

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, OCTOBER 4, 2012

9:00 A.M. Vista Center 1st Floor 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 Sheri Scarborough, Chair	Present
Commissioner Alex Brumfield, Vice Chair	<i>Arrived 9:09</i>
Commissioner William F. Anderson	Present
Commissioner Sherry Hyman	Present
Commissioner Joanne Davis	Present
Commissioner Sam Caliendo	<i>Arrived 9:14</i>
Commissioner Mark Beatty	Present
Commissioner Robert Currie	Present
Commissioner Jennifer Bakcsi	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

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

E. Adoption of the Minutes – Motion carried 6-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
None	Absent	None	None	1	None	None	Absent	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

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

E. CORRECTIVE RESOLUTIONS

D. ZONING APPLICATIONS – NEW

2. **ZV-2012-02098** Title: a Type II Variance application of KRG/Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to allow an increase in wall signage on the south facade of Building A1 General Location: Northwest corner of Lyons Road and West Atlantic Avenue (**Delray Marketplace**) (Control 2004-00616)

Pages 41 – 57
 Conditions of Approval Pages (50 - 50)
 Project Manager: Carol Glasser
 Size: 34.00 acres + BCC

District: 5

Staff Recommendation: Staff recommends approval subject to 4 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in wall signage on the south facade of Building A1 subject to the Conditions of Approval as indicated in Exhibit C.

People who spoke on this application:

Wendy Tuma, agent – In agreement with Conditions of Approval.

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes
			Seconded	Moved				

DECISION: APPROVED AS ADVERTISED

3. **ZV/DOA-2012-01249** Title: a Type II Variance application of Packer Family Ltd by Johnston Group Land Development Consultants Inc., Agent. Request: to allow a reduction of the Right of Way buffer width and to increase the maximum tree spacing Title: a Development Order Amendment application of Packer Family Ltd by Johnston Group Land Development Consultants Inc., Agent. Request: to reconfigure the site plan and to add square footage

General Location: Approximately 700 feet south of the intersection of Military Trail and Westgate Avenue. (**Al Packer Ford**) (Control 1973-00098)

Pages 58 – 94
 Conditions of Approval Pages (82 - 84)
 Project Manager: David McGuire
 Size: 9.18 acres +

BCC District: 7

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

MOTION: To adopt a resolution approving two Type II Variances to allow a reduction of the Right of Way buffer width and to increase the maximum tree spacing subject to the Conditions of Approval as indicated in Exhibit C-1.

People who spoke on this application:

Mike Sanchez, agent – In agreement with Conditions of Approval.

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes
			Seconded	Moved				

DECISION: APPROVED AS AMENDED

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan and to modify square footage subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Absent	Yes
			Seconded	Moved				

DECISION: APPROVED AS AMENDED

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

- PDD-2012-01257** Title: an Official Zoning Map Amendment to a Planned Development District application of Jules Romfh, Elizabeth Romfh by Land Design South Inc., Atlantic Land Management, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District
General Location: South of Lake Worth Road on the east side of Lyons Road (**Gulfstream PUD**) (Control 2008-00297)

Pages 1-40

Conditions of Approval Pages (20 - 23)

Project Manager: Carol Glasser

Size: 58.25 acres +

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application:

Carol Glasser – gave a brief presentation

Bob Bentz, agent – gave a brief presentation

Florence Hessen – attorney representing Liehann Fisher, Laure Hristov, Ruben Graceida, Julia Shirley, Patrick Wilson, Mike Musto, and Onita Ruszczyk spoke in opposition; expressing concerns about potentially increased drainage issues; removal of the cypress hedge/wetland; need for a wider buffer with a berm adjacent to existing agricultural (equestrian) uses to the south; closing of access via 45th Street and alternative access points; complaints from new residents regarding livestock smell and noise; diminished property values; negative impact to commercial equestrian operations; possible harm to horses (lawn equipment noise, BB guns); proposed 2-story buildings; and, on-site workforce housing units.

MOTION: To recommend approval of an Official Zoning Map amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-1

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Absent	Nay	Yes	Yes	Yes	Yes	Yes	Yes
							Seconded	Moved

DECISION: APPROVED AS AMENDED

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS – NEW

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT 10:43 A.M.