



PALM BEACH COUNTY ZONING COMMISSION
AMENDMENTS TO THE AGENDA
Thursday, September 4, 2008

AGENDA

ITEM #/PAGE # PETITION / CHANGE

AMENDMENTS TO THE AGENDA

9. Pgs 117-140 **DOA-2008-00791 Toppel Center**
(Control 1989-0044)

Add Sign Conditions 1 and 2 to read as follows:

1. Wall signs shall be limited to thirty (30) inches high.
(CO:BLDG-Zoning)
2. Within thirty (30) days of approval by the Board of County Commissioners (BCC), the wall signage located on the west façade of the retail/bank building shall be removed. Signage shall not be permitted on this façade unless the floor plan is revised to become a multi-tenant shopping plaza. (DATE: Monitoring-Zoning)

14. Pgs 244-251 **DOA/R/TDR-2008-00441 Woodwind PUD**
(Control 2004-00524)

Modify Condition 2.a of ZONING - LANDSCAPING ALONG THE NORTH PROPERTY LINE (ABUTTING VACANT AR LAND) to read as follows:

- a. a minimum ~~twenty (20)~~ forty (40) foot wide landscape buffer strip. No width reduction or easement encroachment shall be permitted; and,

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



Robert Weisman

Department of Planning, Zoning & Building
2300 N. Jog Rd.
West Palm Beach, FL 33411
Phone: 561-233-5200
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**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

THURSDAY SEPTEMBER 4, 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

SEPTEMBER 4, 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 9:30 A.M. on Monday, September 29, 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. **Z/DOA/CA-2007-01185** Title: an Official Zoning Map Amendment application of Winners Church International by Land Research Management Inc., Agent. Request: rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District.
Title: a Development Order Amendment application of Winners Church International by Land Research Management Inc., Agent. Request: to reconfigure the site plan, add land area, and add building square footage.
Title: a Class A Conditional Use application of Winners Church International by Land Research Management Inc., Agent. Request: to allow a Daycare, General.
General Location: Southwest corner of Jog Road and Pioneer Road. **(Winners Church)** (Control 1985-00072)

Pages 1 - 1
Project Manager: Ora Owensby

Size: 16.04 acres ± BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, October 2, 2008.

- 2. **ZV/PDD/DOA-2008-00452** Title: a Type II Zoning Variance application of Mike Soueid by Ruden McClosky, Agent. Request: to allow more than 3 free standing buildings, to eliminate the canopy trees, shrubs and screening wall within the north 55 feet of the incompatibility buffer and to eliminate the trees and shrubs within the median dividers..
Title: an Official Zoning Map Amendment to a Planned Development District application of Mike Soueid by Ruden McClosky, Agent. Request: Rezoning from the Residential Transitional Urban (RTU) and the General Commercial/Special Exception (CG/SE) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District.
Title: a Development Order Amendment application of Mike Soueid by Ruden McClosky, Agent. Request: to add land area, add square footage, add an access point and reconfigure the site plan.
General Location: Southwest Corner of Lantana Road and Jog Road. **(Lantana Square Shopping Center)** (Control 1980-00089)

Pages 2 - 2
Project Manager: Carrie Rechenmacher

Size: 20.04 acres ± BCC District: 3

MOTION: Postpone thirty (30) days to Thursday October 2, 2008.

- 3. **ZV-2008-01184** Title: a Type II Zoning Variance application of Beach Boynton by Kilday & Associates Inc., Agent. Request: to extend hours of operation for commercial adjacent to residential.
General Location: Southeast corner of Lyons Road and Boynton Beach Blvd.. **(Canyon Town Center TMD)** (Control 2004-00471)

Pages 3 - 3
Project Manager: Douglas Robinson

Size: 26.75 acres ± BCC District: 5

MOTION: To postpone thirty days to Thursday October 2, 2008

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

4. **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 4 - 4

Project Manager: David McGuire

Size: 2.06 acres \pm

BCC District: 2

MOTION: None required. Application withdrawn.

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 - 5

Project Manager: Autumn Sorrow

Size: 13.26 acres \pm
(affected area 0.21 acres \pm)

BCC District: 4

MOTION: None required. Application withdrawn.

CONSENT AGENDA

B. ZONING APPLICATIONS

- 6. **PDD-2006-01682** Title: an Official Zoning Map Amendment to a Planned Development District application of W & W IX LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District..
General Location: Southeast corner of 112th Terrace and Northlake Boulevard. **(112th/Northlake Office)** (Control 2006-00529)

Pages 6 - 33

Conditions of Approval Pages (22 - 25)

Project Manager: Joyce Lawrence

Size: 10.68 acres ±

BCC District: 6

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

- 7. **PDD-2007-01792** Title: an Official Zoning Map Amendment to a Planned Development District. application of MPC 3 LLC by McCraney Property Co., Agent. Request: Rezoning from the Planned Unit Development (PUD) Zoning District to the Planned Industrial Park Development (PIPD) Zoning District.
General Location: Southwest corner of Belvedere Road and Cleary Road. **(MPC III Turnpike Business Park)** (Control 2002-00011)

Pages 34 - 59

Conditions of Approval Pages (48 - 51)

Project Manager: Autumn Sorrow

Size: 48.69 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District from the Planned Unit Development (PUD) Zoning District to the Planned Industrial Park Development (PIPD) Zoning District.

- 8. **DOA-2007-01776** Title: a Development Order Amendment application of Cross County Associates Ltd Partnership by Saltz Michelson Architects, Agent. Request: to reconfigure site plan and add building square footage.
General Location: Southeast corner of Military Trail and Okeechobee Boulevard. **(Cross County Mall)** (Control 1977-00133)

Pages 60 - 92

Conditions of Approval Pages (74 - 84)

Project Manager: Joyce Lawrence

Size: 21.98 acres ±
(affected area 2.00 acres ±)

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan and add building square footage.

9. **DOA-2008-00791** Title: a Development Order Amendment application of Partners Glades by ArtSign Co, Agent. Request: Modification of condition of approval (signage).
General Location: North side of Glades Rd., approximately .25 mi. west of Lyons Rd.. (**Toppel Center**) (Control 1989-00044)

Pages 93 - 116

Conditions of Approval Pages (105 - 113)

Project Manager: Anthony Wint

Size: 4.78 acres ±
 (affected area 2.73 acres ±)

BCC District: 5

MOTION: To recommend approval for a Development Order Amendment to modify a Sign condition of approval.

10. **DOA-2008-00801** Title: a Development Order Amendment application of Woolbright Pinewood LLC by Land Design South Inc., Agent. Request: to reconfigure site plan, add square footage and change uses (auto service station with car wash to financial institution).
General Location: Southeast corner of Jog Road and Lantana Road. (**Pinewood Square**) (Control 1986-00008)

Pages 117 - 140

Conditions of Approval Pages (130 - 136)

Project Manager: Ora Owensby

Size: 28.39 acres ±

BCC District: 3

MOTION: To recommend approval of the Development Order Amendment requests to reconfigure site plan, add square footage and change uses (auto service station with car wash to financial institution).

11. **DOA/R-2008-00290** Title: a Development Order Amendment application of Poinciana Day School by Jon E Schmidt & Associates, Agent. Request: amending a Condition of Approval.
Title: a Requested Use application of Poinciana Day School by Jon E Schmidt & Associates, Agent. Request: allowing a School, Elementary or Secondary (private) and Daycare, General.
General Location: Located on the east side of Lyons Road, south of Southern Boulevard. (**Poinciana Day School**) (Control 2002-00052)

Pages 141 - 171

Conditions of Approval Pages (157 - 167)

Project Manager: Ora Owensby

Size: 3.20 acres ±

BCC District: 6

MOTION: To recommend approval of the Development Order Amendment request amending a Condition of Approval

MOTION: To recommend approval of the Requested Uses allowing a School, Elementary or Secondary (private) and Daycare, General

12. **ZV/CB-2008-00433** Title: a Type II Zoning Variance application of Okeechobee Petroleum Developers LLC by Greenberg Traurig PA, Agent. Request: to allow a reduction in required queuing.
Title: a Class B Conditional Use application of Okeechobee Petroleum Developers LLC by Greenberg Traurig PA, Agent. Request: to allow a Convenience store with gas sales.
General Location: Southwest corner of Okeechobee Blvd. and Wabasso Drive. (**American Oil Company**) (Control 1978-00296)

Pages 172 - 192

Conditions of Approval Pages (186 - 187)

Project Manager: David McGuire

Size: 0.56 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Variance allowing for a reduction in required queuing spaces.

MOTION: To adopt a resolution approving a Class B Conditional Use for a to allow a Convenience store with Gas sales.

REGULAR AGENDA

C. PREVIOUSLY POSTPONED ITEMS

13. **DOA/R-2008-00303** Title: a Development Order Amendment application of Lantana Charter LLC by Cotleur & Hearing Inc., Agent. Request: to add two external access points to the PUD for the Civic parcel.

Title: a Requested Use application of Lantana Charter LLC by Cotleur & Hearing Inc., Agent. Request: To allow a Place of Worship, a Private School, and a Daycare.

General Location: South side of Lantana Road, approximately 1 mile west of Grand Lacuna Blvd. (**Lantana Civic Pavillion**) (Control 1981-00233)

Pages 193 - 217

Conditions of Approval Pages (207 - 211)

Project Manager: Anthony Wint

Size: 5.24 acres \pm

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to add two external access points to the PUD for the Civic parcel.

MOTION: To recommend approval of a Requested Use to allow a Place of Worship, a Private School, and a Daycare.

D. ZONING APPLICATION

14. **DOA/R/TDR-2008-00441** Title: a Development Order Amendment application of Woodwind 2007 LLC by Land Design South Inc., Agent. Request: to reconfigure the Master Plan and to increase the number of dwelling units..

Title: a Requested Use application of Woodwind 2007 LLC by Land Design South Inc., Agent. Request: to allow a Daycare, General..

Title: transfer of Development Rights application of Woodwind 2007 LLC by Land Design South Inc., Agent. Request: to allow the Transfer of Development Rights for 36 units, to designate this site as the receiving area, and to allow the Transfer of Development Rights price reduced at \$1.00 per unit..

General Location: Northeast corner of Woodwind Lane and State Road 7/441.. (**Woodwind PUD**) (Control 2004-00524)

Pages 218 - 255

Conditions of Approval Pages (244 - 251)

Project Manager: Autumn Sorrow

Size: 36.38 acres \pm

BCC District: 6

(affected area 36.35 acres \pm)

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan, increase the number of dwelling units, and modify Conditions of Approval.

MOTION: To recommend approval of a Requested Use to allow for a Day Care, general.

MOTION: To recommend approval of the Transfer of Development Rights for 36 units, designate the subject property as the receiving area, and approve the reduced cost of \$1.00 per unit for the Transfer of Development Rights units.

- 15. **ZV/PDD-2008-00804** Title: a Type II Variance application of Hypoluxo Shoppes Inc by Law Office of Stuart Michelson, Agent. Request: to locate the wall on the property line and 100 percent of the plant material on the inside of the wall in the north incompatibility buffer.
Title: an Official Zoning Map Amendment to a Planned Development District application of Hypoluxo Shoppes Inc by Law Office of Stuart Michelson, Agent. Request: rezoning from the Community Commercial (CC) and the Residential Estates (RE) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District.
General Location: Northeast corner of Hypoluxo Road and High Ridge Road. **(Hypoluxo Shoppes)** (Control 2008-00243)

Pages 256 - 283

Conditions of Approval Pages (274 - 283)

Project Manager: Carol Glasser

Size: 4.32 acres ±
(affected area 4.20 acres ±)

BCC District: 3

MOTION: To adopt a resolution denying a Type II Zoning Variance to locate the wall on the property line and 100 percent of the plant material on the inside of the wall in the north incompatibility buffer

MOTION: To recommend approval of an Official Zoning Map Amendment from the Community Commercial (CC) and the Residential Estates (RE) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District

E. STATUS REPORTS

COMMISSIONER COMMENTS

DIRECTOR COMMENTS

ADJOURNMENT