog Road), modify/delete Conditions of Approval. General Location: Southwest corner of Okeechobee Boulevard and the Florida's Turnpike. **(ARRIGO DODGE MUPD)** (Control 1995-022)

Pages 381-419
Conditions of Approval (397-407) Pages

Size: 44.71 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area, reconfigure site plan, add square footage, add access point (Jog Road), modify/delete Conditions of Approval.

22. **DOA2007-721** Title: Resolution approving a Development Order Amendment application of Lake Worth Self Storage, Ltd., Partnership by Gentile, Holloway, O'Mahoney & Associates Agent. Request: To modify a Condition of Approval (Landscape #15). General Location: Northwest corner of the Florida's Turnpike and Lake Worth Road. **(LAKE WORTH SELF STORAGE)** (Control 1996-004)

Pages 420-447

Conditions of Approval (433-443) Pages

Size: 17.28 acres \pm

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to modify a Condition of Approval (Landscape #15).

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