



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
FEBRUARY 6, 2014**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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REGULAR AGENDA

AMENDMENTS AND ADDITIONS

D. ZONING APPLICATIONS - NEW

5.	(85-91)	ZV/ABN/DOA-2013-02593	Jupiter/Palm Beach Motorcoach Resort (Control 1994-00030)
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ADD All Petition Condition 4 of Exhibit C-2 to read as follows:

4. Commencement of the Development Order shall start by February 27, 2017, modifications maybe permitted administratively as allowed by Article 2.E of the Unified Land Development Code. (DATE: MONITORING - Zoning)

DELETE Environmental Condition 1 and 2

AMEND Environmental Condition 3 to read as follows:

3. A fire-break strip with a minimum width of twenty (20) feet shall be provided adjacent to the north, east and west property lines. This fire-break strip shall be free and clear of landscape materials and permanent structures. A drivable berm with a maximum slope of 3:1 shall be installed within the strip to protect the site from high water levels, west to where the berm will connect to the existing Old Indiantown Road roadbed, where the berm (wall, if utilized in lieu of a berm) will not be of sufficient width to maintain a drivable surface. (DRO:ERM-ERM) (DRO: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

AMEND and REPLACE Landscape -General Condition 4 to read as follows:

~~4. Prior to final Development Review Officer (DRO) approval, the Preliminary Site Plan dated December 12, 2013 shall be amended to add a landscape peninsula or similar design feature. The total area shall be approximately 6,000 square feet (65 foot length and 90 foot depth) to the lake area located on lots D and E, as indicated on the Dailey and Associates Tree Survey dated May 9, 2013. The landscape peninsula configuration is to allow the preservation of the existing cluster of canopy and native trees north of camping sites 91-94. (DRO: ZONING - Monitoring)~~

4. Prior to final Development Review Officer (DRO) approval, the Preliminary Site Plan dated December 12, 2013 shall be amended to incorporate additional areas for the preservation of existing plant materials, including but not limited to: Pines, Saw Palmettos, and Oak.

- A landscape peninsula or similar design feature shall be incorporated into the site design in the area east of camping sites 91-94. The existing plant material is generally located east of camping sites 91-94 in the Preliminary Site Plan and on Lots E and O surrounding the mobile building and wood shed as indicated on the Survey, prepared by Dailey and Associates dated May 9, 2013, amended December 12, 2013.
- The area of the design feature shall be approximately 6,750 square feet (75 foot length and 90 foot depth);

- c. All existing pines that are infested by Pine Bore Beetles shall be removed prior to February 28th, 2014. The intent is to prevent the further infestation of the beetle to other trees.
- d. Existing pines, that are removed shall be replaced pursuant to ULDC Table 7.D.2.D. entitled, "Tree Credit and Replacement", and indicated on the Final Site Plan.
- e. The replacement pines shall be planted in the original location or in close proximity of the original location. (DRO:ZONING-Zoning)



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

THURSDAY FEBRUARY 6, 2014

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Proof of Publication
- E. Adoption of the Minutes
- F. Swearing In
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

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



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

FEBRUARY 6, 2014

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 Vista Center, Ken Rogers Hearing Room, VC-1W-47, 2300 N. Jog Road, 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, February 27, 2014 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. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

Public comment is 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. Adoption of the Minutes
- F. Swearing In - County Attorney
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **ZV/ABN/DOA-2013-01347** Title: a Type II Variance application of Boca Medical Plaza, LLC by RKB Architects Planners Inc., Agent. Request: to allow a reduction in the number of parking spaces and eliminate a loading space.

Title: a Development Order Abandonment application of Boca Medical Plaza, LLC by RKB Architects Planners Inc., Agent. Request: to abandon the Special Exception for a Helipad approved by resolution R-80-1010 and amended by resolutions R-86-96 and R-86-98.

Title: a Development Order Amendment application of Boca Medical Plaza, LLC by RKB Architects Planners Inc., Agent. Request: to modify the Site Plan and add square footage.

General Location: Southwest corner of Powerline Road and Camino Real. **(Fountains Center aka Camino Real Centre)** (Control 1980-00108)

Pages 1 - 1

Project Manager: Carol Glasser

Size: 14.60 acres ±

BCC District: 4

Staff Recommendation: Staff recommends a postponement to March 6, 2014.

MOTION: To postpone to March 6, 2014.

B. REMANDS

C. WITHDRAWALS

2. **ZV-2012-03380** Title: a Type II Variance application of AMKBJ Partners Ltd, Agriculture Property Inc by Land Research Management Inc., Agent. Request: to allow the elimination of the perimeter landscape buffers along the western portion of the north and south property lines and the entire west property line.

General Location: 1/4 mile north of the northwest corner of Boynton Beach Boulevard and State Road 7/US 441 on the west side of SR 7/US 441. **(Atlas Peat and Soil)** (Control 1979-00120)

Pages 2 - 2

Project Manager: Donna Adelsperger

Size: 62.80 acres ±

BCC District: 5,6

Staff Recommendation: N/A (application withdrawn by agent)

MOTION: N/A (application withdrawn by agent)

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT**
- B. STATUS REPORTS**
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- D. ZONING APPLICATIONS - NEW**
- E. CORRECTIVE RESOLUTIONS**
- F. SUBDIVISION VARIANCE**

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

3. **SV/Z/CA-2012-03112** Title: a Subdivision Variance application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow access to a non-residential property from a 60-foot wide ultimate Right-of-Way for Ranches Road, which is 20 feet less than the required 80 feet in width.

Title: an Official Zoning Map Amendment application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow the rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow a General Day Care Center.

General Location: South of Hypoluxo Road on the northeast side of Jog Road and Ranches Road. (**Learning Place Academy**) (Control 1975-00145)

Pages 3 - 43

Conditions of Approval Pages (11 - 14)

Project Manager: Joyce Lawrence

Size: 1.06 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Subdivision Variance to allow access to a non-residential property from a 60-foot wide ultimate Right-of-Way for Ranches Road, which is 20 feet less than the required 80 feet in width subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Transitional (RT) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a General Day Care Center subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

4. **ZV/DOA-2013-01605** Title: a Type II Variance application of Partners Point LLC by Jeff H. Iravani Inc., Agent. Request: to allow a reduction of the Right-of-Way buffer along Jog Road and Atlantic Avenue; to allow easement encroachment within a Right-of-Way Buffer; and, to allow 24-hour operations within 250 feet of a Residential District.

Title: a Development Order Amendment application of Partners Point LLC by Jeff H. Iravani Inc., Agent. Request: to reconfigure the Site Plan; and, to add square footage.

General Location: Southwest corner of Atlantic Avenue and Jog Road. **(King's Point Plaza-Walgreens)** (Control 1979-00129)

Pages 44 - 75

Conditions of Approval Pages (52 - 57)

Project Manager: David McGuire

Size: 14.15 acres ±

BCC District: 5

(affected area 0.95 acres ±)

Staff Recommendation: Staff recommends denial of the request to allow a reduction of the Right-of-Way buffer along Jog Road and Atlantic Avenue. Staff recommends approval of the requests to allow easement encroachment within a Right-of-Way buffer; and, to allow 24-hour operations within 250 feet of a Residential District subject to 6 Conditions of Approval as indicated on Exhibit C-1; and, approval to reconfigure the site plan; and, add square footage subject to 19 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution denying a Type II Variance to allow a reduction of the Right-of-Way buffer along Jog Road and Atlantic Avenue.

MOTION: To adopt a resolution approving a Type II Variance to allow easement encroachment within a Right-of-Way Buffer; and, to allow 24-hour operations within 250 feet of a Residential District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; and, to add square footage subject to the Conditions of Approval as indicated in Exhibit C-3.

5. **ZV/ABN/DOA-2013-02593** Title: a Type II Variance application of Paul Thomas by Urban Design Kilday Studios, Agent. Request: to eliminate plant material within an Incompatibility Landscape Buffer (north, east and west); and, to increase the percentage of palms to canopy trees.

Title: a Development Order Abandonment application of Paul Thomas by Urban Design Kilday Studios, Agent. Request: to abandon Resolution Number R-2008-0704, for a Water Treatment Plant in the Recreational Vehicle Planned Development (RVPD) Zoning District.

Title: a Development Order Amendment application of Paul Thomas by Urban Design Kilday Studios, Agent. Request: to modify the Site Plan; delete a Condition of Approval (Use Limitation and Landscaping); and, decrease the number of RV sites from 140 to 100.

General Location: Approximately one mile west of Jupiter Farms Road on the north side of Indiantown Road. (**Jupiter-Palm Beach Motorcoach Resort RVPD**) (Control 2006-00185)

Pages 76 - 128

Conditions of Approval Pages (84 - 91)

Project Manager: Roger Ramdeen

Size: 17.21 acres ±

BCC District: 1

Staff Recommendation: Staff recommends denial of the request for a Type II Variance (V1) to increase the percentage of palms to canopy trees. Staff recommends approval of the Type II Variance (V2) for elimination of the plant material in the north, east and west property lines subject to the 6 Conditions of Approval as indicated in Exhibit C-1 and, approval of the Development Order Amendment subject to 28 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution denying a Type II Variance to increase the number of palms to canopy trees.

MOTION: To adopt a resolution approving a Type II Variance to eliminate plant material within an Incompatibility Landscape Buffer (north, east and west) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Abandonment to abandon Resolution Number R-2008-0704, that allowed for a Water Treatment Plant in the Recreational Vehicle Planned Development (RVPD) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan; delete a Condition of Approval (Use Limitation and Landscaping); and, decrease the number of RV sites from 140 to 100 subject to the Conditions of Approval as indicated in Exhibit C-2.

- 6. **ZV/DOA/R-2013-02595** Title: a Type II Variance application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a business activity between 11:00 p.m. and 6:00 a.m. within 300 feet of a residential unit; a reduction in the landscape buffer width and plant materials; and, elimination of the required wall.
Title: a Development Order Amendment application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to modify the Site Plan; and, to add a Requested Use.
Title: a Requested Use application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge within 300 feet of a Residential District.
General Location: Approximately 0.5 miles west of Military Trail on the south side of SW 18th Street. (**Shoppes at Village Pointe**) (Control 1984-00152)

Pages 129 - 161

Conditions of Approval Pages (136 - 140)

Project Manager: Joyce Lawrence

Size: 7.00 acres ±

BCC District: 4

(affected area 0.22 acres ±)

Staff Recommendation: Staff recommends denial of the Type II Variance to allow a business activity between 11:00 p.m. and 6:00 a.m. within 300 feet of a residential unit. Staff recommends approval of the requests to reduce the landscape buffer width and plant materials; and, to eliminate the wall (V2 and V3) subject to 6 Conditions of Approval as indicated in Exhibit C-1; and, approval of the Development Order Amendment subject to 24 Conditions of Approval as indicated in Exhibit C-3 and of the Requested Use.

MOTION: To adopt a resolution to deny the Type II Variance to allow a business activity between 11:00 p.m. and 6:00 a.m. within 300 feet of a residential unit.

MOTION: To adopt a resolution approving a Type II Variance to reduce the landscape buffer width and plant materials; and, eliminate the wall (V2 and V3) subject to 6 Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of the Development Order Amendment to modify the Site Plan; and, add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of the Requested Use to allow a Cocktail Lounge.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

- 7. Annual Election of Chair and Vice Chair

Pages

MOTION:

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

D. COMMISSIONERS

ADJOURNMENT