



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
JUNE 5, 2014**

AGENDA

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

AMENDMENTS AND ADDITIONS

D. ZONING APPLICATIONS – NEW

4.	(59)	ABN/DOA-2014-00291 (Control 1996-00016)	Boynton Healthcare Center
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AMEND Landscape – General Condition 5 to read as follows:

5. Prior to ~~December 26, 2014~~ June 26, 2015, the Property Owner shall replace all dead and missing plant materials on the entire subject property. (ONGOING: LANDSCAPE - Landscape)

REGULAR AGENDA

AMENDMENTS AND ADDITIONS

9.	(195-197)	ZV/ DOA/R/TDR-2014-00292 (Control 1979-00228)	Faulk Senior Residence at Faulk Foundation
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WITHDRAW Type II Variance request to allow a reduction in the width of a Right-of-Way Buffer.

AMEND Engineering Condition 2 to read as follows:

2. Prior to the issuance of the first certificate of occupancy, the Property Owner shall complete construction of a guardrails along the west bank of the LWDD E-2-W Canal on at the intersection of Boca Rio Road across from all project driveways with egress onto Boca Rio Road, and both access drives along the west bank of the E-2-W Canal, as approved by the County Engineer. (BLDG/PMT/CO: MONITORING - Engineering)

AMEND Planning Condition 2 to read as follows:

2. No additional increases in density or intensity shall be permitted. All of the density and intensity associated with the future land use designation has been utilized; no additional development potential remains on this site. (ONGOING: PLANNING-Planning)

ADD New Site Design Condition to Exhibits C-2 and C-3:

1. Prior to final approval by the Development Review Officer (DRO), the Type 3 Congregate Living Facility (CLF) building may be relocated up to ten (10) feet to the south to accommodate the stormwater management system permitting requirements.

10. (222) PDD/R/TDR-2013-01847 Stonybrook on the Lake
(Control 1978-00032)

AMEND Engineering Condition 2 to read as follows:

2. The Property Owner shall fund the cost of signal installation at Atlantic Avenue and Sims Road. Signalization shall be a mast arm structure installation. The cost of signalization shall also include all design costs and any required utility relocation and right of way or easement acquisition. No Building Permits for more than 66 apartment units shall be issued until the Property Owner makes a payment to the Traffic Division in an amount as determined by the Director of the Traffic Division. This amount will be impact fee creditable. However, if the signal is warranted at any time after the first building permit is pulled and before the above threshold for building permits is reached, as determined by the County Engineer, a full payment for the signal will be required to be made within 60 days of the request for such payment by the County Engineer. If the signal is not warranted at this location, the amount paid by the Property Owner may be used for any other road improvements as specified in Article 13, Impact Fee, of the ULDC, or as determined by the County Engineer.

11. (286-289) ZV/PDD/DOA-2014-00092 Atlantic Commons PUD
(Control 2004-00525)

AMEND Engineering Condition 5 to read as follows:

5.b Prior to the issuance of the first certificate of occupancy for any lot within the pod, Pods B-2, C-1 or C-2,...

DELETE Engineering Condition 16 [Reason: No longer valid. Superseded by a new condition]

DELETE Engineering Condition 17 [Reason: No longer valid. Superseded by a new condition]

DELETE Engineering Condition 18 [Reason: No longer valid. Superseded by a new condition]

ADD Engineering Condition and renumber as required:

No building permits for more than 783 units (395 Apartments and 388 Single Family Homes) or equivalent of 6645 daily trips shall be issued until the Property Owner makes an additional proportionate share payment of \$332,141.00, which represents the Property Owner's proportionate share of widening of Atlantic Ave from Florida Turnpike to Jog Road from a 4-lane divided highway to a 6-lane divided highway. This proportionate share amount may be applied towards construction of this improvement or one or more other improvements that will benefit mobility in the area impacted by the project as determined by the County Engineer. The County Engineer shall also have the authority to require the amount be adjusted to reflect updates in project costs, which includes construction as well as ROW acquisition costs.

12. (364) ZV/DOA/R-2014-00079 Michelangelo Senior Living
(Control 1997-00096) MUPD

AMEND Engineering Condition 4 to read as follows:

4. Prior to issuance of the first building permit... ~~Falvor~~ Flavor Pict Road and...



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

THURSDAY JUNE 5, 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

JUNE 5, 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, June 26, 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/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 until 2:00 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 1 - 1

Project Manager: Joyce Lawrence

Size: 7.00 acres ±

BCC District: 4

Staff Recommendation: Staff recommends postponement to Thursday July 3, 2014.

MOTION: To postpone to Thursday, July 3, 2014.

B. REMANDS

C. WITHDRAWALS

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**

2. **ZV-2014-00468** Title: a Type II Variance application of South Fla Water Mgmt Dist by South Florida Water Management District, Agent. Request: to allow an increase in height for an Accessory Tower.

General Location: Approximately 0.4 mile west of Congress Avenue on the north side of Gun Club Road. **(SFWMD B-66 Tower Relocation)** (Control 1997-00098)

Pages 2 - 20

Conditions of Approval Pages (6 - 6)

Project Manager: Donna Adelsperger

Size: 27.32 acres ±

BCC District: 2

(affected area 1.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 5 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in height for an Accessory Tower subject to the Conditions of Approval as indicated in Exhibit C.

3. **DOA/R-2013-03129** Title: a Development Order Amendment application of Bass Pro Outdoor World LLC - Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan; delete square footage, and to modify and delete Conditions of Approval (Use Limitation, Height, and Unity of Title).

Title: a Requested Use application of Bass Pro Outdoor World LLC - Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to allow Vehicle Sales and Rental (boat sales).

General Location: Approximately 0.5 mile north of PGA Boulevard on the east side of U.S. Highway No. 1. **(World Wide Sportsman)** (Control 1986-00124)

Pages 21 - 52

Conditions of Approval Pages (26 - 31)

Project Manager: Roger Ramdeen

Size: 5.73 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 27 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; delete square footage, and to modify and delete Conditions of Approval (Use Limitation, Height, and Unity of Title) subject to Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Requested Use to allow Vehicle Sales and Rental (boat sales).

4. **ABN/DOA-2014-00291** Title: a Development Order Abandonment application of AP2012 Boynton LLC by Urban Design Kilday Studios, Agent. Request: to abandon the Class A Conditional Use for a Type III Congregate Living Facility granted under Resolution R-1996-993.

Title: a Development Order Amendment application of AP2012 Boynton LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan and add beds to an existing Nursing or Convalescent Facility.

General Location: Approximately 2,200 feet southwest of Boynton Beach Boulevard and Hagen Ranch Road. **(Boynton Health Care Center)** (Control 1996-00016)

Pages 53 - 73

Conditions of Approval Pages (58 - 61)

Project Manager: Roger Ramdeen

Size: 4.76 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 15 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of the Development Order Abandonment to abandon the Class A Conditional Use for a Type III Congregate Living Facility granted under Resolution R-1996-993.

MOTION: To recommend approval of the Development Order Amendment to reconfigure the site plan and add beds to an existing Nursing or Convalescent Facility subject to the Conditions of Approval as indicated in Exhibit C.

5. **ZV/ABN/DOA/CA-2014-00293** Title: a Type II Variance application of VITAS Healthcare Corporation by Urban Design Kilday Studios, Agent. Request: to allow the elimination of a Compatibility Buffer along a portion of the west property line.

Title: a Development Order Amendment application of VITAS Healthcare Corporation by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan; add a use; and delete the Conditional Overlay Zone (COZ) and the Conditions of Approval.

Title: a Class A Conditional Use application of VITAS Healthcare Corporation by Urban Design Kilday Studios, Agent. Request: to allow a Nursing or Convalescent Facility.

General Location: Approximately 3,000 feet east of Jog Road on the south side of W. Atlantic Avenue. **(Vitas Hospice)** (Control 2000-00006)

Pages 74 - 110

Conditions of Approval Pages (81 - 85)

Project Manager: Joyce Lawrence

Size: 2.20 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1, subject to 4 Conditions of Approval as indicated in Exhibit C-2, and subject to 6 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution for a Type II Variance to allow the elimination of a Compatibility Buffer along the west property line 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; add a use; and delete the Conditional Overlay Zone (COZ); and, the Conditions of Approval subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Class A Conditional Use to allow a Nursing or Convalescent Facility subject to Conditions of Approval as indicated in Exhibit C-3.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 6. **DOA-2013-02926** Title: a Development Order Amendment application of J L Property Owners Assn Inc by Land Design South Inc., Agent. Request: to modify the Master Plan to re-designate a land use from Private Buffer to Civic.
General Location: Southeast corner of Alternate AIA and Indiantown Road. **(Jonathan's Landing PUD)** (Control 1974-00195)

Pages 111 - 134

Conditions of Approval Pages (116 - 121)

Project Manager: Roger Ramdeen

Size: 631.05 acres ±

BCC District: 1

(affected area 2.58 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 42 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan to re-designate a land use from Private Buffer to Civic subject to the Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

- 7. **ZV/DOA/R-2014-00285** Title: a Type II Variance application of Woolbright Pinewood Llc by Land Design South Inc., Agent. Request: to allow business activity to be 24 hours a day within 250 feet of a residential zoning district.
Title: a Development Order Amendment application of Woolbright Pinewood Llc by Land Design South Inc., Agent. Request: to modify the Site Plan and add a Requested Use.
Title: a Requested Use application of Woolbright Pinewood Llc by Land Design South Inc., Agent. Request: to allow a Medical Center.
General Location: Southeast corner of Jog Road and Lantana Road. **(Pinewood Square)** (Control 1986-00008)

Pages 135 - 165

Conditions of Approval Pages (142 - 148)

Project Manager: Carrie Rechenmacher

Size: 28.39 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the Type II Variance.

Staff recommends approval of the Development Order Amendment subject to subject to 35 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution denying a Type II Variance to allow business activity to be 24 hours a day within 250 feet of a residential zoning district.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-2.

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

8. **ZV-2013-03120** Title: a Type II Variance application of Lantana Shiv Property, LLC by Land Design South Inc., Agent. Request: to allow a reduction in lot size and depth; and, to allow business activity to begin at 4:00 a.m. within 250 feet of a residential zoning district.

General Location: Southeast corner of Lantana Road and Military Trail. **(Dunkin Donuts)** (Control 1994-00005)

Pages 166 - 186

Conditions of Approval Pages (172 - 172)

Project Manager: Carol Glasser

Size: 0.66 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the request.

MOTION: To adopt a resolution denying a Type II Variance to allow a reduction in lot size and lot depth; and, an increase in the hours of operation within 250 feet of a residential district.

9. **ZV/DOA/R/TDR-2014-00292** Title: a Type II Variance application of Elizabeth H. Faulk Foundation, Inc. by Urban Design Kilday Studios, Agent. Request: to allow a reduction in the width of a Right-of-Way Buffer.
Title: a Development Order Amendment application of Elizabeth H. Faulk Foundation, Inc. by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan; add square footage and Requested Uses; and, delete a Condition of Approval (Engineering).
Title: a Requested Use application of Elizabeth H. Faulk Foundation, Inc. by Urban Design Kilday Studios, Agent. Request: to allow a Type 3 Congregate Living Facility and Transfer of Development Rights.
Title: a Transfer of Development Rights application of Elizabeth H. Faulk Foundation, Inc. by Urban Design Kilday Studios, Agent. Request: to allow the Transfer of Development Rights for 2 units and designate this site as a receiving area.
General Location: On Boca Rio Road approximately 2,300 feet south of Palmetto Park Road. **(Faulk Senior Residence at Faulk Foundation)** (Control 1979-00228)

Pages 187 - 214

Conditions of Approval Pages (194 - 198)

Project Manager: Carol Glasser

Size: 10.01 acres \pm

BCC District: 5

(affected area 6.87 acres \pm)

Staff Recommendation: Staff recommends denial of the Type II Variance.

Staff recommends approval of the Development Order Amendment, Requested Uses and Transfer of Development Rights subject to 17 Conditions of Approval as indicated in Exhibit C-2, 4 Conditions of Approval as indicated in Exhibit C-3, and 7 Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution denying a Type II Variance to allow a reduction in the width of a Right-of-Way Buffer.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan; add square footage and Requested Uses; and, delete a Condition of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Requested Use to allow a Type 3 Congregate Living Facility and Transfer of Development Rights subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of a Transfer of Development Rights for 2 units and designate this site as a receiving area subject to the Conditions of Approval as indicated in Exhibit C-4.

- 10. **PDD/R/TDR-2013-01847** Title: an Official Zoning Map Amendment to a Planned Development District application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Rezoning from the Agriculture Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Residential Planned Unit Development (PUD) District.
Title: a Requested Use application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights (TDR).
Title: a Transfer of Development Rights application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights for 53 units and designate this site as a receiving area.
General Location: On the south side of Lake Ida Road between Sims Road and Via Flora. **(Stonybrook on the Lake)** (Control 1978-00032)

Pages 215 - 269

Conditions of Approval Pages (222 - 225)

Project Manager: Roger Ramdeen

Size: 31.07 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to the 16 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a Rezoning from the Agriculture Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Residential Planned Unit Development (PUD) District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of the Requested Use to allow a Transfer of Development Rights (TDR).

MOTION: To recommend approval of the Transfer of Development Rights to allow a Transfer of Development Rights for 53 units and designate this site as a receiving area subject to the Conditions of Approval as indicated in Exhibit C-2.

11. **ZV/PDD/DOA-2014-00092** Title: a Type II Variance application of Atlantic Commons Associates, LLLP by G.L. Homes, Agent. Request: to allow a zero-foot setback, an increase in height, name and directional information, and an increase in sign face area for an Entrance Sign; to allow off-site directional information on an Entrance Sign; to relocate an Incompatibility Buffer from the perimeter; to eliminate a Right-of-Way Buffer and a Compatibility Buffer; and, to allow a reduction in minimum lot size, an increase in building coverage, and a decrease in front-loading garage setback for Zero Lot Line Homes.

Title: an Official Zoning Map Amendment to a Planned Development District application of Atlantic Commons Associates, LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment application of Atlantic Commons Associates, LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan; add land area; redesignate unit types; delete units; add a model row; and, modify/delete Conditions of Approval (Engineering, Landscape, Site Design).

General Location: Northeast corner of Atlantic Avenue and Florida's Turnpike. **(Atlantic Commons PUD)** (Control 2004-00525)

Pages 270 - 352

Conditions of Approval Pages (283 - 296)

Project Manager: Carol Glasser

Size: 165.25 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the Type II Variance (V1-V9), the Rezoning, and the Development Order Amendment subject to 8 Conditions of Approval as indicated in Exhibit C-1 and, 49 Conditions of Approval as indicated in Exhibit C-2.

Staff recommends denial of the Type II Variance for reduction in lot size, increase in building coverage and decrease in front loading garage setback for Zero Lot Line Homes (V10-V12).

MOTION: To adopt a resolution approving a Type II Variance to allow a zero-foot setback, an increase in height, name and directional information, and an increase in sign face area for an Entrance Sign; to allow off-site directional information on an Entrance Sign; to relocate an Incompatibility Buffer from the perimeter; to eliminate a Right-of-Way Buffer and a Compatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution denying a Type II Variance to allow a reduction in minimum lot size, an increase in building coverage, and a decrease in front-loading garage setback for Zero Lot Line Homes.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; add land area; redesignate unit types; delete units; add a model row; and, modify/delete Conditions of Approval (Engineering, Landscape, Site Design).

12. **ZV/DOA/R-2014-00079** Title: a Type II Variance. application of Willow Development USA LLC - Serge Van Duuren by Miller Land Planning, Agent. Request: to allow a reduction in the number of required loading spaces and reduce the length of the covered loading area.
Title: a Development Order Amendment. application of Willow Development USA LLC - Serge Van Duuren by Miller Land Planning, Agent. Request: to modify the site plan; add uses; and, delete of all prior Conditions of Approval.
Title: a Requested Use. application of Willow Development USA LLC - Serge Van Duuren by Miller Land Planning, Agent. Request: to allow a Type III Congregate Living Facility; a General Daycare; and, a Type II Restaurant.
General Location: Northwest corner of Jog Road and Flavor Pict Road. **(Michelangelo Senior Living MUPD)** (Control 1997-00096)

Pages 353 - 400

Conditions of Approval Pages (362 - 366)

Project Manager: Carrie Rechenmacher

Size: 14.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1 and 29 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in the number of required loading spaces and the length of the covered loading area subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of the Development Order Amendment to modify the site plan; add uses; and, delete of all prior Conditions of Approval (R-2006-1535) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of the Requested Uses for a Type III Congregate Living Facility; a General Daycare; and, a Type II Restaurant.

E. SUBDIVISION VARIANCE

13. **SD-143** Title: a Subdivision Variance application of Taric Commercial Properties, LLC by Frogner Consulting LLC, Agent. Request: To allow a variance from the requirement that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations.
General Location: Approximately 0.75 miles south of Hypoluxo Road, on the east side of Military Trail, in the CG Zoning District. **(BAREFOOT POOLS)** (1999-00062).

Conditions of Approval Pages (409 - 409)

Project Manager: Joanne M. Keller

Size: 3.457 acres +/-

Staff Recommendation: Staff recommends denial of the request.

Pages 401 - 410

MOTION: To adopt a resolution denying a Subdivision Variance from the requirement that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations.

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

14. [Architecture Elevations Update](#)

Pages 411 - 412

MOTION:

C. EXECUTIVE DIRECTOR

D. COMMISSIONERS

ADJOURNMENT