

Board of County Commissioners

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

May 22, 2008

<u>AGENDA ITEM #</u>	<u>APPLICATION/CHANGE</u>
<u>PAGE #</u>	

POSTPONEMENT

MOVE TO CONSENT

23. Pgs 346-384 **PDD2007-848 Merchants Walk** (Control 2004-354)

27. Pgs 500-524 **DOA2007-994 Ruth Rales Family Service** (Control 1981-139)

AMENDMENTS TO THE AGENDA

9. Pgs 67-88 **DOA2007-1005 (Whiteside Industrial Park)** (Control 1998-062)

Modify Engineering Condition 2 to read as follows:

2. The Property owner shall construct a left turn lane east approach on 7th Place North at Pike Rd intersection. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations, and acquisition of any additional required right-of-way and required drainage. A. Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: MONITORING-Eng) B. Construction shall be completed prior to the issuance of the first Certificate of Occupancy (CO: MONITORING-Eng)

13. Pgs 153-179 **ZV/DOA/R2008-094 (Shoppes of Sherbrook)** (Control 1999-006)

Add Architectural Review Condition 2 to read as follows:

2. Previous condition C.2 of Resolution R-2005-0152, Petition 1999-006, which currently states:

Prior to final site plan approval by the Development Review Officer, building elevations for all the buildings, with color indications, shall be approved and incorporated into the certified site plan and petition file. (DRO: ZONING Zoning)

Is hereby deleted. [REASON: The condition has been completed.]

21 Pgs 323-345 **Z/CB2007-846 (Northlake Value Place Hotel)** (Control 2007-259)

Add Use Limitations Condition 1 to read as follows:

1. Uses on the site shall be limited to professional offices only with hours of operation limited from 7:00 am to 7:00 pm. (ONGOING: Code Enf- Zoning)

24. Pgs.385-429 **DOA/TDR2007-1201 (Colony at Lake Worth PUD)** (Control 203-011)

Modify Landscape Condition 10 as follows:

10. In addition to code requirements, landscaping and buffering along the south property line of the development area, for the proposed multi-family units shall be upgraded to include:
 - a. a continuous two and one half (2.5) foot high berm measured from top of curb;
 - b. a six (6) foot high concrete panel wall shall be located on the plateau of the berm. Both side(s) of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure; and,
 - c. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of forty (40) feet between clusters. If pines are being used, pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation. (DRO: LANDSCAPE - Zoning)

Modify Landscape Condition 11 as follows:

11. In addition to code requirements, landscaping and buffering along the south 1,273 feet of the east property line of the development area, for the proposed multi-family units shall be upgraded to include:
 - a. a six (6) foot high concrete panel wall. Both side(s) of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure. Height of the wall shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property; and,
 - b. one (1) palm or pine tree for each thirty (30) linear feet of the property line with a maximum spacing of forty (40) feet between clusters. If pines are being used, pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation. (DRO: LANDSCAPE – Zoning)

Modify Landscape Condition 13 as follows:

In addition to Code requirements, landscaping and buffering along the north property line of the development area, for the proposed multi-family units shall be upgraded to include:

- a. a maximum six (6) foot vinyl-coated chain link fence;
- b. a six (6) foot high continuous hedge at installation. Height shall be maintained at six (6) feet in perpetuity; and,
- c. one (1) pine tree for each thirty (30) linear feet of the property line with a maximum spacing of forty (40) feet between clusters, alternating on both sides of the required fence. ~~If pines are being used, p~~Pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation. (DRO: LANDSCAPE –Zoning)

Modify Landscape Condition 15 as follows:

In addition to Code requirements, landscaping and buffering along the west property line of the development area, for the proposed multi-family units shall be upgraded to include:

- a. a minimum total of twenty-eight (28) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
- b. a six (6) foot high concrete panel wall. The exterior side of the wall shall be given a finished architectural treatment that is harmonious and compatible with abutting development. Height of the wall shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property; and,
- c. one (1) pine tree for each thirty (30) linear feet of the property line with a maximum spacing of forty (40) feet between clusters, alternating on both sides of the wall. ~~If pines are being used, p~~Pines shall be planted in clusters of five (5) to seven (7) pines. Pine height shall be a minimum of twelve (12) feet to sixteen (16) feet at installation. (DRO:LANDSCAPE –Zoning)

29. Pgs 553-577 **Z2007-1180 (Nokomis Loft)** (Control 2006-442)

Delete Condition Parking 1 and re-number accordingly

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AGENDA INDEX

MAY 22, 2008

THURSDAY

9:30 AM

COMMISSION CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

POSTPONEMENTS/WITHDRAWALS/REMANDS (Pages 1-2)

CONSENT AGENDA (Pages 3-8)

- o Staff
- o Board
- o Public

REGULAR AGENDA (Pages 9 - 15)

* Item 25 Bergeron Sand, Rock and Aggregates will be a 2:00 PM time certain.

DIRECTOR COMMENTS (Page 15)

COMMISSIONER COMMENTS (Page 15)

ADJOURNMENT (Page 15)

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

MAY 22, 2008

CALL TO ORDER

- A. Roll Call – **9:30 A.M.**
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In – County Attorney
- E. Motion to Adopt Agenda

POSTPONEMENTS

1. **PDD2006-1682** Title: Resolution approving Official Zoning Map Amendment to a Planned Development District application of W & W IX LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Southeast corner of 112th Terrace and Northlake Boulevard. (**112th/Northlake Office**) (Control 2006-529)

Page 1
Project Manager-Joyce Lawrence

Size: 10.80 acres ±

BCC District: 6

MOTION: None Required (Postponed thirty (30) days to Monday, June 30, 2008).

2. **DOA/R2007-1597** Title: Resolution approving a Development Order Amendment application of Publix Super Market, Inc., by Ruden, McClosky, Agent. Request: To reconfigure the site plan and modify conditions of approval. Title: Resolution approving a Requested Use application of Publix Super Markets, Inc., by Ruden, McClosky, Agent. Request: To allow an Auto Service Station. General Location: Northeast corner of Orange Boulevard and Seminole Pratt Whitney Road. (**Pratt and Orange MUPD**) (Control 1998-023)

Page 2
Project Manager- Ron Sullivan

Size: 24.67acres ±

BCC District: 6

MOTION: None Required (Postponed thirty (30) days to Monday, June 30, 2008).

3. **ABN/PDD2007-728** Title: Resolution approving a Development Order Abandonment application of Tidal Wave Development Corp, Tidal Wave Management Corp, Inc., by Kilday & Associates, Inc., Agent. Request: To abandon the Special Exceptions granted under Resolution 1995-0721, 1995-1116, 1996-1950 and 2002-1645. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Tidal Wave Development Corp, Tidal Wave Management Corp, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Northwest corner of Tall Pines Road and Wallis Road east of Cleary Road on the north side of Southern Boulevard. (**Tidal Wave Industrial Park**) (Control 2007-236)

Page 3

Project Manager- Anthony Wint

Size: 41.59 acres ±

BCC District 6

MOTION: None required. (Postponed thirty (30) days to Monday, June 30, 2008).

4. **SR 1999-029.2** Status Report for Resolution R-2000-0120 (Control # 1999-029), the application of Monadylina Properties, Inc.. Property owner: BDG Delray. General Location: southwest corner of SR7/US 441 and West Atlantic Avenue. Zoning District: AGR - Agricultural Reserve with a Special Exception to allow Conditional Use A to allow a convenience store with gas sales and expansion of indoor entertainment and office use. (**Stop & Shop**)

Page N/A

Project Manager - John Pancoast

BCC District: 5

Size: 5.11 acres

MOTION: To postpone sixty (60) days to July 24, 2008 (owner requested).

-END OF POSTPONEMENTS/WITHDRAWALS/REMANDS –

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS

- 5. **CR 1977-148** Status Report for Resolution R-2007-2135 (Control # 1977-148), the application of Casa De Restauracion. Property owner: Polo Shopping LTD. General Location: Southeast corner of Military Trail and Saturn Avenue. Zoning District: Multiple Use Planned Development Zoning District with a requested use for a place of worship (R-2007-2136) (**Casa de Restauracion**).

Pages 4-9
Project Manager – John Pancoast

BCC District: 2

Size: 7.58 acres

MOTION: To approve a time extension until March 12, 2009, to comply with condition number E7 of Resolution R-2007-2135.

- 6. **SR 1984-130** Status Report for Resolution R-2005-0379 (Control # 1984-130), the application of Palm Beach Commerce Center Associates, Ltd. Property owner: Richard Fulcher and Andrea Fulcher. General Location: west side of Vista Parkway, north of Okeechobee Boulevard - Vista Center Parcel 23. Zoning District: Zoning District Planned Industrial Park Development District (PIPD) requested use to allow a general daycare (**Vista Center Parcel 23**).

Pages 10-15
Project Manager – John Pancoast

BCC District: 2

Size: 1.14 acres

MOTION: To approve a time extension until February 24, 2011, for Resolution R-2005-0379.

D. ZONING APPLICATIONS

7. **DOA/R2007-1428** Title: Resolution approving a Development Order Amendment application of Darosy, Inc., by Corporate Property Services, Agent. Request: To reconfigure the site plan and add square footage. Title: Resolution approving a Requested Use application of Darosy, Inc., by Corporate Property Services, Agent. Request: To allow a Type I Restaurant. General Location: Southwest corner of Okeechobee Boulevard and Drexel Road. (**Chick-Fil-A**) (Control 1976-121)

Pages 16-46

Conditions of Approval (35) Pages 33-37

Project Manager- Ora Owensby

Size: 12.02 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0 for each request.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan and add square footage.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant.

8. **ZV/CA2007-739** Title: Resolution approving a Class A Conditional Use application of Tuller Properties, LLC. Request: To allow Repair and Maintenance, General and Dispatching over 4 vehicles. General Location: Approximately 100 feet south of Lake Worth Road on the east side of Military Trail. (**Bob's Auto Glass**) (Control 2007-166)

Pages 47-66

Conditions of Approval (14) Pages 60-62

Project Manager- Ora Owensby

Size: 0.36 acres ±

BCC District: 3

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Repair and Maintenance, General and Dispatching over 4 vehicles.

9. **DOA2007-1005** Title: Resolution approving a Development Order Amendment application of The Whiteside Group, by Kilday & Associates, Inc., Agent. Request: To modify a condition of approval (Building and Site Design), re-start the commencement clock, and approve a chain link fence within the perimeter buffer. General Location: Approximately 1,000 feet east of Pike Road on the north side of 7th Place North. (**Whiteside Industrial Park**) (Control 1998-062)

Pages 67-88

Conditions of Approval (15) Pages 80-84

Project Manager- Douglas Robinson

Size: 9.62 acres ±

BCC District: 6

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0.

MOTION: To adopt a resolution approving a Development Order Amendment to modify a condition of approval (Building and Site Design), re-start the commencement clock, and approve a chain link fence within the perimeter buffer.

10. **CA2007-1790** Title: Resolution approving a Class A Conditional Use application of Bedner Farm, Inc., by Land Design South, Inc., Agent. Request: To allow a produce stand. General Location: Southwest corner of Lee Road and SR7/US441. (**Bedner Produce Stand**) (Control 2007-357)

Pages 89-112

Conditions of Approval (12) Pages 101-104

Project Manager- Autumn Sorrow

Size: 14.0 acres ±

BCC District: 5

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a produce stand.

11. **Z2007-2004** Title: Resolution approving an Official Zoning Map Amendment application of Carlos Osorio, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. General Location: North side of Pioneer Road between Benoist Farms Road and Lyons Road. (**Osorio Rezoning**) (Control 1979-124)

Pages 113-132

Conditions of Approval (4) Page 124

Project Manager- Anthony Wint

Size: 3.14 acres ±

BCC District: 6

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval with amended motion, 7-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential Estate Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

12. **ZV/SV/DOA-2008-092** Title: Resolution approving a Development Order Amendment application of South Florida Water Mgmt District, by Kilday & Associates, Inc., Agent. Request: To delete land area. General Location: Approximately 2 miles west of SR7/US441 and 2 miles south of Lake Worth Road. (**WFLX Tower Site**) (Control 1980-085)

Pages 133-152

Conditions of Approval (6) Pages 146-147

Project Manager- Carol Glasser

Size: 111.104 acres acres ±

BCC District: 3

Affected Area: 40.325 acres ±

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 6-1.

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

13. [ZV/DOA/R2008-094](#) Title: Resolution approving a Development Order Amendment application of SBM Associates Inc., Slabrage Group, LLC, Inc., by Kilday & Associates, Inc., Agent. Request: To reconfigure the site plan, modify the uses, modify conditions of approval and delete square footage. Title: Resolution approving a Requested Use application of SBM Associates, Inc., Slabrage Group, LLC, Inc., by Kilday & Associates, Inc., Agent. Request: To allow a fitness center. General Location: Southeast corner of Lantana Road and Lyons Road. (**Shoppes of Sherbrook**) (Control 1999-006)

Pages 153-179

Conditions of Approval (48) Pages 165-175

Project Manager- Anthony Wint

Size: 10.06 acres ±

BCC District: 3

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0 for each request.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, modify the uses, modify conditions of approval and delete square footage.

MOTION: To adopt a resolution approving a Requested Use to allow a fitness center.

14. [ZV/Z/CA2008-097](#) Title: Resolution approving an Official Zoning Map Amendment application of Gun Club, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District. Title: Resolution approving a Class A Conditional Use application of Gun Club, LLC, by Miller Land Planning, Agent. Request: To allow an Assembly Non Profit Institute. General Location: Approximately 200 feet west of Military Trail on the south side of Gun Club Road. (**American Red Cross ZCL**) (Control 1986-013)

Pages 180-205

Conditions of Approval (21) Pages 194-197

Project Manager- Autumn Sorrow

Size: 6.96 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0 for each request.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment Rezoning from the Single-family Residential (RS) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Assembly Non Profit Institutional Use.

15. **EAC-2008-311** Title: Resolution approving a Development Order Amendment application of Federal Atlantic by Corporate Property Services, Agent. Request: To amend landscape conditions (landscape wall). General Location: Northeast corner of Jog Road and Atlantic Avenue. (**Bank Atlantic**) (Control 2001-010)

Pages 206-229

Conditions of Approval (32) Pages 220-226

Project Manager- Ora Owensby

Size: acres ±

BCC District: 5

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: N/A.

MOTION: To adopt a resolution approving a Development Order Amendment to modify conditions of approval (landscape).

E. CORRECTIVE RESOLUTIONS

16. Corrective Resolution: To correct the Legal Description in Exhibit A of Resolution R-2006-0515. (**TERRA NOVA PUD**) (R2006-0515, Control 2004-456)

Pages 230-231

BCC District: 5

MOTION: To adopt a resolution to correct the Legal Description in Exhibit A of Resolution R-2006-0515.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PREVIOUSLY POSTPONED STATUS REPORTS

17. **SR 2001-005.2** Status Report for Resolution R-2001-2067 (Control # 2001-005), the application of Flamboyant Enterprises and Paul Okean. Property owner: Morningstar Nursery, Inc. General Location: approximately 600 feet north of Hypoluxo Road on the east side of Military Trail. Zoning District: Multiple Use Planned Development (MUPD) with two (2) daycares, general and congregate living facility, type III. (**Okean Office MUPD**) (Control 2001-005).

Pages 232-237

Project Manager-John Pancoast

Size: 19.18 acres

BCC District: 3

MOTION: To approve a time extension until December 31, 2008, for Resolution R-2001-2067.

D. STATUS REPORTS

18. **SR 1984-123A.10**

Status Report for Resolution R-90-374 (Control # 1984-123(A)), the application of Old Dixie Partners. Property owner: Old Dixie Joint Venture, Inc. General Location: southeast corner of the intersection of Richard Rd. and Old Dixie Hwy., bounded on the east by the Florida East Coast Railroad right-of-way. Zoning District: CG-General Commercial with a Special Exception to amend the site plan for an office/warehouse combination (**Wilcox Office/Warehouse**).

Pages 238-242

Project Manager – John Pancoast

BCC District: 1

Size: 1.9 acres

MOTION: To approve a time extension until December 31, 2008, for Resolution R-90-374.

E. PREVIOUSLY POSTPONED SMALL SCALE LAND USE AMENDMENT AND ZONING APPLICATIONS

19. **SCA 2007-041** Northlake Roan Commercial, by Jeffrey Brophy, Land Design South Covenant Center, LLC and Cherry Road Plaza, LLC. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 3.06 acres parcel from High Residential, 12 units per acre (HR-12) to Commercial High (CH). General Location: Approximately 200 feet north of the northwest corner of Northlake Boulevard and Roan Lane. (**Northlake Roan Commercial a.k.a. Northlake Value Place Hotel**)

Pages 243-301

Project Manger: Stephanie Gregory

Size: 3.06 acres ±

BCC District: 1

Staff Recommendation: Approval of the requested future land use change from HR-12 to CH with the condition to limit the project to a maximum of 62,500 square feet of commercial use.

LPA Recommendation: Recommended approval of the requested future land use change from HR-12 to CH subject to a condition to limit the project to 46,652 s.f. of commercial uses (5-4 vote) at the October 26, 2007 public hearing.

MOTION: To approve an ordinance to approve the proposed amendment from HR-12 to CH subject to a condition to limit the project to a maximum of 62,500 square feet of commercial use.

20. **ZV/DOA2007-845** Title: Resolution approving a Development Order Amendment application of Covenant Centre, Inc., by Land Design South, Inc., Agent. Request: To delete land area. General Location: Northwest corner of Roan Lane and Northlake Boulevard. (**Palm Beach Cathedral**) (Control 1974-083)

Pages 302-322

Conditions of Approval (32) Pages 314-318

Project Manager- Douglas Robinson

Size: 3.48 acres ±

BCC District: 1

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval of the deletion of land area 6-0.

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

- 21. **Z/CB2007-846** Title: Resolution approving an Official Zoning Map Amendment application of Value Place Hotels - Butch Nuss, by Land Design South, Inc., Agent. Request: Rezoning from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District. General Location: Approximately 200 feet north of the northwest corner of Northlake Boulevard and Roan Lane. (**Northlake Value Place Hotel**) (Control 2007-259)

Pages 323-345
 Conditions of Approval (11) Pages 336-338
 Project Manager- Carrie Rechenmacher

Size: 3.06 acres ±

BCC District: 1

Staff Recommendation: Denial of the request.

Zoning Commission Recommendation: A 3-3 vote for the rezoning request.

MOTION: To adopt a resolution denying the request for an Official Zoning Map Amendment from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District.

or

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone.

F. APPEAL OF DENIAL OF CLASS B CONDITIONAL USE

- 22. **CB2007-846** Request: An Appeal of Zoning Commission’s decision to deny a Class B Conditional Use to allow a hotel.

General Location: Approximately 200 feet north of the northwest corner of Northlake Boulevard and Roan Lane. (**Northlake Value Place Hotel**) (Control 2007-259)

Page (Under separate cover)
 Project Manager- Carrie Rechenmacher

Size: 3.06 acres ±

BCC District: 1

MOTION: To uphold the Zoning Commission final decision to deny a Class B Conditional Use for a hotel.

Or

MOTION: To reverse the decision of the Zoning Commission and approve a Class B Conditional Use for a hotel.

G. RECONSIDERATION OF ZONING APPLICATION

23. **PDD2007-848** Title: Resolution approving An Official Zoning Map Amendment to a Planned Development District application of W & W XXIV, LLC, by Cotleur & Hearing, Inc., Agent. Request: Reconsideration of a Condition of Approval (Use Limitation-1). General Location: Approximately 1,400 feet east of Lyons Road on the south side of Lantana Road. (**Merchants Walk**) (Control 2004-354)

Pages 346-384
 Conditions of Approval (26)
 Project Manager- Joyce Lawrence

Size: 4.82 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 7-0.

DISCLOSURE

MOTION: To approve a Condition of Approval (Use Limitation 1) for application PDD2007-848.

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

24. **DOA/TDR2007-1202** Title: Resolution approving a Development Order Amendment application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD). Title: Resolution approving a Transfer of Development Right application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 28 additional TDR units; to designate this application as the receiving area, and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00. General Location: Northwest corner of Myers Road and Lantana Road. (**Colony at Lake Worth PUD**) (Control 2003-011)

Pages 385-429
 Conditions of Approval (39) Pages 407-421 and (12 TDRs) Pages 422-424
 Project Manager Joyce Lawrence

Size: 22.29 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions of approval.

Zoning Commission Recommendation: Approval, as amended 3-2 for both requests.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD).

MOTION: To adopt a resolution approving the Transfer of Development Rights for an additional 28 units, designate the subject property as the receiving area and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00.

- 25. **CA2007-1199** Title: Resolution approving a Class A Conditional Use application of Bergeron Sand, Rock & Aggregates, Inc., by Jon E Schmidt & Associates, Agent. Request: To allow a Type IIIB excavation. General Location: Approximately 6.56 miles south of CR-827 on the west side of US Highway 27. (**Bergeron Sand Rock And Aggregate**) (Control 2007-346)

Pages 430-463
 Conditions of Approval (39) Pages 449-455
 Project Manager-Douglas Robinson

Size: 552.97 acres ± BCC District: 6

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0

MOTION: To adopt a resolution approving a Class A Conditional to allow a Type IIIB excavation.

I. REGULAR AGENDA

- 26. **DOA/TDR2007-1400** Title: Resolution approving a Development Order Amendment application of Haverhill Acres LLC by Jeff H. Iravani, Inc., Agent. Request: To reconfigure master plan and site plan and to add 71 units. Title: Resolution approving a Transfer of Development Rights application of Haverhill Acres LLC by Jeff H. Iravani, Inc., Agent. Request: To allow for the Transfer of Development Rights for 29 units, to designate this application as the receiving area, and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00. General Location: Stacy Street 0.5 mile west of Haverhill Road. (**Haverhill Acres**) (Control 2005-103)

Pages 464-499
 Conditions of Approval (26) Pages 484-493 and (6 TDRs) Pages 494-495
 Project Manager- Joyce Lawrence

Size: 11.82acres ± BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0 for each request.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure master plan and site plan and to add 71 units.

MOTION: To adopt a resolution approving the Transfer of Development Rights To allow for the Transfer of Development Rights for 29 units, to designate this application as the receiving area, and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00.

27. **DOA2007-994** Title: Resolution approving a Development Order Amendment application of Ruth Rales Jewish Family Service, by Land Design South, Inc., Agent. Request: To reconfigure the site plan and add square footage. General Location: Approximately 241 feet west of Cumberland Drive on the north side of West Atlantic Avenue. (**Ruth Rales Family Service**) (Control 1981-139)

Pages 500-524

Conditions of Approval (19) Pages 513-515

Project Manager- Joyce Lawrence

Size: 5.96 acres ±

BCC District: 5

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan and add square footage.

28. **Z/CA/TDR2007-1621** Title: Resolution approving an Official Zoning Map Amendment application of Asacol, LLC, by Seminole Bay Land Company, Inc., 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 Asacol, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights greater than 2 units per acre. Title: Resolution approving a Transfer of Development Rights application of Asacol, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights for 5 units, designate this application as the receiving area, and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00. General Location: West end of Cole Street, West of Military Trail, and North of Belvedere Road. (**Cole Street Villas**) (Control 2007-052)

Pages 525-552

Conditions of Approval (17) Pages 540-543 and (6 TDRs) Pages 544-545

Project Manager- Anthony Wint

Size: 1.42 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0 each request.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential High Density Zoning District to the Multi-family Residential Zoning District with a Conditional Overlay Zone.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow the Transfer of Development Rights.

MOTION: To adopt a resolution approving to allow the Transfer of Development Rights for 5 units, designate this application as the receiving area, and to allow the sale of each TDR unit that is designated as workforce housing at a cost of \$1.00.

29. **Z2007-1180** Title: Resolution approving an Official Zoning Map Amendment application of Eastern Asset Management, Inc., by Seminole Bay Land Company, Inc., Agent. Request: Rezoning from the Residential High (RH) Zoning District to the General Commercial (CG) Zoning District. General Location: Northeast corner of Nokomis Avenue and Tallahassee Drive, one block south of Westgate Avenue and four blocks south of Okeechobee Boulevard. (**Nokomis Lofts**) (Control 2006-442)

Pages 553-577

Conditions of Approval (13) Pages 569-571

Project Manager- Autumn Sorrow

Size: 0.34 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential High Zoning District to the General Commercial Zoning District with a Conditional Overlay Zone.

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

30. TDR Annual Report 2007

C. PLANNING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT