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

THURSDAY MAY 3, 2007

**THURSDAY
9:00 AM**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Opening Prayer and Pledge of Allegiance
 - C. Remarks of the Chair
 - D. Proof of Publication
 - E. Swearing In
 - F. Disclosures
- 2. POSTPONEMENTS/REMANDS (Pages 2-3)**
- 3. CONSENT AGENDA (Page 4)**
- 4. REGULAR AGENDA (Pages 5-6)**
- 5. COMMISSIONER COMMENTS (Page 6)**
- 6. DIRECTOR COMMENTS (Page 6)**
- 7. ADJOURNMENT (Page 6)**

Web address: www.pbcgov.com/pzb/

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

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

MAY 3, 2007

1. 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 Jane M. Thompson Memorial Chambers, 6th Floor, 301 N. Olive Avenue, 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, May 24, 2007 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.

Public comment continues to be 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. Swearing In – County Attorney.
- F. Disclosures.

2. POSTPONEMENTS/REMANDS

A. POSTPONEMENTS

1. **ZV2007-016** Title: Resolution approving a Type II Zoning Variance application of Spots Inc., by Kilday & Associates, Inc., Agent. Request: To allow elimination of frontage requirement along an arterial or collector street for a CH-MUPD; to allow reduction of lot size requirement; to allow reduction lot width requirement; to allow increase of Building Coverage; to allow reduction of front setback; to allow reduction of side street setbacks; to allow reduction of side setbacks; to allow elimination of limit on hours of operations; to allow overlap or easement encroachment in R-O-W buffers; to allow width reduction for R-O-W buffers, and to allow deviation of planting pattern for R-O-W buffers. General Location: Located between Kentucky Street and Oklahoma Street on the east side of Congress Avenue. **(MORGAN HOTEL)** (Control 1977-031)

Page 1

Size: 2.48 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to Thursday June 7, 2007.

2. **CB2006-947** Title: Resolution approving a Class B Conditional Use application of Boynton Beach Associates, XXIII, LLLP, by Urban Design Studio, Agent. Request: To allow Agricultural, Sales and Service. General Location: Northwest corner of Lee Road and State Road 7/US 441. **(LEE ROAD PROPERTY)** (Control 2006-361)

Page 2

Size: 5.0 acres ±

BCC District: 5

MOTION: To postpone sixty (60) days to Thursday July 5, 2007.

B. REMANDS

3. **DOA2007-049** Title: Resolution approving a Development Order Amendment application of Kabbalah Learning Center Inc by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: To delete a condition of approval. General Location: Approximately 0.33 miles West of the intersection of Palmetto Park Road and the Florida's Turnpike. **(KABBALAH LEARNING CENTER)** (Control 1997-094)

Page 3

Size: 2.63 acres ±

BCC District: 5

MOTION: To remand to the June 13, 2007 Development Review Officer meeting.

4. **Z/CA/ZV2006-1933** Title: Resolution approving An Official Zoning Map Amendment application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: To allow a Place of Worship. Title: Resolution approving a Type II Zoning Variance application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: To allow a reduction for required number of parking spaces, reduction of landscape buffer to the west and reduction in the side setback. General Location: Southwest corner of SR 7/US441 and Yamato Road. **(ST. JOHN THE EVANGELIST EAST)** (Control 2006-555)

Page N/A

Size: 11.52 acres ±

BCC District: 5

MOTION: To remand to the June 13, 2007 Development Review Officer meeting (Administrative Remand).

END OF POSTPONEMENTS/REMANDS

3. CONSENT AGENDA

A. ZONING APPLICATIONS – CONSENT

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. PREVIOUSLY POSTPONED ITEMS

5. **ZV2006-1925** Title: Resolution approving Type II Zoning Variance application of Jonathan Bell. Request: To allow a replacement freestanding sign to exceed the maximum height. General Location: Northwest Corner of Hypoluxo Road and I-95. **(PUBLIC STORAGE)** (Control 1977-043)

Pages 4-22

Size: 8.79 acres ±

BCC District: 3

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow a replacement freestanding sign to exceed the maximum height.

B. ZONING APPLICATION

6. **ZV2006-1907** Title: Resolution approving Type II Zoning Variance application of Tallman LLC, by Land Design South, Inc., Agent. Request: To allow for the elimination of a single terminal landscape island. General Location: Approximately 300 feet northeast of the Cleary Road and Southern Boulevard intersection. **(MURPHY'S TOWING VARIANCE)** (Control 1988-033)

Pages 23-30

Size: 4.38 acres ±

BCC District: 6

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow for the elimination of a single terminal landscape island.

7. **ZV2007-329** Title: Resolution approving a Type II Zoning Variance application of Temple Shaarei Shalom, Inc., by Kilday & Associates, Inc., Agent. Request: To allow for a reduction in the required number of parking spaces for a place of worship. General Location: Located on the northwest corner of Hagen Ranch Road and Triviso Lane. **(TEMPLE SHAAREI SHALOM EXPANSION)** (Control 1997-078)

Pages 31-40

Size: 4.41 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a reduction in the required number of parking spaces for a place of worship.

8. **CA/TDR2006-733** Title: Resolution approving a Class A Conditional Use application of Brahmedo Persaud. Request: To allow for the Transfer of Development Rights for 8 units. General Location: Approximately 829 feet east of Haverhill Road on the north side of Dryden Road. **(DRYDEN APARTMENTS)** (Control 2006-253)

Pages 41-62

Size: 2.56 acres ±

BCC District: 2

MOTION: To recommend approval of a Class A Conditional Use to allow for a Transfer of Development Rights for 8 units.

9. **CA/TDR2006-1555** Title: Resolution approving a Class A Conditional Use application of Vivendi Homes, LLC, by Ruden, McClosky, Agent. Request: To allow the Transfer of Development Rights for 9 units. General Location: Approximately 300 feet east of Kirk Road on the south side of Melaleuca Lane. **(VIVENDI)** (Control 2000-111)

Pages 63-82

Size: 3.50 acres ±

BCC District: 3

MOTION: To recommend denial of a Class A Conditional Use to allow the Transfer of Development Rights for 9 units.

5. COMMISSIONER COMMENTS

6. DIRECTOR COMMENTS

7. ADJOURNMENT