

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, JULY 3, 2014

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 Alex Brumfield III, Chair	Present
Commissioner Mark Beatty, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Absent
Commissioner William Anderson	Present
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Joanne Davis	Present
Commissioner Robert Currie	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

D. Proof of Publication – Motion to receive and file carried 7-0

E. Adoption of the Minutes – Motion carried 7-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
4	Absent	4	None	4, 6	6	None	6	6

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **ZV-2013-03108** Title: A Type II Variance application of Allegro At Boynton Beach LLC, Allegro At Boynton Beach, LLC - Richard Miller by Cotleur & Hearing Inc., Agent. Request: to allow a fence instead of a wall; for the fence to be located on the north and east property lines; and to allow the required 75% of the plant materials to be located on the inside of the fence.
General Location: East side of Hagen Ranch Road, south of Woolbright. **(Allegro at Boynton Beach)** (Control 1997-00075)

Pages 1 - 1
Project Manager: Joyce Lawrence
Size: 15.00 acres + BCC District: 5

Staff Recommendation: Staff recommends postponement to Thursday, August 7, 2014.

MOTION: To postpone to Thursday, August 7, 2014

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

DECISION: Postponed to August 7, 2014

2. **SD-143** Title: a Subdivision Variance application of Taric Commercial Properties, LLC by Frogner Consulting LLC, Agent. Request: To allow a variance from the requirement that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations
General Location: Approximately 0.75 miles south of Hypoluxo Road, on the east side of Military Trail, in the CG Zoning District. (BAREFOOT POOLS) (1999-00062)

Project Manager: Joanne M. Keller
 Size: 3.457 acres ±

Staff Recommendation: Staff recommends postponement to Thursday, August 7, 2014.

Pages 2 - 2

MOTION: To postpone to Thursday, August 7, 2014.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

DECISION: Postponed to August 7, 2014

B. REMANDS

3. **ZV/DOA/R-2013-02595** Title: a Type II Variance application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a business activity between 11:00 p.m. and 6:00 a.m. within 300 feet of a residential unit; a reduction in the landscape buffer width and plant materials; and, elimination of the required wall.

Title: a Development Order Amendment application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to modify the Site Plan; and, to add a Requested Use.

Title: a Requested Use application of Shoppes on 18 Street, Inc by Perry & Taylor PA, Agent. Request: to allow a Cocktail Lounge within 300 feet of a Residential District.

General Location: Approximately 0.5 miles west of Military Trail on the south side of SW 18th Street. (**Shoppes at Village Pointe**) (Control 1984-00152)

Pages 3 – 3
 Conditions of Approval Pages (136 -140)
 Project Manager: Joyce Lawrence
 Size: 7.00 acres ±

BCC District: 4

Staff Recommendation: Staff recommends a remand to the August 13, 2014 Development Review Officer (DRO) meeting.

MOTION: To remand to the Wednesday, August 13, 2014 Development Review Officer meeting.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

DECISION: To Remand to August 13, 2014

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/CA-2013-03119** Title: an Official Zoning Map Amendment application of Lantana Shiv Property LLC by Land Design South Inc., Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District. Title: a Class A Conditional Use application of Lantana Shiv Property LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant. General Location: Southeast corner of Military Trail and Lantana Road. **(Dunkin Donuts)** (Control 1994-00005)

Pages 4 - 24

Conditions of Approval Pages (12 - 13)

Project Manager: Carrie Rechenmacher

Size: 0.66 acres +

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C.4.

People who spoke on application

Brian Terry, Agent – In agreement with Conditions of Approval.

MOTION: To recommend approval of the Official Zoning Map Amendment to allow a rezoning from the Neighborhood Commercial (CN) Zoning District to the General Commercial (CG) Zoning District.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seconded				Moved				

MOTION: To recommend approval of the Requested Use to allow a Type I Restaurant subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seconded				Moved				

DECISION: APPROVED AS ADVERTISED 8-0

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

- 5. **DOAR-2013-03129** Title: a Development Order Amendment application of Bass Pro Outdoor World LLC – Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan; delete square footage, and to modify and delete Conditions of Approval (Use Limitation; Height, and Unity of Title).

Title: a Requested Use application of Bass Pro Outdoor World LLC – Jamie Carroll by Shutts and Bowen LLP, Agent. Request: to allow Vehicle Sales and Rental (boat sales).

General Location: Approximately 0.5 mile north of PGA Boulevard on the east side of U.S. Highway No. 1. (**World Wide Sportsman**) (Control 1986-00124)

Pages 25 - 55

Conditions of Approval Pages (30 - 36)

Project Manager: Roger Ramdeen

Size: 5.73 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 27 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

Harvey Oyer, Agent – In agreement with Conditions of Approval as clarified by zoning and as amended by Commissioner.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, delete square footage, and to modify and delete Conditions of Approval (Use Limitation, Height, and Unity of Title) subject to Conditions of Approval as indicated in Exhibit C. With proposed hours.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seconded				Moved				

MOTION: To recommend approval of a Requested Use to allow Vehicle Sales and Rental (boat sales).

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Seconded				Moved				

DECISION: APPROVED AS AMENDED 8-0

6. **PDD/RTDR-2013-01847** Title: an Official Zoning Map to a Planned Development District application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Planned Unit Development (PUD) District.

Title: a Requested Use application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights (TDR).

Title: a Transfer of Development Rights application of Manetto Hill Realty Venture LLC by Urban Design Kilday Studios, Agent. Request: to allow a Transfer of Development Rights for 53 units and designate this site as a receiving area.

General Location: On the south side of Lake Ida Road between Sims Road and Via Flora. **(Stonybrook on the Lake)** (Control 1978-00032)

Pages 56 - 110

Conditions of Approval Pages (63 - 66)

Project Manager: Roger Ramdeen

Size: 31.07 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 16 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Roger Ramdeen, Senior Site Planner- Gave a brief presentation.

Ken Tuma, Agent – Gave a brief presentation

Susan Herman, Glenn Weiss, Kristyn Cox-Goodwin, Sucheta Frankel, Juan Buriel, William s. Anderson spoke in opposition due to three general community concerns; 1) Safety; 2) Privacy; Environmental.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential Zoning District (AR) and the Residential Estates Zoning District (RE) to the Residential Planned Unit Development (PUD) District subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Nay	Absent	Nay	Nay	Nay	Nay	Nay	Nay	Nay
					Moved			Seconded

MOTION: To recommend approval of the Requested Use to allow a Transfer of Development Rights (TDR) and to allow Workforce Housing density bonus in excess of 30 percent.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Nay	Absent	Nay	Nay	Nay	Nay	Nay	Nay	Nay
					Moved			Seconded

MOTION: To recommend approval of the Transfer of Development Rights to allow a Transfer of Development Rights for 53 units and designate this site as a receiving area subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Nay	Absent	Nay	Nay	Nay	Nay	Nay	Nay	Nay
					Moved			Seconded

DECISION: DENIED 8-0

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

C. COMMISSIONER COMMENTS

ADJOURNMENT – 12:02 pm