



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
MAY 1, 2014**

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

CONSENT AGENDA

REQUESTS TO PULL ITEMS FROM CONSENT

2.	(2-23)	DOA-2013-02926 (Control 1974-00195)	Jonathan's Landing PUD
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AMENDMENTS AND ADDITIONS

D. ZONING APPLICATIONS – NEW

5.	(104-115)	ZV/PDD/DOA-2014-00089 (Control 2005-00455)	Hyder AGR-PUD
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AMEND Engineering Condition 1 to read as follows:

e. Previous ENGINEERING condition 1.e of Resolution R-2013-968, Control No.2005-00455, which currently states Building Permits for more than 317 dwelling units shall not be issued until either: i) the contract has been awarded for the construction of a third westbound through lane on Atlantic Avenue at the Turnpike east intersection, including an appropriate receiving lane and the appropriate paved tapers, OR ii) the property owner makes a proportionate share payment in the amount of 14.7% of the total cost to construct the above improvement. (BLDGPMPT: MONITORING - Engineering) ~~(Previous ENGINEERING condition 1 of Resolution R-2013-968, Control No.2005-00455) [Note: COMPLETED]~~

Is hereby deleted [Reason: Superseded by another condition]

AMEND Lake Worth Drainage District Condition 1 to read as follows:

1. Previous LAKE WORTH DRAINAGE condition 1 of Resolution R-2013-968, Control No.2005-00455, which currently states:

Prior to platting, approval from LWDD for Technical Compliance, or the issuance of any LWDD permits, the owner shall convey to LWDD either by warranty or easement deed, the north 65 feet of Tracts 65-80, the south 85 feet of Tracts 113-128 and east 50 feet east of the west 130 feet of Tracts 17, 48-49, 80-81 and 112-113 all lying within Section 30/46/42, less lands owned by LWDD for the required right-of-way for the L-37, L-38 and E-1 Canals. ~~(Previous LAKE WORTH DRAINAGE DISTRICT condition 1 of Resolution R-2013-968, Control No.2005-00455) (PLAT: ENGINEERING – Lake Worth Drainage District)~~

Is hereby amended to read:

Prior to platting, approval from LWDD for Technical Compliance, or the issuance of any LWDD permits, the owner shall convey to LWDD either by warranty or easement deed, the north 65 feet

of Tracts 65-80, the south 85 feet of Tracts 113-128 and east 50 feet east of the west 130 feet of Tracts 17, 48-49, 80-81 and 112-113 all lying within Section 30/46/42, less lands owned by LWDD for the required right-of-way for the L-38 and E-1 Canals. (PLAT: ENGINEERING - Lake Worth Drainage District)

REPLACE Palm Tran Condition 1 to read as follows:

1. Prior to Plat Recordation, within the Hyder North portion of the project (lying between the LWDD L-36 and L-38 canals), the Property Owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area (Lyons Rd at Entrance) in a form with terms and conditions approved by Palm Tran. Prior to Plat Recordation within the Hyder South portion of the project (lying between the LWDD L-38 and L-39 canals), the Property Owner shall convey and/or dedicate to Palm Beach County an easement for a Bus Stop Boarding and Alighting Area (Lyons Road at Entrance) in a form with terms and conditions approved by Palm Tran. Supporting documentation, including but not limited to, a location sketch, legal description, affidavit of ownership, attorney title opinion and other related documents as deemed necessary by Palm Tran shall be required. (Previous PALM TRAN condition 1 of Resolution R-2013-968, Control No.2005-00455) (PLAT: MONITORING - Palm-Tran)

REPLACE School Board Condition 2 to read as follows:

2. Prior to the issuance of the first Certificate of Occupancy (CO), within the Hyder North portion of the project, the school bus shelters shall be constructed by the property owner in a location and manner acceptable to the Palm Beach County School Board. Prior to issuance of the first Certificate of Issuance (CO) within the Hyder South portion of the project, the school bus shelter shall be constructed by the property owner in a location and manner acceptable to the Palm Beach County School Board. Provisions for the bus shelter shall include, at a minimum, a covered area, continuous paved pedestrian and bicycle access from the subject property or use, to the shelter. Maintenance of the bus shelters shall be the responsibility of the residential property owner. (Previous SCHOOL BOARD condition 2 of Resolution R-2013-968, Control No.2005-00455) (CO: MONITORING - School Board)

6.	(164)	PDD/R-2013-00771 (Control 2001-00064)	Southern Light Industrial Park
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ADD Environmental Condition 2 to Exhibit C-1:

2. The property owner shall submit a hazardous material management plan for each tenant to the Environmental Resources Management (ERM) Department consistent with the requirement of ULDC Art. 14.B, Wellfield Protection. (BLDGPMT: ENVIRONMENTAL RESOURCE MANAGEMENT - Environmental Resource Management)

REGULAR AGENDA

D. ZONING APPLICATIONS – NEW

10.	(317-319)	DOA-2013-03128 (Control 1981-00013)	Lake Worth Road CLF
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AMEND USE LIMITATIONS Condition 1 to read as follows:

1. The use of the site and the accessory facilities and/or functions is limited to the residents ~~currently~~ in-residence at the facility. No persons or patients not ~~currently~~ housed at the facility may use and/or utilize any part of the facility. (ONGOING: ZONING - Zoning)



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

THURSDAY MAY 1, 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

MAY 1, 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, May 22, 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 \pm BCC District: 4

Staff Recommendation: Staff recommends postponement to Thursday June 5, 2014.

MOTION: To postpone to Thursday, June 5, 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. **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; re-designate a land use from Private Buffer to Civic; delete an access point; and, modify Conditions of Approval (Engineering).
General Location: Southeast corner of Alternate AIA and Indiantown Road. **(Jonathan's Landing PUD)** (Control 1974-00195)

Pages 2 - 23
Conditions of Approval Pages (7 - 12)
Project Manager: Roger Ramdeen
Size: 631.05 acres \pm BCC District: 1
(affected area 2.58 acres \pm)

Staff Recommendation: Staff recommends approval of the requests subject to 43 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan; re-designate a land use from Private Buffer to Civic; delete an access point; and, modify Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

3. **ABN/DOA-2014-00082** Title: a Development Order Abandonment application of Oxbridge Academy Foundation Inc by Urban Design Kilday Studios, Agent. Request: to abandon the Class A Conditional Use to allow a Private School granted under Resolution R-1995-0120.

Title: a Development Order Amendment application of Oxbridge Academy Foundation Inc by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan to combine Pods 1 and 2; to modify the site plan; to modify Conditions of Approval (Landscape and Use Limitations) and to increase the number of students (High School).

General Location: Northwest corner of Military Trail and Community Drive. (**JCC Meyer Academy and Oxbridge Academy**) (Control 1985-00171)

Pages 24 - 50

Conditions of Approval Pages (31 - 41)

Project Manager: David McGuire

Size: 80.32 acres \pm

BCC District: 7

(affected area 36.74 acres \pm)

Staff Recommendation: Staff recommends approval of the request subject to 63 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of the request to abandon the Class A Conditional Use to allow a Private School granted under Resolution R-1995-0120.

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

4. **ABN/PDD/DOA-2013-03126** Title: a Development Order Abandonment application of Standard Pacific of South Florida, GP by Urban Design Kilday Studios, Agent. Request: to abandon resolutions R-2009-374 and R-2009-375 for a Requested Use to allow the Transfer of Development Rights (TDR) for 115 TDR units and designate the site as a receiving area; and, R-2011-1113 to reduce the number of TDR units to 24.
- Title: an Official Zoning Map Amendment to a Planned Development District application of Standard Pacific of South Florida, GP by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.
- Title: a Development Order Amendment application of Standard Pacific of South Florida, GP by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan; add land area; delete units; redesignate housing types; add an access point; modify and delete Conditions of Approval (Landscape, Parks, Planning, School Board); and, restart the commencement of development.
- General Location: Approximately 0.6 miles south of Lake Worth Road on the east side of Lyons Road. **(Andalucia PUD)** (Control 2008-00129)

Pages 51 - 92

Conditions of Approval Pages (60 - 72)

Project Manager: Carol Glasser

Size: 67.76 acres \pm

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 41 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Abandonment to abandon resolutions R-2009-374 and R-2009-375 for a Requested Use to allow the Transfer of Development Rights (TDR) for 115 TDR units and designate the site as a receiving area; and, R-2011-1113 to reduce the number of TDR units to 24.

MOTION: To recommend approval of an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) 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; delete units; redesignate housing types; add an access point; modify and delete Conditions of Approval (Landscape, Parks, Planning, School Board); and, restart the commencement of development subject to the Conditions of Approval as indicated in Exhibit C.

5. **ZV/PDD/DOA-2014-00089** Title: a Type II Variance application of Boynton Beach Associates XXIV, LLLP, Boca Raton Associates VII, LLLP by G.L. Homes, Agent. Request: to allow a reduction in the required landscape buffer width along the northeast property line.

Title: an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach Associates XXIV, LLLP, Boca Raton Associates VII, LLLP by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment application of Boynton Beach Associates XXIV, LLLP, Boca Raton Associates VII, LLLP by G.L. Homes, Agent. Request: to reconfigure the Master Plan to add land area (Development and Preserve Area); reconfigure the Civic Pod; add units; modify Conditions of Approval (Engineering, Planning, Property and Real Estate Management); and, to extend the build out date.

General Location: North of the L-39 canal; South of L-36 Canal; East side of State Road 7; and, West of Lyons Road. **(Hyder AGR-PUD)** (Control 2005-00455)

Pages 93 - 153

Conditions of Approval Pages (103 - 115)

Project Manager: Joyce Lawrence

Size: 1,836.80 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to subject to 6 Conditions of Approval as indicated in Exhibit C-1 and 45 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Type II Variance to allow a reduction in the required landscape buffer width along the northeast property line subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to the Planned Development District to rezone from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan to add land area (Development and Preserve Area); reconfigure the Civic Pod; add units; modify Conditions of Approval (Engineering, Planning, Property and Real Estate Management); and, to extend the build out date subject to the Conditions of Approval as indicated in Exhibit C-2.

6. **PDD/R-2013-00771** Title: an Official Zoning Map to a Planned Development District application of Southern Investments Partnership, LP by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Industrial and Public Facilities (IPF) and the Public Ownership (PO) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Requested Use application of Southern Investments Partnership, LP by Cotleur & Hearing Inc., Agent. Request: to allow Manufacturing and Processing.
General Location: North side of Southern Boulevard approximately 0.4 miles east of Jog Road. **(Southern Light Industrial Park)** (Control 2001-00064)

Pages 154 - 191

Conditions of Approval Pages (162 - 168)

Project Manager: Carol Glasser

Size: 68.80 acres \pm

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 23 Conditions of Approval as indicated in Exhibit C-1 and 5 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 Industrial and Public Facilities (IPF) and the Public Ownership (PO) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To recommend approval of a Requested Use to allow Manufacturing and Processing.

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. **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 192 - 220

Conditions of Approval Pages (197 - 206)

Project Manager: Carrie Rechenmacher

Size: 33.99 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 54 Conditions of approval as indicated in Exhibit C.

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

D. ZONING APPLICATIONS - NEW

8. **W/PDD-2013-02605** Title: a Type II Waiver application of Discovery Quest Inc, 4740 Weymouth LLC, J M E LLC, Alan Eads, Planet Kids VI Inc by Land Design South Inc., Agent. Request: to allow more than 40 percent of the streets to end in a cul-de-sac or dead end.

Title: an Official Zoning Map Amendment to a Planned Development District application of Discovery Quest Inc, 4740 Weymouth LLC, J M E LLC, Alan Eads, Planet Kids VI Inc by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District.

General Location: Approximately 650 feet north of Lake Worth Road on the west side of Lyons Road. **(Cypress Royale PUD)** (Control 1979-00082)

Pages 221 - 263

Conditions of Approval Pages (227 - 230)

Project Manager: Roger Ramdeen

Size: 28.67 acres \pm

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subjects to 5 Conditions of Approval as indicated in Exhibit C-1 and 14 Conditions of Approval in Exhibit C-2.

MOTION: To recommend approval of of a Type II Waiver to allow more than 40 percent of the streets to end in a cul-de-sac or dead end subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval to allow a rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

9. **ZV/SV/PDD-2013-02920** Title: a Type II Variance application of K Hovnanian Jupiter LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow 100% of the streets to terminate in cul-de-sacs; to reduce the minimum width of open space areas, to allow water management tracts, civic areas, and recreation areas, to count towards open space; to reduce the front setback for the primary structure, allow accessory structures in the front or side street yard and reduce the setbacks; to increase the height of a fence or wall along the property line or when adjacent to a landscape buffer; and, to allow livestock within a RR-PUD.
- Title: a Subdivision Variance application of K Hovnanian Jupiter LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to decrease the minimum street width, limit the finished grade on the site, maintain the existing lake slopes, eliminate sewer connection and eliminate potable water connections.
- Title: an Official Zoning Map Amendment to a Planned Development District application of K Hovnanian Jupiter LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District, Community Commercial Zoning District (CC) and Commercial Recreation Zoning District (CRE) to the Rural Residential Planned Unit Development (RR-PUD) Zoning District.
- General Location: Approximately 1.76 miles south of Indiantown Road on the west side of Jupiter Farms Road. **(Reynolds Ranch PUD)** (Control 1974-00175)

Pages 264 - 311

Conditions of Approval Pages (275 - 281)

Project Manager: Roger Ramdeen

Size: 150.15 acres \pm

BCC District: 1

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment, the Type II Variances and Subdivision Variances (SV2 and SV3) subject to the 21 Conditions of Approval as indicated in Exhibit C-1, 7 Conditions of Approval as indicated in Exhibit C-2, and 7 Conditions of Approval as indicated in Exhibit C-3.

Staff recommends denial of the Subdivision Variances (SV1, SV4 and SV5).

MOTION: To adopt a Resolution approving Type II Variances to allow: 100% of the streets; terminate in cul-de-sacs; reduce the minimum width of open space areas; allow water management tracts, civic areas, and recreation areas to count towards open space; reduce the front setback for the primary structure, allow accessory structures in the front or side street yard and reduce the setbacks; increase the height of a fence or wall along the property line or when adjacent to a landscape buffer; and, allow livestock within a RR-PUD subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a Resolution approving Subdivision Variances to limit the finished grade on the site and maintain the existing lake slopes subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a Resolution denying the Subdivision Variances to decrease the minimum street width, eliminate sewer connection and eliminate potable water connections.

MOTION: To recommend approval to allow a rezoning from the Agricultural Residential (AR) Zoning District, Community Commercial Zoning District (CC) and Commercial Recreation Zoning District (CRE) to the Rural Residential Planned Unit Development (RR-PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

10. **DOA-2013-03128** Title: a Development Order Amendment application of Cottages Of The Palm Beaches LLC by Urban Design Kilday Studios, Agent. Request: to modify the Site Plan and add square footage.
General Location: Northeast corner of Lake Worth Road and The Florida's Turnpike. **(Lake Worth Road CLF)** (Control 1981-00013)

Pages 312 - 332
Conditions of Approval Pages (317 - 320)
Project Manager: David McGuire
Size: 6.02 acres \pm BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 18 Conditions of Approval as indicated in Exhibit C.

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

- E. **SUBDIVISION VARIANCE**
- F. **OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

- A. **COUNTY ATTORNEY**
- B. **ZONING DIRECTOR**

11. Memorandum to the Board of County Commission from the Zoning Commission regarding Architectural Elevations.

Pages 333 - 334

MOTION:

- C. **EXECUTIVE DIRECTOR**
- D. **COMMISSIONERS**

ADJOURNMENT