

**ZONING COMMISSION
OF PALM BEACH COUNTY**

Thursday, July 3, 2008
9:00 a.m. - 9:20 a.m.
Jane M. Thompson Memorial Chambers
301 North Olive Avenue
West Palm Beach, Florida

Reporting:

Sophie M. (Bunny) Springer
Notary Public

A T T E N D E E S

Frank Barbieri, Jr., Chairman
William F. Anderson, Vice Chairman
Alexander Brumfield, III, Commissioner
Allen Kaplan, Commissioner
Sherry L. Hyman, Commissioner
Joanne Davis, Commissioner
Al Zucaro, Commissioner
Kelley Armitage, Alternate Commissioner

Bob Banks, Assistant County Attorney

Jon Mac Gillis, Zoning Director

Maryann Kwok, Chief Planner

Carrie Rechenmacher, Senior Site Planner, Zoning

Autumn Sorrow, Senior Site Planner, Zoning

Douglas Robinson, Site Planner II, Zoning

Carol Glasser, Site Planner II, Zoning

Joyce Lawrence, Site Planner II, Zoning

D. G. McGuire, Site Planner II, Arch Review

Sussan Gash, Planner II, Planning

Allan Ennis, Asst. Dir. Traffic Division

Jim Choban, Land Development

Kenny Wilson, Health Department

Bob Kraus, ERM

Donna Adelsperger, Zoning Tech, Zoning

Elizabeth Murray, Zoning Secretary

I N D E X

| <u>Petition</u> | | <u>Page</u> |
|-----------------|---|-------------|
| 1 | ZV-2008-00089(Control 2007-00233) | 5 |
| 2 | ZV/DOA/R-2007-01596(Control 1997-00004) | 6 |
| 3 | Z/CA-2008-00294(Control 1995-00044) | 7 |
| 4 | ZV/DOA/R-2007-01597(Control 1998-00023) | 7 |
| 5 | DOA-2007-02013(Control 1989-00117) | 7 |
| 6 | ZV-2008-00806(Control 1974-00104) | 8 |
| 7 | ZV-2008-00807(Control 1984-00130) | 9 |
| 8 | ZV/CA-2007-01801(Control 2007-00407) | 10 |
| 9 | ZV/CB/Z-2008-00296(Control 2007-00378) | 12 |
| 10 | ZV/PDD/W-2007-02012(Control 2007-00482) | 14 |
| 11 | DOA-2008-00457(Control 1998-00089) | 15 |
| 12 | ZV/Z/CB-2008-00305(Control 2004-00550) | 16 |
| | COMMISSION COMMENTS: | 17 |
| | CERTIFICATE OF REPORTER: | 19 |

P R O C E E D I N G S

CHAIRMAN BARBIERI: All right. We'll get started. Staff take roll, please.

MS. KWOK: Commissioner Armitage.

COMMISSIONER ARMITAGE: Here.

MS. KWOK: Commissioner Brumfield.

COMMISSIONER BRUMFIELD: Present

MS. KWOK: Commissioner Anderson.

VICE CHAIRMAN ANDERSON: Here.

MS. KWOK: Commissioner Barbieri.

CHAIRMAN BARBIERI: Here.

MS. KWOK: **Commissioner Hyman.**

COMMISSIONER HYMAN: Here.

MS. KWOK: Commissioner Zucaro.

COMMISSIONER ZUCARO: Here.

MS. KWOK: Commissioner Kaplan

COMMISSIONER KAPLAN: Here.

MS. KWOK: Yes, we have a quorum.

CHAIRMAN BARBIERI: All right. The record should also reflect that Commissioner Armitage, the alternate, will be voting today as a voting member of the Commission.

Would everybody please stand for the Pledge of Allegiance and the opening prayer.

(Whereupon, the opening prayer and Pledge of Allegiance were given.)

CHAIRMAN BARBIERI: The Zoning Commission of Palm Beach County has convened at 9:00 a.m. in the Jane M. Thompson Memorial Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida, 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 North Olive Avenue, West Palm Beach, Florida, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:00 a.m. on Thursday, July 24th, 2008, to take final action on the applications we'll be discussing today. 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.

Do we have proof of publication?

MS. KWOK: Yes, we do.

VICE CHAIRMAN ANDERSON: We need a motion to receive and file.

COMMISSIONER KAPLAN: So moved.

CHAIRMAN BARBIERI: Motion made by Commissioner Anderson.

COMMISSIONER BRUMFIELD: Second.

CHAIRMAN BARBIERI: Second by Commissioner Brumfield.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

Those of you that wish to address the Commission today would you please stand and be sworn in by the Assistant County Attorney.

(Whereupon, speakers were sworn in by Mr. Banks.)

MR. BANKS: Thank you.

CHAIRMAN BARBIERI: Are there any disclosures, starting with Commissioner Armitage?

COMMISSIONER ARMITAGE: No disclosures.

COMMISSIONER BRUMFIELD: No disclosures.

VICE CHAIRMAN ANDERSON: No disclosures.

CHAIRMAN BARBIERI: I have none.

COMMISSIONER HYMAN: I was contacted by Dennis Koehler about a couple petitions. I don't know which ones those are.

COMMISSIONER ZUCARO: No disclosures.

COMMISSIONER KAPLAN: No disclosures.

CHAIRMAN BARBIERI: All right. Staff.

MR. Mac GILLIS: We'll begin on Page 2 of your agenda with the postponements.

Item 1, ZV-2008-89, Westgate Station, a request for a postponement of 60 days to September 4th, 2008.

CHAIRMAN BARBIERI: Is there anybody here from the public to speak on Item No. 1, ZV-2008-00089?

(No response)

CHAIRMAN BARBIERI: Is anybody here from the public to speak on anything today?

(No response)

COMMISSIONER KAPLAN: Hearing none, Mr. Chairman, I'll move we postpone ZV-2008-00089, 60 days to Thursday, September 4th, 2008.

CHAIRMAN BARBIERI: Is there a second?

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Seconded. Motion made by Commissioner Kaplan, second by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. Mac GILLIS: Item 2, ZV/DOA/R-2007-1596, the Fountains East at Boynton Beach, a request to postpone 30 days to October 7th, 2008. [Sic]

CHAIRMAN BARBIERI: Is there anybody here to speak on Item 2, ZV/DOA/R2007-1596?

(No response)

COMMISSIONER KAPLAN: I'll move to postpone DOA/R-2007-01596 for 30 days to August 7th, 2008.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, seconded by Commissioner Anderson.

Discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. Mac GILLIS: Item 3, Z/CA-2008-294, a postponement for 30 days to August 7th, 2008.

CHAIRMAN BARBIERI: Is there anybody here to speak on this item?

It's being postponed as a matter of right.
(No response)

CHAIRMAN BARBIERI: Okay.

CHAIRMAN BARBIERI: Item four.

MR. Mac GILLIS: Page 3 of your agenda, Item 4, ZV/DOA/R-2007-1597, Pratt and Orange postponement, 30 days to August 7th, 2008.

CHAIRMAN BARBIERI: Anybody here to speak on Item 4, ZV/DOA/R-2007-1597?

(No response)

COMMISSIONER KAPLAN: I'll move to postpone ZV/DOA/R-2007-1597, 30 days to August 7th, 2008.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. Mac GILLIS: And we have Item 5 on your add and delete for postponement, DOA-2007-2013, a request to postpone 60 days to September 4th, 2008.

CHAIRMAN BARBIERI: Is there anybody here to speak on Item 5, DOA-2007-2013?

(No response)

COMMISSIONER KAPLAN: I'll move to postpone DOA-2007-2013 for 60 days to September 4th, 2008.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. Mac GILLIS: Okay. This brings us to the consent agenda, starting on Page 4, Item 6, ZV-2008-806, Shops at Boca Grove, found on Page 26 through 40.

Staff is recommending approval, subject to four conditions.

There's one motion for this Type II variance to allow a reduction for a compact setback -- compactor setback.

CHAIRMAN BARBIERI: Good morning, Brad.

MR. MILLER: Good morning. For the record, Bradley Miller, Miller Land Planning Consultants.

We're in agreement with the conditions.

CHAIRMAN BARBIERI: All right. Is there anybody here from the public to speak on ZV-2008-806?

(No response)

CHAIRMAN BARBIERI: By the way, I forgot.

I did speak with Brad Miller about this petition briefly on the telephone.

Nobody here to speak, we're ready for a motion.

COMMISSIONER ZUCARO: So moved.

COMMISSIONER KAPLAN: Second.

CHAIRMAN BARBIERI: You want to read the motion.

COMMISSIONER ZUCARO: Motion to adopt a resolution -- sorry.

Motion to adopt a resolution approving a Type II zoning variance to allow a reduction of the compactor setback.

COMMISSIONER KAPLAN: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Zucaro, second by Commissioner Kaplan.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.
CHAIRMAN BARBIERI: Opposed.
 (No response)
CHAIRMAN BARBIERI: Motion carries, 7-0.
MR. MILLER: Thank you.

MR. Mac GILLIS: Item 7, ZV-2008-807, Vista Center Lot 19, found on Page 41 through 55. Staff is recommending approval of this Type II variance to allow an increase in building coverage for Lot 19, subject to five conditions found on Page 50.

CHAIRMAN BARBIERI: Good morning.

MR. JACOBSON: Good morning. Andrew Jacobson, for McCraney Property Company.

We agree to the conditions stated.

CHAIRMAN BARBIERI: All right. Is there anybody here to speak on Item 7, ZV-2008-807?

(No response)

CHAIRMAN BARBIERI: Okay. None.

We need a motion.

COMMISSIONER KAPLAN: I'll move to adopt approval of the request, subject to five conditions on ZV-2008-807.

VICE CHAIRMAN ANDERSON: Second.

COMMISSIONER HYMAN: What was that motion?

(No response)

COMMISSIONER HYMAN: What was that motion?

MS. KWOK: The motion should be a Type II zoning variance to allow an increase in building coverage for Lot 19, subject to five conditions.

COMMISSIONER HYMAN: Right. I'll second it.

COMMISSIONER KAPLAN: So moved.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Okay. Motion made -- that motion was made by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. JACOBSON: Thank you.

CHAIRMAN BARBIERI: The record should reflect that Commissioner Davis is present so she'll be voting in place of Commissioner Armitage.

MR. Mac GILLIS: Okay. This brings us to Page 5 of the agenda, Item 8, ZV/CA-2007-1801, 1747 South Military Trail.

Staff is recommending approval of this application, subject to 10 conditions found on Page 76 through 78 [sic] with one motion.

CHAIRMAN BARBIERI: You look very bright today.

MR. KOEHLER: My wife suggested I brighten your morning today, Mr. Chairman.

CHAIRMAN BARBIERI: Thank you.

MR. KOEHLER: Dennis Koehler, appearing for the applicant.

The conditions are acceptable, and we are eager to win your approval today.

CHAIRMAN BARBIERI: Is there anybody here to speak on Item 8?

(No response)

COMMISSIONER HYMAN: I just had one question on this one.

There was an issue about the height of the signs. There's like a 20-foot sign or something on this one. Do you recall?

CHAIRMAN BARBIERI: Did you think you were going to get away with having to say nothing today?

MS. GLASSER: Maybe.

CHAIRMAN BARBIERI: Maybe?

MS. GLASSER: Good morning. Carol Glasser, project manager.

Yes, the ULDC provides that any commercial property that is surrounded by commercial properties, if it's a 110-foot right-of-way or greater can have a sign 20-foot in height.

With the additional right-of-way taking of Military Trail it would be -- I'm trying to think of the exact distance now -- 132-foot right-of-way, and the applicant had wanted the two signs to be equal since both exceeded the threshold of 110 feet, one by 10-foot and one by 22 feet -- 22½ feet.

The applicant was requesting the code minimum -- maximum requirement of 20 feet in height.

COMMISSIONER HYMAN: Have we -- you know, my best recollection is that we haven't been, you know, allowing signs that high, you know, except where the grade mandated that the sign, you know, have to go above grade if there was a -- some kind of ramp even at, you know, these large intersections.

MR. Mac GILLIS: I believe there was another --

COMMISSIONER HYMAN: Staff, do you recall?

MR. Mac GILLIS: -- sign variance you approved earlier this year for the Volvo dealership. I believe those were exceeding sign face.

Staff had recommended denial on that. The Board had approved that one, though.

The Volvo dealership on Okeechobee Boulevard, there was two -- I think there were

some existing signs, and they wanted to keep them and proposed a new one, and there was variances for those signs that the Board approved.

COMMISSIONER HYMAN: I don't recall.

MS. GLASSER: This is somewhat of a unique property in that the adjacent property to the north, that building is actually right on the property line, so the building doesn't have that much exposure from actually the travel lanes, as one of the ways that they would be able to attract their business is through their signs, and the code allows a 20-foot sign.

So unless you want to restrict them and condition it to be less than what the code allows --

COMMISSIONER HYMAN: And is this going to be a pole sign?

MS. KWOK: No, this is going to be a monument style --

COMMISSIONER HYMAN: You have a 20-foot monument sign, just --

MR. Mac GILLIS: Measured from the finish grade to the top.

MS. GLASSER: There is a picture of it on Page 66.

MS. KWOK: So they're really proposing 15 feet; right?

COMMISSIONER HYMAN: I saw that --

MS. KWOK: Actually, the diagram shows --

COMMISSIONER HYMAN: Shows 15 feet.

MS. KWOK: -- 15 feet.

COMMISSIONER HYMAN: So that's --

MS. KWOK: So we can limit -- recommend a condition limiting to what's being proposed, 15-foot -- feet in height and maximum of 200 square feet sign face area.

COMMISSIONER HYMAN: See, I saw that, and I just didn't --

MS. GLASSER: The reason it was 15-foot is because there was an error on the preliminary site plan showing that Military Trail was 106 feet.

It's really existing at 120. So it's this error from the survey.

They didn't count over from the additional right-of-way taking. This property has had many right-of-way takings, and that was missed on the preliminary site plan.

So when I reviewed it with the agent, reminded to get this corrected at final DRO -- the reason we had taken -- we'd actually had a 15-foot sign and a 20-foot sign, and we took them both to 15 to make them match.

But both right-of-ways are greater than the threshold for maximum --

COMMISSIONER HYMAN: So it's not really an error. I mean this was an appropriate sign. They just thought that the right-of-way was smaller, but this shows that they certainly could have the, you know, perfectly feasible sign at 15 feet.

MR. KOEHLER: I can help you, Madam Chair. We'd accept that reduced height of 15 feet.

COMMISSIONER HYMAN: Okay. All right. I have no problem then.

CHAIRMAN BARBIERI: All right. I think I asked.

Is there anybody from the public to speak on Item No. 8?

(No response)

COMMISSIONER KAPLAN: I'll -- Mr. Chairman, I'll move on ZV/CA-2007-1801, to approve and adopt a resolution approving a Type II zoning variance to allow a reduction of lot size, lot depth, front setback, number of queuing spaces, right-of-way buffer and elimination of foundation planting, conditions as modified.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion was made by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER KAPLAN: I'll also move --

MR. KOEHLER: Thank you.

COMMISSIONER KAPLAN: -- to recommend approval of Class A conditional uses to allow repair and maintenance, general, dispatching office and restaurant, Type 1.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion again by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. KOEHLER: Thanks, Commissioners.

CHAIRMAN BARBIERI: You're welcome.

MR. Mac GILLIS: Next item is nine, ZV/CB/Z-2008-296, Palm Center Car Wash, found on Page 89 through 118.

Staff is recommending approval of this application, subject to three motions and 16 conditions.

COMMISSIONER HYMAN: You know, I didn't see a sign problem on this one.

CHAIRMAN BARBIERI: Good morning, Mr. Miller.

MR. MILLER: Good morning. Bradley Miller, Miller Land Planning Consultants. We're in agreement with the conditions.

CHAIRMAN BARBIERI: Is there any commissioner that have comments?

(No response)

CHAIRMAN BARBIERI: Any comments from the public?

(No response)

COMMISSIONER KAPLAN: I'll move the approval to allow a reduction of required parking, reduction of the right-of-way buffer width and a reduction in the number of shrub types [sic] for ZV/CB/Z-2008-296.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Did he -- was that the motion we had?

COMMISSIONER HYMAN: Yeah, that's the first one.

CHAIRMAN BARBIERI: Okay. All right.

Motion was made by Commissioner Kaplan, second by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER KAPLAN: I'll also move to approve and allow a Class B conditional use for a carwash.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, second by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER KAPLAN: I'll also move to approve rezoning from the Neighborhood Commercial and Single Family Residential Zoning Districts to the General Commercial Zoning District with a Class A conditional use for a carwash.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Kaplan, second by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.
MR. MILLER: Thank you.

MR. Mac GILLIS: This brings us to Page 6, the agenda Item 10, ZV/PDD/W-2007-2012, Jog Distribution Center.

Staff is recommending approval of this application, subject to four -- three motions and subject to 29 conditions found on Page 138 through 142.

Also note on your add and delete staff is recommending deleting Condition No. 4 and No. 2 related to use limitation.

CHAIRMAN BARBIERI: Mr. Miller.

MR. MILLER: Bradley Miller, Miller Land Planning Consultants, representing the applicant, and we're in agreement with the conditions, including the add/delete.

CHAIRMAN BARBIERI: Is there anybody here from the public for item 10, ZV/PDD/W-2007-2012?
 (No response)

CHAIRMAN BARBIERI: Ready for a motion.

COMMISSIONER ZUCARO: Move to adopt a resolution approving a Type II zoning variance to allow a reduction in the required parking spaces, elimination of the loading screening wall, two layers of shrubs and a six-foot wall in the incompatible buffer along the west property line, subject to 29 conditions of approval as outlined in the application.

COMMISSIONER KAPLAN: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Zucaro, seconded by Commissioner Kaplan.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER ZUCARO: Motion to recommend approval of an official zoning map amendment to a Planned Development District from the Agricultural Residential Zoning District to the Multiple Use Planned Development Zoning District.

COMMISSIONER KAPLAN: Second.

CHAIRMAN BARBIERI: Motion made by Commissioner Zucaro, seconded by Commissioner Kaplan.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER ZUCARO: Motion to recommend approval of a waiver to allow a reduction of required frontage for a Planned Development District.

COMMISSIONER KAPLAN: Second.

CHAIRMAN BARBIERI: Motion again by Commissioner Zucaro, seconded by Commissioner Kaplan.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. MILLER: Thank you.

CHAIRMAN BARBIERI: You're welcome.

MR. Mac GILLIS: Eleven -- Item 11, DOA-2008-457, CHS Properties MUPD, found on Pages 156 through 195.

Staff is recommending approval of this development order amendment, subject to 16 conditions found on Page 173 through 186.

MS. WALTER: Good morning, Commissioners.

Collene Walter, with Kilday and Associates, here on behalf of Flagler Systems Management, an affiliate of the Breakers Hotel.

We are in agreement with all of the conditions. There are two conditions that are included on your add/delete memo.

Thank you.

CHAIRMAN BARBIERI: Anybody here from the public to speak on 11, DOA-2008-457?

(No response)

COMMISSIONER KAPLAN: I'll move approval on DOA-2008-457 to recommend approval of a development order amendment to amend the site plan, change the uses, modify two conditions of approval for Pod B and to request extension of commencement for the next phase with all conditions as modified.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion by Commissioner Kaplan, second by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MS. WALTER: Thank you very much.

CHAIRMAN BARBIERI: You're welcome.

MR. Mac GILLIS: Item 12, ZV/Z/CB-2008-305, Volvo Rents.

Staff is recommending of this application, subject to 20 conditions.

There are three motions.

There's also on the add and delete modifications to the motions to which conditions are attached to which motion.

MR. KOEHLER: Commissioners, Dennis Koehler again, representing the property owner.

This is the end of a five-year quest, by the way. My files are about that thick (indicating) on this property.

And I'm going to tell you as -- I should have said earlier with Carol Glasser on the previous petition.

Staff, in this case, Ora Owensby, has been wonderful to work with, and you can tell by how quickly you're getting out of here. I think you're going to set a record today.

The conditions as proposed by staff are all acceptable.

CHAIRMAN BARBIERI: Okay. Is there anybody here from the public to speak on 12, ZV/Z/CB-2008-305?

(No response)

COMMISSIONER KAPLAN: I'll -- Mr. Chairman, I'll move to adopt a resolution approving reduction of the width of the compatibility landscape buffer and the reduction of trees and shrubs in the right-of-way landscape buffer.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER KAPLAN: I'll move to approve -- to recommend approval of the request to allow a rezoning from the Residential High Density Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

COMMISSIONER KAPLAN: To adopt a resolution approving the request for vehicle sales and rental, heavy equipment sales and rental.

VICE CHAIRMAN ANDERSON: Second.

CHAIRMAN BARBIERI: Motion by Commissioner Kaplan, seconded by Commissioner Anderson.

Any discussion?

(No response)

CHAIRMAN BARBIERI: All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

MR. KOEHLER: Thank you, Commissioners, again.

CHAIRMAN BARBIERI: You're welcome.

MR. KOEHLER: Here I've been waiting months to come down to appear before you. I have two petitions, and we're out of here by 9:25 a.m.

CHAIRMAN BARBIERI: If you wear that jacket again, you won't get out of here so quickly the next time.

VICE CHAIRMAN ANDERSON: Next time I'll bring my sunglasses.

COMMISSIONER KAPLAN: I'd like to thank the Chair for moving this meeting very fast.

CHAIRMAN BARBIERI: No problem.

CHAIRMAN BARBIERI: Does staff have anything before we adjourn?

MR. Mac GILLIS: No, Mr. Chair.

CHAIRMAN BARBIERI: We have a motion --

COMMISSIONER ZUCARO: Happy Fourth of July, everybody.

MR. Mac GILLIS: Thank you.

MS. KWOK: Thank you.

CHAIRMAN BARBIERI: Motion to adjourn.

COMMISSIONER HYMAN: Yeah.

VICE CHAIRMAN ANDERSON: Second.

COMMISSIONER ZUCARO: Second.

CHAIRMAN BARBIERI: Motion made by
Commissioner Zucaro, seconded by Commissioner
Anderson.

All in favor.

COMMISSIONERS: Aye.

CHAIRMAN BARBIERI: Opposed.

(No response)

CHAIRMAN BARBIERI: Motion carries, 7-0.

(Whereupon, the meeting was concluded at
9:20 a.m.)

* * * * *

C E R T I F I C A T E

THE STATE OF FLORIDA)

COUNTY OF PALM BEACH)

I, Sophie M. Springer, Notary Public,
State of Florida at Large,

DO HEREBY CERTIFY that the above-entitled
and numbered cause was heard as hereinabove set
out; that I was authorized to and did report the
proceedings and evidence adduced and offered in
said hearing and that the foregoing and annexed
pages, numbered 4 through 18, inclusive, comprise
a true and correct transcription of the Zoning
Commission hearing.

I FURTHER CERTIFY that I am not related to
or employed by any of the parties or their
counsel, nor have I any financial interest in the
outcome of this action.

IN WITNESS WHEREOF, I have hereunto set my
hand and seal this 21st day of July, 2008.

Sophie M. Springer, Notary Public