



**ZONING COMMISSION
ZONING MEETING
AMENDMENTS TO THE AGENDA
AUGUST 6, 2015**

AGENDA

| <u>ITEM #</u> | <u>PAGE #</u> | <u>APPLICATION AND CONTROL #S</u> | <u>APPLICATION NAME</u> |
|----------------------|----------------------|--|--------------------------------|
|----------------------|----------------------|--|--------------------------------|

CONSENT AGENDA

D. ZONING APPLICATIONS – NEW

| | | | |
|-----------|----------------|--|---------------------|
| 2. | (36-72) | SV/ZV-2014-02513 (2014-00206) | Sunspire CLF |
|-----------|----------------|--|---------------------|

MOTION: To postpone to September 3, 2015.

| | | | |
|-----------|----------------|---------------------------------------|--|
| 3. | (73-90) | ZV-2015-00734 (2007-00172) | Federal Express Distribution Center |
|-----------|----------------|---------------------------------------|--|

MOTION: To postpone to September 3, 2015.



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

THURSDAY AUGUST 6, 2015

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. Notice
- E. Proof of Publication
- F. Adoption of the Minutes
- G. Swearing In
- H. 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

AUGUST 6, 2015

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- 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, August 27, 2015 to take final action on the applications listed below.

- D. Notice

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

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

- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Disclosures

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

D. ZONING APPLICATIONS - NEW

1. [ZV/DOA-2015-00762](#) Title: a Type II Variance application of FR Del Mar Village LLC by JMorton Planning & Landscape Architecture, Agent. Request: to allow an increase in hours of operation for commercial within 250-feet of residential; to allow a 100 percent easment overlap in a Right-of-Way buffer; and to allow reduction in the width of a Right-of-Way buffer.

Title: a Development Order Amendment application of FR Del Mar Village LLC by JMorton Planning & Landscape Architecture, Agent. Request: to reconfigure the site plan to reduce square footage; reconfigure the parking lot; and, modify Conditions of Approval (Landscape).

General Location: Northwest of the intersection of Powerline Road and West Palmetto Park Road. **(Del Mar Plaza)** (Control 1989-00117)

Pages 1 - 35

Conditions of Approval Pages (8 - 11)

Project Manager: Melissa Matos

Size: 13.26 acres ±

BCC District: 4

(affected area 2.00 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1 and 12 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in hours of operation for commercial within 250-feet of residential; to allow a 100 percent easment overlap in a Right-of-Way buffer; and to allow reduction in the width of a Right-of-Way buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan to reduce square footage; reconfigure the parking lot; and, modify Conditions of Approval (Landscape) subject to the Conditions of Approval as indicated in Exhibit C-2.

2. [SV/ZV-2014-02513](#) Title: a Subdivision Variance application of PHGG Realty LLC by Urban Design Kilday Studios, Agent. Request: to allow access onto a 36 foot Right-of-Way.
Title: a Type II Variance application of PHGG Realty LLC by Urban Design Kilday Studios, Agent. Request: to allow backout egress into a street; to eliminate a Right-of-Way buffer; and to allow a reduction in the side setback for existing buildings.
General Location: Approximately 465 feet south of Northlake Boulevard on the west side of Lyndal Lane. **(Sunspire CLF)** (Control 2014-00206)

Pages 36 - 72

Conditions of Approval Pages (42 - 44)

Project Manager: Donna Adelsperger

Size: 0.86 acres ±

BCC District: 1

Staff Recommendation: Engineering Staff recommends approval of the Subdivision Variance subject to 5 Conditions of Approval as indicated in Exhibit C-1; and Zoning Staff recommends approval of the Type II Variances subject to 10 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving the Subdivision Variance to allow access onto a 36 foot Right-of-Way subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving Type II Variances to allow backout parking into a street; to eliminate the Right-of-Way buffer; and to allow a reduction in the side setback for existing buildings subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [ZV-2015-00734](#) Title: a Type II Variance application of Suncap West Palm Beach LLC by Akerman LLP, Agent. Request: to allow the encroachment of a utility easement in a Right-of-Way buffer.
General Location: Southeast corner of Pike Road and 7th Place North. **(Federal Express Distribution Center)** (Control 1996-00041)

Pages 73 - 90

Conditions of Approval Pages (77 - 77)

Project Manager: Roger Ramdeen

Size: 27.23 acres ±

BCC District: 2

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

MOTION: To adopt a Resolution approving a Type II Variance to allow the encroachment of a utility easement in a Right-of-Way buffer subject to the Conditions of Approval as indicated in Exhibit C.

- 4. [DOA-2015-00314](#) Title: a Development Order Amendment application of Sweet T Fields LLC by Jon E Schmidt & Associates, Agent. Request: to reconfigure site plan, add square footage, and modify a Condition of Approval (Use Limitation) granted under Resolution R-2003-104.

General Location: Southeast corner of Jog Road and Atlantic Avenue. **(Atlantic Square MUPD)** (Control 1981-00109)

Pages 91 - 120

Conditions of Approval Pages (96 - 107)

Project Manager: Roger Ramdeen

Size: 18.83 acres ±

BCC District: 5

(affected area 0.27 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 68 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan, add square footage, and modify a Condition of Approval (Use Limitation) 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. [Z/CA-2014-02502](#) Title: an Official Zoning Map Amendment application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.
Title: a Class A Conditional Use application of Fuller Florence by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care General.
General Location: On the south side of SW 185th Street, approximately 400 feet west of SR7/US 441. **(Florence Fuller Child Development Center)** (Control 1987-00150)

Pages 121 - 142

Conditions of Approval Pages (128 - 130)

Project Manager: Carrie Rechenmacher

Size: 5.98 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 14 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to Conditions of Approval as indicated in Exhibit C-1.

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

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

- 6. [SD-148](#) Title: a Subdivision Variance application of Palm Beach Properties Development Company, LLC by Urban Design Kilday Studios, Agent. Request: a variance from the requirement that no access from individual lots shall be permitted directly to a major street. Requirements are set forth in the Unified Land Development Code, Article 11.E.9.B.2.
Location: West side of Hagen Ranch Road approximately 460 feet north of Atlantic Avenue, in the CG Zoning District. (Chevron) (1981-00067)

Pages 143 - 159

Conditions of Approval Pages (149 - 149)

Project Manager: Joanne Keller

Size: 1.0042 acres +/-

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

MOTION: To adopt a resolution denying a Subdivision Variance from the requirement that no access from individual lots shall be permitted directly to a major street.

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

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

ADJOURNMENT