



**ZONING COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
JUNE 2, 2016**

**AGENDA**

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

**CONSENT AGENDA**

**D. ZONING APPLICATIONS – NEW**

|           |                |                                                     |                               |
|-----------|----------------|-----------------------------------------------------|-------------------------------|
| <b>2.</b> | <b>(14-20)</b> | <b>ZV/DOA/R-2015-02146<br/>(Control 1977-00041)</b> | <b>Cherry Road Plaza MUPD</b> |
|-----------|----------------|-----------------------------------------------------|-------------------------------|

**AMEND** Engineering Condition 16 of Exhibit C-2 to read as follows:

16. Prior to issuance of the first building permit... into ~~a single lot~~ lots of record...

**AMEND** Engineering Condition 2 of Exhibit C-3 to read as follows:

2. Prior to issuance of the first building permit... into ~~a single lot~~ lots of record...

**REGULAR AGENDA**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

|           |             |                                        |                      |
|-----------|-------------|----------------------------------------|----------------------|
| <b>4.</b> | <b>(77)</b> | <b>DOA-2015-01719<br/>(1973-00036)</b> | <b>Boca Lago PUD</b> |
|-----------|-------------|----------------------------------------|----------------------|

**AMEND** Engineering Condition 5 of Exhibit C to read as follows:

5. The Property Owner shall provide... documents shall be provided and approved ~~prior to the issuance of the first building permit or within ninety (90) days of a request by the County Engineer, whichever shall occur first.~~ Right of way conveyance...

**AMEND** LANDCAPING ALONG THE SOUTH AND SOUTH WEST PROPERTY LINES (ABUTTING ARBOR WOOD SUBDIVISION) Condition 8 of Exhibit C to read as follows:

Landscaping along the south and southwest property lines shall be upgraded to include the following:

- a. A minimum...
- b. A three (3)...
- c. A six (6) foot opaque concrete panel or block wall located on the plateau of the berm;
- d. One canopy tree...
- e. A minimum twelve (12) foot high hedge (Areca Palms) or a similar species that is acceptable to the Zoning Division, and shall be planted on ~~both~~ the interior sides of the wall and three tiers shrubs, large, medium and small, and ornamental grasses on the exterior side of the wall; and,
- f. One (1) medium...

**AMEND** Landscape - General Condition 1 of Exhibit C-2 to read as follows:

1. Prior to Final Approval by the Development Review Officer (DRO):

- a. ~~The Property Owner shall revise the submit an Preliminary Alternative-Landscape Plan (ALP) dated April 14, 2016 to the Landscape Section and the Preliminary Tree Disposition Plan dated May 2, 2016 for review and approval to be generally consistent with the Preliminary Subdivision Plan submitted on April 14, 2016;~~
- b. ~~The Plan(s) shall be prepared in compliance with all landscape related Conditions of Approval as contained herein and shall account for all preserved, relocated, and mitigated trees. Additional native vegetation may be relocated or added to site to meet the intent of this condition; and;~~
- eb. The Property Owner shall meet with Landscape Staff to ensure that the maximum amount of existing native is incorporated into the final site design. (DRO: ZONING-Zoning)

**AMEND** Landscape - General Condition 2 of Exhibit C-2 to read as follows:

2. Prior to Final Approval by the Development Review Officer (DRO):

The Applicant/Property Owner shall submit a Tree Protection and Re-location plan. The Plan shall describe the following information:

- a. How the existing trees proposed to be preserved will be protected. Permanent tree protection devices including, but not limited to: tree wells, retaining walls, shall be installed for the preservation of trees. All protecting devices must be illustrated on the FRP Tree Protection and Relocation plan;
- b. Where the proposed relocated trees exist and where they will be relocated to;
- c. How the proposed relocated trees will be pruned prior to relocation and associated time lines for pruning so the trees will not go into shock;
- d. Where the proposed relocated trees be temporarily located during site improvements; and,
- e. How the proposed relocated trees will be maintained and cared for while in their temporary location;
- f. The date in which the trees will be removed to their temporary location so that an inspection by Zoning Staff is scheduled and completed prior to any site improvements. (DRO: ZONING-Zoning)

~~All existing trees to remain in the affected area (including canopy trees, pines or palms) are required to be protected with tree barriers during all stages of construction. Permanent tree protection devices including, but not limited to: tree wells, retaining walls, shall be installed for the preservation of trees. All protecting devices must be illustrated on the FRP. (ONGOING: ZONING - Zoning)~~

**AMEND** Landscape - General Condition 3 of Exhibit C-2 to read as follows:

3. Prior to Final Approval by the Development Review Officer (DRO), the Preliminary Subdivision Plan dated April 14, 2016, shall be revised as follows to allow for larger areas for preservation and relocation of existing trees:

- a. reduce the depth of lots 30, 31 and 32 to create an open space tract at the back of the lots (northeast);
- b. reduce the width of lot 11 to create an open space tract along the east property line;
- c. reduce the width of lot 6 to create an open space tract along the south property line; and,
- d. increase the width of the Compatibility buffer along the south property line to be a minimum of 25 feet in width.

~~remove current Lot 6 and Lot 41 to preserve the clusters of native trees, which includes Trees numbered 83 through 87 on Lot 6, and trees numbed 166 through 209 on Lot 41. These trees numbers are identified on the Preliminary Regulating Plan dated April 14, 2016; and,~~

- b. ~~preserve Tree #11, Strangler Fig in the north landscape buffer. (ONGOINGDRO: ZONING-Zoning)~~

**ADD** Landscape - General Condition 4 of Exhibit C-2 to read as follows:

4. Prior to Final Approval by the Development Review Officer, the Preliminary Tree Disposition Plan dated May 2, 2016, shall be revised to identify additional preserved and relocated trees to be incorporated into the Final Plans.

- a. Preserve Trees: 11, 41, 43, 48, 110, 112, 117, 123,127, 180, 188, 199-202, 204, 207 and 208; and,
- b. Relocated Trees: 84, 85, 87, 166-179, 185, 187, 205, 206, and 209.

**ADD** Landscape - General Condition 5 of Exhibit C-2 to read as follows:

5. Prior to Final Approval by the Development Review Officer, the Applicant shall request a coordinated site inspection by Staff from Zoning and Environmental Resource Management to ensure trees proposed for preservation have been properly tagged and the tree protection devises have been installed. (DRO: ZONING-Zoning)



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

**THURSDAY JUNE 2, 2016**

**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/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**

**JUNE 2, 2016**

**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 takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. 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, June 23, 2016 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

- 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**

- 1. [DOA-2015-01470](#) Title: a Development Order Amendment application of Florida Education Properties Villages of by F.P. Dino Inc., Agent. Request: to reconfigure the site plan, add and delete square footage, increase the number of students for the Private School, decrease the number of children for the Day Care, and amend Conditions of Approval (Engineering).

General Location: Southeast corner of Hypoluxo Road and Lyons Road. **(Villages of Windsor SE Civic)** (Control 1996-00081)

Pages 1 - 1

Project Manager: Joyce Lawrence

Size: 12.12 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to Thursday July 7, 2016.

**MOTION:** To postpone to Thursday July 7, 2016.

**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**

2. [ZV/DOA/R-2015-02146](#) Title: a Type II Variance application of Cherry Road Plaza LLC, AATC Realty LLC by Jon E Schmidt & Associates, Agent. Request: to allow an easement encroachment into a landscape buffer, to eliminate trees in a portion of a Right Way Buffer, to eliminate trees and required hedges within the terminal and interior islands along the east property line, and to eliminate the trees and hedges material in the east buffer.  
Title: a Development Order Amendment application of Cherry Road Plaza LLC, AATC Realty LLC by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan, delete square footage and add two Requested Uses.  
Title: a Requested Use application of Cherry Road Plaza LLC, AATC Realty LLC by Jon E Schmidt & Associates, Agent. Request: to allow Vehicle Sales and Rental, and General Repair and Maintenance.  
General Location: Northeast corner of Cherry Road and Military Trail. **(Cherry Road Plaza MUPD)** (Control 1977-00041)

Pages 2 - 49

Conditions of Approval Pages (10 - 23)

Project Manager: Carlos Torres

Size: 9.85 acres ±

BCC District: 7

(affected area 3.50 acres ±)

Staff Recommendation: Staff recommends approval of the requests, subject to 6 Conditions of Approval as indicated in Exhibit C-1, 62 Conditions of Approval as indicated in Exhibit C-2, 12 Conditions of Approval as indicated in the Exhibit C-3, and 9 Conditions of Approval as indicated in Exhibit C-4.

**MOTION:** To adopt a resolution approving the Type II Variance to allow an easement encroachment into a landscape buffer, to eliminate trees in a portion of a Right Way Buffer, to eliminate trees and required hedges within the terminal and interior islands along the east property line, and to eliminate the trees and hedges material in the east buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval for the Development Order Amendment to reconfigure the Site Plan, delete square footage and add two Requested Uses (Vehicle Sales and Rental and Repair and Maintenance General) subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval for the Requested Use to allow General Repair and Maintenance subject to the Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To recommend approval for the Requested Use to allow Vehicle Sales and Rental subject to the Conditions of Approval as indicated in Exhibit C-4.

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

3. [Title: a Subdivision Variance](#) application of Pierre A. St Jean, by WGI, Agent.

Application No. SD-157

Request: To allow a variance from the requirement that access shall be by a street of suitable classification and construction as established by the subdivision regulations. Requirements are set forth in the Unified Land Development Code, Article 11.E.2.A.2 and Table 11.E.2.A-2. General Location: 49 S Military Trail and 4540 Canal Road, west side of Military Trail, south of Southern Boulevard in the UC Zoning District. (Military and Southern) (Control 2016-00426)

Project Manager: Joanne Keller

Size: 0.62 acres+/-

BCC District: 2

Conditions of Approval Pages (56-57)

Pages 50 - 63

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

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow a variance from the requirement that access shall be by a street of suitable classification and construction as established by the subdivision regulations. Requirements are set forth in the Unified Land Development Code, Article 11.E.2.A.2 and Table 11.E.2.A-2 subject to the Conditions of Approval as indicated in Exhibit C.

**END OF CONSENT AGENDA**

**REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. STATUS REPORTS****C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

4. [DOA-2015-01719](#) Title: a Development Order Amendment application of Boca Lago Country Club, Inc by Wantman Group Inc., Agent. Request: to reconfigure the Master Plan, and modify and delete Conditions of Approval (Planned Unit Development and Planning).

General Location: North of Palmetto Park Road and Lyons Road. **(Boca Lago PUD)**  
(Control 1973-00036)

Pages 64 - 134

Conditions of Approval Pages (74 - 85)

Project Manager: Joyce Lawrence

Size: 546.50 acres  $\pm$

BCC District: 5

(affected area 23.30 acres  $\pm$ )

Staff Recommendation: Staff recommends approval of the request subject to 53 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Development Order Amendment reconfigure the Master Plan, and modify and delete Conditions of Approval (Planned Unit Development and Planning) subject to the Conditions of Approval as indicated in Exhibit C.

**D. ZONING APPLICATIONS - NEW**

5. [Z/CA-2015-02510](#) Title: an Official Zoning Map Amendment application of Judith Fagan, Milind Chokshi by Wantman Group Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use application of Judith Fagan, Milind Chokshi by Wantman Group Inc., Agent. Request: to allow Zero Lot Line (ZLL) units.

General Location: Approximately 0.25 miles south of Ranchette Road and Summit Boulevard. **(Ranchette Royale)** (Control 2005-00188)

Pages 135 - 161

Conditions of Approval Pages (141 - 144)

Project Manager: Joyce Lawrence

Size: 10.60 acres  $\pm$

BCC District: 2

Staff Recommendation: Staff recommends the approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1, and 13 Conditions of Approval as indicated in Exhibit C-2.

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

**MOTION:** To recommend approval of a Class A Conditional Use to allow Zero Lot Line (ZLL) units subject to Conditions of Approval as indicated in Exhibit C-2.

**E. SUBDIVISION VARIANCE**



**F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

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

**ADJOURNMENT**