



**PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA
Thursday, July 3, 2008**

AGENDA

ITEM #/PAGE # PETITION / CHANGE

POSTPONED

5. Pgs 5-25 **DOA2007-2013 DEL-MAR PLAZA**
(Control 1989-117)

Postpone 60 days to September 4, 2008

AMENDMENTS TO THE AGENDA

10. Pgs 119-155 **ZV/PDD/W2007-2012 (JOG DISTRIBUTION) (2007-482)**

Delete Landscape Conditions 4 and renumber accordingly

Delete Use Limitation Conditions 2

11. Pgs 156-195 **DOA2008- 457 (CHS PROPERTIES MUPD) (1998-089)**

Modify Engineering Condition 12.a to read as follows:

12. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after January 1, 2012. 2013. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING-Eng)

Modify Compliance Condition 2 to read as follows:

2. Failure to comply with any of the ~~voluntary commitments~~ conditions of approval for the property at any time may result in:

12. Pgs 196-224 **ZV/Z/CB2008-305 (VOLVO RENTS) (2004-550)**

Move Use Limitations 1, 2, 3 and 4 to Exhibit C-1 (Class B)

Move Engineering Conditions 1, 2 and 3 to Exhibit C (Rezoning)

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
Jess R. Santamaria



Robert Weisman

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

THURSDAY JULY 3, 2008

9:00 AM

**301 NORTH OLIVE AVENUE, WEST PALM BEACH, 6TH FLOOR
JANE M. THOMPSON MEMORIAL CHAMBERS**

CALL TO ORDER

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

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT AGENDA

REGULAR AGENDA

COMMISSIONER COMMENTS

DIRECTOR 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

JULY 3, 2008

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 AM. in the Jane M. Thompson Memorial Chambers, 6th Floor, 301 N. Olive Avenue, 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 9:00 A.M. on Thursday, July 24, 2008 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.

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.

- D. Proof of Publication - Motion to receive and file.
- E. Swearing In - County Attorney.
- F. Disclosures.

POSTPONEMENTS/REMANDS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **ZV-2008-00089** Title: a Type II Zoning Variance application of Faith Cathedral Worship Center Inc by Urban Design Studio, Agent. Request: To allow a reduction in the required number of parking spaces and to allow the building to exceed the number of stories..
General Location: South side of Westgate Ave., West of Quail Road. **(Westgate Station)** (Control 2007-00233)

Pages 1 - 1
Project Manager: David McGuire

Size: 2.06 acres ± BCC District: 2

MOTION: To postpone sixty (60) days to Thursday September 4, 2008.

- 2. **ZV/DOA/R-2007-01596** Title: a Type II Zoning Variance application of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: To allow 24 hour operation for commercial adjacent to residential.
Title: a Development Order Amendment application of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: To reconfigure the site plan, amend conditions of approval, to add an access point and to revised the development timeline(restart the commencement clock).
Title: a Requested Use application of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow a daycare, general and a Type I Restaurant.
General Location: Northeast Corner of Jog Road and Boynton Beach Boulevard. **(Fountains East at Boynton Beach)** (Control 1997-00004)

Pages 2 - 2
Project Manager: William Cross

Size: 24.84 acres ± BCC District: 5
(affected area 24.57 acres ±)

MOTION: To postpone thirty (30) days to Thursday August 7, 2008.

- 3. **Z/CA-2008-00294** Title: an Official Zoning Map Amendment application of Florida Sevashram Sangha Inc by Jon E Schmidt & Associates, Agent. Request: rezoning from the Residential Transitional Urban (RTU) Zoning District to the Residential Single-family (RS) Zoning District.
General Location: Northeast corner of Lantana Road and Bentbrook Boulevard. **(Florida Sevashram Sangha)** (Control 1995-00044)

Pages 3 - 3
Project Manager: Carol Glasser

Size: 1.65 acres ± BCC District: 2

MOTION: None Required. (Postponed thirty (30) days to Thursday, August 7, 2008)

4. **ZV/DOA/R-2007-01597** Title: a Type II Zoning Variance application of Publix Super Markets Inc by Ruden McClosky, Agent. Request: To allow a reduction on the foundation planting along the north, south, east, and west sides of the proposed Auto Service Station..
Title: a Development Order Amendment application of Publix Super Markets Inc by Ruden McClosky, Agent. Request: To reconfigure the site plan and modify conditions of approval (Building and Site Design, Planning, Use Limitation).
General Location: On the northeast corner of Orange Boulevard and Seminole Pratt Whitney Road. (**Pratt and Orange MUPD**) (Control 1998-00023)

Pages 4 - 4

Project Manager: Ronald Sullivan

Size: 15.38 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday August 7, 2008.

- B. REMANDS**
- C. WITHDRAWALS**

CONSENT AGENDA

B. ZONING APPLICATIONS

- 5. **DOA-2007-02013** Title: a Development Order Amendment application of Ms Woolbright Del Mar Llc by Miller Land Planning, Agent. Request: to reconfigure site plan, add square footage and modify a condition of approval (square footage limitation).

General Location: West side of Powerline Rd., S of Palmetto Circle North.. (**Del Mar Plaza**) (Control 1989-00117)

Pages 5 - 25

(22) Conditions of Approval Pages(17 - 20)

Project Manager: Autumn Sorrow

Size: 13.26 acres ±
(affected area 0.21 acres ±)

BCC District: 4

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan, add square footage, and modify a condition of approval (square footage limitation).

- 6. **ZV-2008-00806** Title: a Type II Zoning Variance application of MS Woolbright Boca Grove LLC by Miller Land Planning, Agent. Request: to allow a reduction of compactor setback.

General Location: Northwest corner of Powerline Road and Boca Grove Boulevard. (**Shops at Boca Grove**) (Control 1974-00104)

Pages 26 - 40

(4) Conditions of Approval Pages(33 - 33)

Project Manager: Carol Glasser

Size: 6.31 acres ±
(affected area 0.03 acres ±)

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction of compactor setback

- 7. **ZV-2008-00807** Title: a Type II Zoning Variance application of Steve McCraney by Vista Business Park, Agent. Request: To allow an increase in building coverage for Lot 19..

General Location: Northeast corner of Okeechobee Boulevard and Jog Road.. (**Vista Center Lot 19**) (Control 1984-00130)

Pages 41 - 55

(5) Conditions of Approval Pages(50 - 50)

Project Manager: Joyce Lawrence

Size: 7.19 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an increase in building coverage for Lot 19.

8. **ZV/CA-2007-01801** Title: a Type II Zoning Variance application of Jomar Florida Enterprises LLC by Land Design South Inc., Agent. Request: to allow a reduction of lot size, lot depth, front setback, number of queuing spaces, right-of-way buffer, and elimination of foundation planting.
Title: a Class A Conditional Use application of Jomar Florida Enterprises LLC by Land Design South Inc., Agent. Request: to allow Repair and Maintenance, General; Dispatching Office for four or more vehicles; and Restaurant, Type I.
General Location: Northwest corner of Military Trail and Forest Hill Blvd. (1747 South Military Trail) (Control 2007-00407)

Pages 56 - 88

(10) Conditions of Approval Pages(76 - 78)

Project Manager: Carol Glasser

Size: 0.46 acres ±

BCC District: 2

MOTION: To 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.

MOTION: To recommend approval of a Class A Conditional Use to allow Repair and Maintenance, General; Dispatching Office; and Restaurant, Type I.

9. **ZV/CB/Z-2008-00296** Title: A Type II Zoning Variance. application of Homes By Design Inc by Miller Land Planning, Agent. Request: To adopt a resolution approving a Type II Variance to allow a reduction of the required parking, a reduction of the right-of-way buffer width, and reduction of shrub types..
Title: A Class B Conditional Use application of Homes By Design Inc by Miller Land Planning, Agent. Request: To allow a Class B Conditional Use for a car wash..
Title: an Official Zoning Map Amendment application of Homes By Design Inc by Miller Land Planning, Agent. Request: Rezoning from the Neighborhood Commercial (CN) and Single Family Residential (RS) Zoning Districts to the General Commercial (CG) Zoning District..
General Location: Approximately 300 feet north of Lantana Road on the east side of Military Trail.. (Palm Center Car Wash) (Control 2007-00378)

Pages 89 - 118

(16) Conditions of Approval Pages(106 - 109)

Project Manager: Autumn Sorrow

Size: 0.65 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction of required parking, a reduction of the right-of-way buffer width, and a reduction in the number of shrub tiers.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow a car wash.

MOTION: To recommend approval of an Official Zoning Map Amendment rezoning from the Neighborhood Commercial (CN) and Single Family Residential (RS) Zoning Districts to the General Commercial (CG) Zoning District.

10. **ZV/PDD/W-2007-02012** Title: a Type II Zoning Variance application of Realty Duke by Miller Land Planning, Agent. Request: to allow a reduction in the required parking and elimination of the loading screening wall; 2 layers of shrubs and a 6 foot wall of the incompatibility buffer along the west property line.

Title: an Official Zoning Map Amendment to a Planned Development District application of Realty Duke by Miller Land Planning, Agent. Request: rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Waiver application of Realty Duke by Miller Land Planning, Agent. Request: to allow reduction of required frontage for a Planned Development District (PDD).

General Location: At the terminus of Meathe Drive on the west side of the Florida Turnpike.. (**Jog Distribution**) (Control 2007-00482)

Pages 119 - 155

(29) Conditions of Approval Pages(138 - 142)

Project Manager: Douglas Robinson

Size: 18.18 acres ±

BCC District: 6

MOTION: 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, 2 layers of shrubs and a 6 foot wall in the incompatibility buffer along the west property line.

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To recommend approval of a Waiver to allow a reduction of required frontage for a Planned Development District (PDD)

11. **DOA-2008-00457** Title: a Development Order Amendment application of Flagler System Mgmt Inc by Kilday & Associates Inc., Agent. Request: to amend the site plan for Pod B, to change uses for Pod B, to modify a condition of approval for Pod B (Height Limitation and Wall Signage) and to request extension of commencement for the next phase.

General Location: Northeast corner of Congress Avenue/Australian Avenue Flyover and Ranch House Road.. (**CHS PROPERTIES MUPD**) (Control 1998-00089)

Pages 156 - 195

(16) Conditions of Approval Pages(173 - 186)

Project Manager: David McGuire

Size: 6.77 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to amend the site plan, change the uses, modify a condition of approval for Pod B (Height Limitation and Wall Signage) and to request extension of commencement for the next phase.

12. **ZV/Z/CB-2008-00305** Title: a Type II Zoning Variance application of Casco Rental LLC by Land Design South Inc., Agent. Request: To allow the reduction of the width of the compatibility buffer and the number of shrubs in the right of way buffer.

Title: an Official Zoning Map Amendment application of Casco Rental LLC by Land Design South Inc., Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District.

Title: a Class B Conditional Use application of Casco Rental LLC by Land Design South Inc., Agent. Request: To allow Vehicle Sales and Rental (heavy equipment sales & rental).

General Location: East of East Grace Drive, south of the Southern Boulevard/ Australian Avenue overpass. (**Volvo Rents**) (Control 2004-00550)

Pages 196 - 224

(20) Conditions of Approval Pages(215 - 217)

Project Manager: Ora Owensby

Size: 1.76 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow the reduction of the width of the compatibility landscape buffer and the reduction of shrubs in the right of way landscape buffer.

MOTION: To recommend approval of the request to allow a rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ).

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Vehicle Sales and Rental (heavy equipment sales & rental).

REGULAR AGENDA

C. PREVIOUSLY POSTPONED ITEMS

D. ZONING APPLICATION

E. STATUS REPORTS

COMMISSIONER COMMENTS

DIRECTOR COMMENTS

ADJOURNMENT