



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

THURSDAY OCTOBER 6, 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/

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



AGENDA
PALM BEACH COUNTY ZONING COMMISSION

OCTOBER 6, 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, October 27, 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. [ZV/ABN/CA-2016-00444](#) Title: a Type II Variance application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to allow a reduction in the width of Right of Way and Compatibility buffers, to allow easements overlap in perimeter buffers and foundation planting, a reduction in setbacks; an increase in wall signage, and reduction of lot depth.
Title: a Development Order Abandonment application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to abandon resolution R-1984-1843.
Title: a Class A Conditional Use application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to allow General Repair and Maintenance.
General Location: Northeast corner of Northlake Boulevard and Silverthorne Drive. **(Tire Kingdom)** (Control 1984-00048)

Pages 1 - 1

Project Manager: Carlos Torres

Size: 1.05 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday November 3, 2016.

MOTION: To postpone to Thursday November 3, 2016.

2. [ZV/CB/Z/CA-2015-02346](#) Title: a Type II Variance application of Chinhoi of The Palm Beaches LLC by PLACE Planning & Design, Agent. Request: to allow a reduction in building frontage.
Title: a Class B Conditional Use application of Chinhoi of The Palm Beaches LLC by PLACE Planning & Design, Agent. Request: to allow a Car Wash.
Title: an Official Zoning Map Amendment application of Chinhoi of The Palm Beaches LLC by PLACE Planning & Design, Agent. Request: to allow a rezoning from the Neighborhood Commercial (CN) and the Residential Multi-family (RM) Zoning Districts to the General Commercial (CG) Zoning District.
Title: a Class A Conditional Use application of Chinhoi of The Palm Beaches LLC by PLACE Planning & Design, Agent. Request: to allow General Repair and Maintenance.
General Location: Intersection of Cherry Road and North Congress Avenue. **(Speedy Tires)** (Control 2009-02311)

Pages 2 - 2

Project Manager: Roger Ramdeen

Size: 2.61 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday November 3, 2016.

MOTION: To postpone to Thursday, November 3, 2016.

- 3. [ZV/DOA/R-2015-02348](#) Title: a Type II Variance application of First Coast Energy LLP by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a reduction in number of parking spaces and the width of a Right-of-Way buffer.
Title: a Development Order Amendment application of First Coast Energy LLP by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure Site Plan, add square footage and fueling stations, add a Requested Use, and modify Conditions of Approval (Engineering).
Title: a Requested Use application of First Coast Energy LLP by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a Convenience Store with Gas Sales.
General Location: East side of State Road 7 south of Southern Boulevard. **(Western Plaza -First Coast Energy Convenience Store No. 2719)** (Control 1977-00048)

Pages 3 - 3

Project Manager: Carlos Torres

Size: 32.86 acres ±

BCC District: 6

(affected area 1.15 acres ±)

Staff Recommendation: Staff recommends postponement to the Thursday November 3, 2016.

MOTION: To postpone to Thursday November 3, 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

4. [ZV/DOA/R-2016-00859](#) Title: a Type II Variance application of Florida Power and Light by BRPH Architects-Engineers Inc., Agent. Request: to allow no pedestrian connectivity within MUPD-2 Pod-A; to eliminate canopy trees along a portion of the west perimeter buffer; and to allow no trees within the proposed interior parking islands and terminal islands.
Title: a Development Order Amendment application of Florida Power and Light by BRPH Architects-Engineers Inc., Agent. Request: to reconfigure the site plan, modify Conditions of Approval (Landscape) and add a Requested Use.
Title: a Requested Use application of Florida Power and Light by BRPH Architects-Engineers Inc., Agent. Request: to allow a Helipad.
General Location: Southwest of Pratt and Whitney Road and the Bee Line Highway. **(FPL Jupiter West Helistop Addition)** (Control 2001-00009)

Pages 4 - 38

Conditions of Approval Pages (11 - 19)

Project Manager: Josue Leger

Size: 15.27 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 9 Conditions of Approval as indicated in Exhibit C-1; 29 Conditions of Approval as indicated in Exhibit C-2; and 5 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution for a Type II Variance to allow no pedestrian connectivity within the MUPD-2 Pod-A; to eliminate canopy trees along a portion of the west property line; to allow no trees to be planted within the proposed interior and terminal parking islands in the affected area subject to Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan, modify Conditions of Approval (Landscape) and add a Requested Use subject to Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Requested Use to allow a Helipad subject to Conditions of Approval as indicated in Exhibit C-3.

5. [PDD/R-2016-00425](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Douglas Feurring by Land Design South Inc., Wantman Group Inc., Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

General Location: Southeast corner of Atlantic Avenue and Lyons Road. **(Feurring Commercial MUPD)** (Control 2013-00213)

Pages 39 - 62

Conditions of Approval Pages (45 - 47)

Project Manager: Yoan Machado

Size: 4.90 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

6. [ZV-2016-01247](#) Title: a Type II Variance application of Highland Dunes Associates Property LLC, Highland Dunes Associates Property Llc, Highland Dunes Associates by Urban Design Kilday Studios, Agent. Request: to eliminate the privacy wall or fence at the rear of a Zero Lot Line (ZLL) home.

General Location: Approximately 2.5 miles west of Seminole Pratt Whitney Road on the north side of Southern Boulevard. **(Arden PUD)** (Control 2005-00394)

Pages 63 - 90

Conditions of Approval Pages (69 - 70)

Project Manager: Diego Penalosa

Size: 1,209.96 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 9 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to eliminate the privacy wall or fence at the rear of a Zero Lot Line (ZLL) home subject to the Conditions of Approval as indicated in Exhibit C.

7. [ZV/ABN/DOA-2016-01042](#) Title: a Type II Variance application of Tjac Boca Grove LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a reduction in Right-of-Way buffer; allow 100 percent encroachment of easements within buffer; allow wall to be located on the property line; to relocate trees and shrubs to the interior side of the wall; and allow a wall to encroach into easements.

Title: a Development Order Abandonment application of Tjac Boca Grove LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to abandon Resolution R-2008-1387 to allow a Requested Use for a Place of Worship.

Title: a Development Order Amendment application of Tjac Boca Grove LLC by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to reconfigure the Site plan, add square footage, and modify and delete Conditions of Approval (Architecture, Building and Site Design).

General Location: Southwest corner of Powerline Road and Boca Grove Boulevard. (**Grove Center Office MUPD**) (Control 1981-00170)

Pages 91 - 124

Conditions of Approval Pages (100 - 105)

Project Manager: Carlos Torres

Size: 3.46 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C1, and 17 Conditions of Approval as indicated in Exhibit C2.

MOTION: To adopt a resolution to allow a reduction in Right-of-Way buffer; allow 100 percent encroachment of easements within buffer; allow wall to be located on the property line; to relocate trees and shrubs to the interior side of the wall; and allow a wall to encroach into easements subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Abandonment to abandon Resolution R-2008-1387 to allow a Requested Use for a Place of Worship.

MOTION: To recommend approval for a Development Order Amendment to reconfigure the Site plan, add square footage, and modify and delete Conditions of Approval (Architecture, Building and Site Design) subject to the Conditions of Approval as indicated in Exhibit C-2.

- 8. [ZV/DOA/R-2015-02507](#) Title: a Type II Variance application of 7-Eleven Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to allow encroachment of easement within a Right-of-Way buffer.

Title: a Development Order Amendment application of 7-Eleven Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to reconfigure the site plan, add a Requested Use, and modify and delete Conditions of Approval (Engineering, Signs, and Use Limitations).

Title: a Requested Use application of 7-Eleven Inc. by Gunster Yoakley & Stewart PA, Agent. Request: to allow a Convenience Store with gas sales.

General Location: Northeast corner of Lake Worth Road and Nassau Road. **(7-Eleven Lake Worth Road)** (Control 2003-00087)

Pages 125 - 164

Conditions of Approval Pages (132 - 142)

Project Manager: Carlos Torres

Size: 8.39 acres ±

BCC District: 2

(affected area 1.59 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 9 Conditions of Approval as indicated in Exhibit C-1; 41 Conditions of Approval indicated in Exhibit C-2, and 11 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Type II Variance to allow encroachment of easement within 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, add a Requested Use, and modify and delete Conditions of Approval (Engineering, Signs, and Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Requested Use to allow a Convenience Store with gas sales subject to the Conditions of Approval as indicated in Exhibit C-3.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

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

9. [DOA-2016-00435](#) Title: a Development Order Amendment application of Standard Pacific Of South Florida, Standard Pacific Of Florida, Homes Westbrooke by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan, modify Conditions of Approval (Engineering, Landscaping, Parks, Planned Development, Planning and Site Design), relocate access point, modify unit type, and add units.

General Location: East side of Lyons Road approximately 3,325 feet south of Lake Worth Road. **(Andalucia PUD)** (Control 2008-00129)

Pages 165 - 199

Conditions of Approval Pages (173 - 184)

Project Manager: Carlos Torres

Size: 67.76 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 36 Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan, modify Conditions of Approval (Engineering, Landscaping, Parks, Planned Development, Planning and Site Design), relocate access point, modify unit type, and add units subject to the Conditions of Approval as indicated in Exhibit C-1.

D. ZONING APPLICATIONS - NEW

10. [Z-2016-01027](#) Title: an Official Zoning Map Amendment application of Palm Beach County Zoning by PBC Zoning, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District.

General Location: North side of Boynton Beach Boulevard and 1680 feet east of Lyons Road. **(Caridad Center)** (Control 1983-00067)

Pages 200 - 209

Conditions of Approval Pages (204 - 204)

Project Manager: Yoan Machado

Size: 6.71 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C.

MOTION: To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

- 11. [Z/CA-2016-01028](#) Title: an Official Zoning Map Amendment application of Palm Beach County Zoning. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District.
Title: a Class A Conditional Use application of Palm Beach County Zoning. Request: to allow a cemetery (existing).
General Location: Approximately 0.5 mile south of Boynton Beach Boulevard on the east side of State Road 7. **(Eternal Light Memorial Gardens)** (Control 1975-00011)

Pages 210 - 222

Conditions of Approval Pages (216 - 217)

Project Manager: Yoan Machado

Size: 49.61 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to Conditional Overlay Zone and 2 Conditions of Approval as indicated in Exhibit C-1 and 12 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) subject to Conditions of Approval as indicated in Exhibit C-1.

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

- 12. [Z-2016-01015](#) Title: an Official Zoning Map Amendment application of Palm Beach County Zoning. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District.
General Location: Approximately 0.42 miles north of Boynton Beach Boulevard on the east side of State Road 7. **(Faith Farm Ministries)** (Control 1994-00073)

Pages 223 - 232

Conditions of Approval Pages (227 - 227)

Project Manager: Yoan Machado

Size: 87.28 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and 2 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Institutional Public Facilities (IPF) Zoning District with a Conditional Overlay Zone (COZ) subject to Conditions of Approval as indicated in Exhibit C.

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

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