



**ZONING COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
DECEMBER 6, 2013**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

AMENDMENTS AND ADDITIONS

D. ZONING APPLICATIONS - NEW

4.	(11)	Z/DOA-2013-01849 (Control 2005-00414)	Marquez Jones
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AMEND ENGINEERING Condition 4 to read as follows:

Prior to the issuance ... (Previous Condition E.4 of Zoning Resolution R-2008-2266, Control No. 2005-0414)

REGULAR AGENDA

AMENDMENTS AND ADDITIONS

D. ZONING APPLICATIONS - NEW

6.	(97-99)	DOA-2013-01057 (Control 1984-00152)	Boca Del Mar PUD
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AMEND ENGINEERING Condition 4 to read as follows:

~~b. Building Permits shall not be issued for more than 49 single-family dwelling units (from Pods 64A, 64C, and 64G) and 33 condo/townhome units from Pod 64B (or equivalent of 40 PM peak hour trips from Pods 64 C and 64G..... Is hereby deleted [Reason: Revised traffic study no longer requires these improvements.]~~

~~c. Building Permits shall not be issued for more than 49 single-family dwelling units (from Pods 64A, 64C, and 64G) and 73 condo/townhome units (56 units from Pod 64B and 17 units from Pod 64E)..... Is hereby deleted [Reason: No longer required.]~~

DELETE ENGINEERING Condition 5 for Exhibit C.

AMEND ENGINEERING Condition 8 to read as follows:

8. The Property Owner shall construct:

- i. A right turn lane east approach on SW 18th Street at Camino Del Mar
- ii. A left turn lane north approach on Camino Del Mar at SW 18th Street
- iii. A right turn lane east approach on SW 18th Street at Palm D'Oro Drive

- iv. A right turn lane west approach on Camino Real at Camino Del Mar
- v. A left turn lane south approach on Military Trail at the proposed entrance to Pod 64F 64E

Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right of way.



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

FRIDAY DECEMBER 6, 2013

9:00 A.M.

**Vista Center, Ken Rogers 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

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

DECEMBER 6, 2013

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, Ken Rogers 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, January 9, 2014 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. **ZV-2013-01846** Title: a Type II Variance application of Jasmine Of Palm Beach Ltd by Land Design South Inc., Agent. Request: to allow an increase in the build-to-line on Congress Avenue and Westgate Avenue; to reduce the rear setback; to eliminate the minimum building frontage; number of queuing spaces, and foundation plantings on east and south sides; to reduce the Right-of-Way Buffer and Incompatibility Buffer widths; to increase the allowable easement overlap within a Landscape Buffer; and, to increase the height of a Freestanding Sign location.

General Location: Northwest corner of Congress Avenue and Westgate Avenue. **(Meerdink's Little Ranches)** (Control 1980-00008)

Pages 1 - 1

Project Manager: Roger Ramdeen

Size: 0.61 acres ±

BCC District: 7

Staff Recommendation: Staff recommends a postponement to January 10, 2014.

MOTION: To postpone to January 10, 2014.

- 2. **ZV-2013-01853** Title: a Type II Variance application of Living Word Lutheran Church (Lca) by Frogner Consulting Inc., Agent. Request: to allow a General Day Care to be permitted at either end of a runway and in an area that extends within five miles from the end of the airport runway.

General Location: South side of Lantana Road, 1/4 mile west of I-95. **(Living Word Lutheran Church)** (Control 1975-00038)

Pages 2 - 2

Project Manager: Carrie Rechenmacher

Size: 3.32 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to January 10, 2014.

MOTION: To postpone to January 10, 2014.

- 3. **ZV-2012-03380** Title: a Type II Variance application of AMKBJ Partners Ltd, Agriculture Property Inc by Land Research Management Inc., Agent. Request: to allow the elimination of the perimeter landscape buffers along the western portion of the north and south property lines and the entire west property line.

General Location: 1/4 mile north of the northwest corner of Boynton Beach Boulevard and State Road 7/US 441 on the west side of SR 7/US 441. **(Atlas Peat and Soil)** (Control 1979-00120)

Pages 3 - 3

Project Manager: Donna Adelsperger

Size: 62.80 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends a postponement to January 10, 2014.

MOTION: To postpone to January 10, 2014.

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**

4. **Z/DOA-2013-01849** Title: an Official Zoning Map Amendment application of Lennar Homes LLC by Urban Design Kilday Studios, Agent. Request: to allow a Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.
Title: a Development Order Amendment application of Lennar Homes LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Subdivision Plan, to add land area and units; and to modify Conditions of Approval (Engineering, Planning, Workforce Housing).
General Location: Located on the west side of Hypoluxo Farms Road approximately 685 feet south of Hypoluxo Road. **(Marquez-Jones)** (Control 2005-00414)

Pages 4 - 35

Conditions of Approval Pages (10 - 12)

Project Manager: Roger Ramdeen

Size: 41.38 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment with a Conditional Overlay Zone (COZ) subject to 12 Conditions of Approval as indicated in Exhibit C and approval of the Development Order Amendment.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Subdivision Plan, to add land area and units; and to modify Conditions of Approval (Engineering, Planning, Workforce Housing).

- E. CORRECTIVE RESOLUTIONS**
- F. SUBDIVISION VARIANCE**

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. **SV/Z/CA-2012-03112** Title: a Subdivison Variance application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow access to a non-residential property from a 60-foot wide ultimate Right-of-Way for Ranches Road, which is 20 feet less than the required 80 feet in width.

Title: an Official Zoning Map Amendment application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow the rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use application of Scott Freeland by Charles Putman & Associates, Agent. Request: to allow a General Day Care Center.

General Location: South of Hypoluxo Road on the northeast side of Jog Road and Ranches Road. **(Learning Place Academy)** (Control 1975-00145)

Pages 36 - 69

Conditions of Approval Pages (43 - 46)

Project Manager: Joyce Lawrence

Size: 1.06 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1 and 8 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Subdivison Variance to allow a reduction in the required access width for a non-residential use subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Single Family (RS) Zoning District to the Residential Transitional (RT) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a General Daycare subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

- 6. **DOA-2013-01057** Title: a Development Order Amendment application of Mizner Trail Golf Club Ltd by Land Design South Inc., Agent. Request: to modify the Master Plan to re-designate land uses, add units, add access points and reconfigure the recreation area.

General Location: Generally located south of Camino Real; east of Powerline Road; west of Military Trail; and, north of SW 18th Street. More specifically, north and east sides of Canary Palm Drive; the east and west sides of Camino Del Mar; and northwest and southwest of Palm D'Oro Drive. **(Boca Del Mar PUD)** (Control 1984-00152)

Pages 70 - 211

Conditions of Approval Pages (96 - 103)

Project Manager: Wendy Hernandez

Size: 1,945.96 acres ±

BCC District: 4

(affected area 129.88 acres ±)

Staff Recommendation: Staff recommends denial of the request.

MOTION: To recommend denial of a Development Order Amendment to modify the Master Plan to re-designate land uses, add units, add access points and reconfigure the recreation area.

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. EXECUTIVE DIRECTOR
- D. COMMISSIONERS

ADJOURNMENT