



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

THURSDAY MARCH 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

MARCH 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, March 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/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 1 - 1

Project Manager: Joyce Lawrence

Size: 7.00 acres ±

BCC District: 4

(affected area 0.22 acres ±)

Staff Recommendation: Staff recommends a postponement to April 3, 2014.

MOTION: To postpone to April 3, 2014.

- 2. **ZV-2013-01622** Title: a Type II Variance application of F G H Inc by Jon E Schmidt & Associates, Agent. Request: to allow a reduction in the rear setback, above ground gas tank setback, the number of off-street parking spaces, the number of queuing spaces, the minimum width for one way drive aisles, the minimum width for foundation plantings, allow an increase in easement overlap, the right-of-way buffer widths along Alternate A1A and Florida Boulevard, to eliminate shrubs within the right-of-way buffers along Alternate A1A and Florida Boulevard; and, to increase sign height.
General Location: Southeast corner of Alternate A1A and Florida Boulevard. **(Thomas Colony Shell)** (Control 1988-00100)

Pages 2 - 2

Project Manager: Roger Ramdeen

Size: 0.69 acres ±

BCC District: 1

(affected area 0.24 acres ±)

Staff Recommendation: Staff recommends a postponement to April 3, 2014.

MOTION: To postpone to April 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**

3. **DOA-2013-01342** Title: a Development Order Amendment application of Buckeye Real Estate Investments LLC by Creech Engineers Inc., Agent. Request: to modify the Site Plan, add an access point, and modify a Conditions of Approval (Signage, Access).

General Location: Northwest corner of SR7/US441 and Palmetto Park Road. **(West Boca Square)** (Control 1980-00114)

Pages 3 - 31

Conditions of Approval Pages (8 - 17)

Project Manager: Carrie Rechenmacher

Size: 33.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 56 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify the Site Plan, add an access point, and modify a Conditions of Approval (Signage, Access) subject to Conditions of Approval as indicated in Exhibit C.

4. **Z/DOA-2013-02915** Title: an Official Zoning Map Amendment application of Wellington Preparatory School Property L, Wellington Preparatory School, LLC by Miller Land Planning, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Development Order Amendment application of Wellington Preparatory School Property L, Wellington Preparatory School, LLC by Miller Land Planning, Agent. Request: to modify the Site Plan and add land area.

General Location: North side of Lake Worth Road west of Lyons Road. **(Wellington Preparatory School)** (Control 1998-00012)

Pages 32 - 59

Conditions of Approval Pages (38 - 43)

Project Manager: Carol Glasser

Size: 13.03 acres ±

BCC District: 6

(affected area 4.11 acres ±)

Staff Recommendation: Staff recommends approval of the rezoning; and, approval of the Development Order Amendment request subject to 42 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

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

5. **ZV-2013-02617** Title: a Type II Variance application of Congress Plaza Llc by Land Research Management Inc., Agent. Request: to allow a reduction in the length of the building frontage.

General Location: Approximately 550 feet south of Okeechobee Boulevard on the east side of Congress Avenue. (**Congress Plaza Parking Lot**) (Control 1999-00090)

Pages 60 - 73

Conditions of Approval Pages (63 - 63)

Project Manager: Roger Ramdeen

Size: 0.95 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 6 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in the length of the building frontage subject to the Conditions of Approval as indicated in Exhibit C.

6. **ZV/CB/ABN-2013-01845** Title: a Type II Variance application of Jasmine Of Palm Beach Ltd by Land Design South Inc., Agent. Request: to allow an increase in the maximum setback from the build-to-line from Congress Avenue and to the side street setback, to eliminate the queuing requirement at both ends of the pump islands and to reduce the width of the right-of-way buffer

Title: a Class B Conditional Use application of Jasmine Of Palm Beach Ltd by Land Design South Inc., Agent. Request: to allow a Convenience Store with Gas Sales.

Title: a Development Order Abandonment application of Jasmine Of Palm Beach Ltd by Land Design South Inc., Agent. Request: to abandon a Special Exception for a Gasoline Pump Island granted under Resolution 1980-0377.

General Location: Located on the northwest corner of Congress Avenue and Westgate Avenue. (**Meerdink's Little Ranches**) (Control 1980-00008)

Pages 74 - 106

Conditions of Approval Pages (82 - 84)

Project Manager: Roger Ramdeen

Size: 0.61 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the Type II Variance subject to 6 Conditions of Approval as indicated in Exhibit C-1; approval of the Class B Conditional Use subject to 11 Conditions of Approval as indicated in Exhibit C-2; and, approval of the Development Order Abandonment.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in the maximum setback from the build-to-line from Congress Avenue and to the side street setback, to eliminate the queuing requirement at both ends of the pump islands and to reduce the width of the right-of-way buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception for a Gasoline Pump Island granted under Resolution 1980-0377.

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

7. **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 107 - 140

Conditions of Approval Pages (114 - 119)

Project Manager: Carol Glasser

Size: 14.60 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1 for the Type II Variance and 25 Conditions of Approval as indicated in Exhibit C-2 for the Development Order Amendment.

MOTION: To adopt a resolution approving Type II Variances to allow a reduction in the number of parking spaces and eliminate a loading space subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Abandonment 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.

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

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

D. COMMISSIONERS

ADJOURNMENT