



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

THURSDAY NOVEMBER 4, 2010

9:00 A.M.

**Vista Center 1st Floor 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

DIRECTOR COMMENTS

COMMISSIONER 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

NOVEMBER 4, 2010

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 1st Floor 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, December 9, 2010 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. **PDD/R-2009-03941** Title: an Official Zoning Map Amendment to a Planned Development District application of Coconut Northlake 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.
Title: a Requested Use application of Coconut Northlake LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant and a Convenience Store with Gas Sales including an accessory car wash.
General Location: Southwest corner of Coconut Boulevard and Northlake Boulevard. **(Shops at Indian Trails)** (Control 2006-00147)

Pages 1 - 1

Project Manager: Joyce Lawrence

Size: 30.71 acres ±

BCC District: 6

Staff Recommendation: To recommend postponement of the application to December 2, 2010.

MOTION: To postpone the application to December 2, 2010.

- 2. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage.
General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Hagen Ranch/Boynton Beach MUPD)** (Control 2006-00520)

Pages 2 - 2

Project Manager: Joyce Lawrence

Size: 3.70 acres ±

BCC District: 5

(affected area 3.63 acres ±)

Staff Recommendation: To recommend postponement of the application to December 2, 2010.

MOTION: To postpone the application to December 2, 2010.

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. **SV/ZV-2010-01983** Title: a Subdivision Variance application of Donald Carver, Investments Moody, James Moody by Cotleur & Hearing Inc., Agent. Request: to allow access onto a 30-foot platted right-of-way, Woodside Trail, for four subdivision lots.

Title: a Type II Standalone Variance application of Donald Carver, Investments Moody, James Moody by Cotleur & Hearing Inc., Agent. Request: to allow a reduction in the required lot depth for the Residential Transitional (RT) Zoning District.

General Location: Northeast Corner of Center Street and Woodside Trail **(Moody-Carver)** (Control 2010-00272)

Pages 3 - 40

Conditions of Approval Pages (18 - 19)

Project Manager: Donna Adelsperger

Size: 2.60 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the Subdivision Variance subject to 4 Conditions of Approval as indicated in Exhibit C-1 and approval of the Type II Zoning Variance subject to 4 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Subdivision Variance to allow access onto a 30-foot platted right of way, Woodside Trail, for four subdivision lots subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving Type II Zoning Variances to allow a reduction in the required lot depth for the Residential Transitional (RT) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

4. **CB-2010-01734** Title: a Class B Conditional Use application of Aquarius Development LLC by Urban Design Kilday Studios, Agent. Request: to allow Chipping and Mulching

General Location: Located on the southwest corner of Tall Pines Road and the LWDD L-4 Canal **(Tidal Wave North)** (Control 2009-02435)

Pages 41 - 63

Conditions of Approval Pages (55 - 55)

Project Manager: Donna Adelsperger

Size: 18.54 acres ±

BCC District: 6

(affected area 5.00 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 5 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Chipping and Mulching subject to the Conditions of Approval as indicated in Exhibit C.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 5. **DOA-2010-01426** Title: Development Order Amendment application of Toll FI V Limited Partnership by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to redesignate the housing type and to modify and delete conditions of approval (Engineering)

General Location: Southwest corner of Donald Ross Road and Ellison Wilson Road (**Parcel 32 PUD**) (Control 2003-00033)

Pages 64 - 96

Conditions of Approval Pages (80 - 91)

Project Manager: Joyce Lawrence

Size: 76.29 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 39 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to redesignate the housing type, and to modify and delete Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

- 6. **ZV-2010-01980** Title: A Type II Standalone Variance application of Craig Lichtblau by Frogner Consulting Inc., Agent. Request: to allow accessory structures to be located in the front yard.

General Location: Approximately 460 feet north of Pennock Point Road east of Loxahatchee River Road. (**Lichtblau Residence**) (Control 2010-00259)

Pages 97 - 121

Conditions of Approval Pages (110 - 110)

Project Manager: Douglas Robinson

Size: 1.01 acres ±

BCC District: 1

(affected area 1.00 acres ±)

Staff Recommendation: Staff recommends denial of the request to allow accessory structures to be allowed in the front yard.

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow accessory structures in the front yard.

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT