

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

THURSDAY, June 3, 2010  
9:00 A.M., 1<sup>ST</sup> Floor  
Vista Center Hearing Room, VC-1W-47  
2300 N. Jog Road, West Palm Beach, FL 33411

**CALL TO ORDER**

**A. Roll Call 9:00 A.M.**

Commissioner Sherry Hyman, Chair	<b>Present</b>
Commissioner Sheri Scarborough, Vice Chair	<b>Present</b>
Commissioner William F. Anderson	<b>Present</b>
Commissioner Allen Kaplan	<b>Present</b>
Commissioner Joanne Davis	Absent
Commissioner Alex Brumfield	Absent
Commissioner Sam Caliendo	<b>Present</b>
Commissioner Mark Beatty	<b>Present</b>
Commissioner Robert Currie	<i>Arrived 9:06 a.m.</i>

**B. Opening Prayer and Pledge of Allegiance**

**C. Remarks of the Chair**

**D. Proof of Publication – Motion to receive and file, 6-0.**

**E. Adoption of the Minutes – 6,0.**

**F. Swearing In**

**G. Disclosures- Listed by Agenda Number**

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>		<i>Absent</i>	1,5		5			

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

*No postponements, remands or withdrawals on this agenda.*

*Commissioner Currie arrived at 9:06 a.m.*

**CONSENT AGENDA**

**D. ZONING APPLICATIONS – NEW**

1. **PDD-2009-03949** Title: an Official Zoning Map Amendment to a Planned Development District application of Northlake 20 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: Southwest corner of Northlake Boulevard and 112<sup>th</sup> Terrace North (**Bayhill Commons**) (Control 2007-00094)

Pages 1-20  
Conditions of Approval Pages (13-16)  
Project Manager: Joyce Lawrence  
Size: 9.82 acres±

BCC District: 6

**People who spoke on this application:**

Brian Terry, agent- agrees with the conditions of approval.

**DECISION: APPROVED AS ADVERTISED**

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of approval as indicated in Exhibit C, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded			Maker		

- 2. **DOA-2010-00148** Title: a Development Order Amendment application of Florida Auto Auction of Orlando Inc by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan, add square footage, and restart the development clock. General Location: East side of Sansbury’s Way between Belvedere Road and Southern Boulevard (**Manheim Palm Beach MUPD**) (Control 2005-00641)

Pages 21-63  
Conditions of Approval Pages (37-43)  
Project Manager: Carol Glasser  
Size: 91.60 acres±

BCC District: 6

**People who spoke on this application:**

Joni Brinkman, agent – agrees with the conditions of approval.

**DECISION: APPROVED AS ADVERTISED**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan, add square footage, and restart the development clock subject to the Conditions of Approval as indicated in Exhibit C, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded			Maker		

- 3. **ZV/CA-2009-02677** Title: a Type II Zoning Variance application of Macedonian Orthodox Church by Frogner Consulting Inc., Agent. Request: to allow 100% encroachment of utility easement in the west incompatibility buffer; to allow a reduction in the right-of-way width. Title: a Class A Conditional Use application of Macedonian Orthodox Church by Frogner Consulting Inc., Agent. Request: to allow a Place of Worship. General Location: Approximately 0.25 mile west of Military Trail on the south side of Northlake Boulevard (**Macedonian Orthodox Church**) (Control 1973-00079)

Pages 64-96  
Conditions of Approval Pages (80 - 83)  
Project Manager: Andrea Harper  
Size: 1.14 acres ±  
(affected area 1.10 acres±)

BCC District: 1

**People who spoke on this application:**

Jim Frogner, agent – agrees with the conditions of approval.

**General Discussion:** Commissioner discussion included elevation concerns and clarification of the Building Division review of the change of use.

**DECISION: APPROVED AS AMENDED**

**MOTION:** To adopt a resolution approving a Type II Zoning Variance to allow a hundred (100) percent encroachment of a utility easement in the west buffer and a 10 foot reduction in the buffer along the north property; subject to the Conditions of Approval as indicated in Exhibit C-1, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded			Maker		

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Place of Worship subject to the Condition of Approval as indicated in Exhibit C-2, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded			Maker		

4. **DOA-2009-04753** Title: A Development Order Amendment, application of Kirk Angelocci by Land Design South Inc., Agent. Request: to reconfigure the site plan and to modify/delete Conditions of Approval. (Engineering, School Board and Zoning) General Location: Approximately 0.4 miles west of intersection of Haverhill Road and Purdy Lane. (**Angelocci PUD**) (Control 2003-00061)

Pages 97-134

Conditions of Approval Pages (119-126)

Project Manager: Andrea Harper

Size: 12.92 acres ±

BCC District: 2

**People who spoke on this application:**

Dennis Koehler, agent – agrees with the conditions of approval. Responded to Alin Roberts concerns about wildlife relocation and agrees to developer hiring a private trapper if necessary to evacuate the animals. Zoning staff will add a condition of approval before BCC.

Alin Roberts is a surrounding property owner and is concerned with the wildlife relocation as property is developed.

**DECISION: APPROVED AS AMENDED**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan and modify and delete Conditions of Approval (Engineering, School and Zoning) subject to Conditions of Approval as indicated in Exhibit C, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded			Maker		

*Item 5 was moved to the regular agenda on the add/delete.*

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

5. **PDD-2009-02680** Title: an Official Zoning Map Amendment to a Planned Development District application of Mazzoni Farms Inc 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: Approximately 0.5 mile west of Jog Road on the north side of Boynton Beach Boulevard. (**Boynton Beach Office and Storage**) (Control 2009-01683)

Pages 135-156

Conditions of Approval Pages (149-152)

Project Manager: Andrea Harper

Size: 8.87 acres

BCC District: 5

**People who spoke on this application:**

Brian Terry, agent – addressed Tivoli Lakes HOA and Cobwra concerns.

Steve Oseroff (President, Tivoli Lakes HOA) – spoke in support of the project subject to 8 conditions proposed by HOA. *(Letter from Tivoli HOA was submitted into record. Motion made by Commissioner Anderson, seconded by Commissioner Scarborough, passed 7-0).*

Ken Lassiter (COBWRA) – spoke in support subject to 3 conditions agreed to by a letter signed by property owner. *(Letter from Cobwra was submitted into record. Motion made by Commissioner Anderson, seconded by Commissioner Scarborough, passed 7-0).*

**General Discussion:**

General discussion included irrigation, landscape plans, architectural compatibility, buffer maintenance and use concerns.

**DECISION: APPROVED AS AMENDED**

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C, carried 7-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
<i>Absent</i>	Yes	<i>Absent</i>	Yes	Yes	Yes	Yes	Yes	Yes
					Maker		Seconded	

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT** – Meeting adjourned at 9:37 a.m.