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**PALM BEACH COUNTY ZONING COMMISSION  
AMENDMENTS TO THE AGENDA**

Thursday, November 1, 2007

**AGENDA**

**ITEM #/PAGE #    PETITION / CHANGE**

**AMENDMENTS TO THE AGENDA**

14. Pgs 67-97    **Z/CA2006-022 (COLONIAL LAKES)**  
(Control 2006-010)

Add Landscape Condition # 7 to read as follows:

- 7.    In addition to the code requirements, additional foundation planting shall include the following:
  - a.    shrubs installed at a minimum height of 36 inches.
  - b.    required trees or palms shall be installed at varying heights ranging from twelve (12) to sixteen (16) feet.
  - c.    foundation planting shall include appropriate ground cover in a manner acceptable to the Landscaping Section.

16. Pgs 119-149    **ZV/PDD/R2007-519(CASA DE RESTAURACION)**  
(Control 1977-148)

Reverse All Petitions Conditions 1 and 2

Modify Architectural Review Condition 1 to read as follows:

- 1.    The exterior elevations of all buildings shall include exterior colors that shall be neutral, pastel, or earth tone colors. Building colors shall be varied by providing contrasting, but complimentary, colors for the building trims and massing (i.e. stucco banding, door and window frames, etc.). Roof and trim colors shall be coordinated with base colors. (~~ONGOING~~BLDG PERMIT: BLDG - Arch. Review)

Modify Dumpster Condition 1 to read as follows:

- 1.    Prior to issuance of the Certificate of Occupancy for the 19,000 square foot Place of Worship, the property owner shall retrofit existing loose dumpsters in accordance with Article 5.B.1.A.8.e. (CO: BLDG - Zoning)

Modify Zoning-Landscaping Condition 1 to read as follows:

1. Prior to final ~~DRO~~ approval by the Development Review Officer (DRO), the property owner shall submit an Alternative Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)

Modify Use Limitations Condition 2 to read as follows:

2. Accessory outdoor uses such as temporary sales events shall be limited to a maximum of three (3) events per year and shall be set back a minimum of 75 feet from all perimeter property lines. No temporary amusements or special events are permitted on the property. (~~ONGOING / SPECIAL PERMIT~~: CODE ENF - Zoning)

18. Pgs 171-201 **ZV/DOA/R2007-886 (SHOPS AT BOCA GROVE)**  
(Control 1974-104)

Modify Architectural Review Heading to read as follows:

ARCHITECTURAL REVIEW – FREESTANDING TYPE I RESTAURANT

Add Parking Condition 1 to read as follows:

1. Prior to final approval by the Development Review Officer (DRO), the property owner shall record an amendment to the Amendment and Restatement of Unity of Title dated August 1, 2005 to reflect that the parking area provided on Parcel B supports the required parking for Parcel A. (DRO: ZONING - Zoning)

Modify Zoning Landscaping Heading to read as follows:

ZONING – LANDSCAPING – FREESTANDING TYPE I RESTAURANT

19. Pgs 202-227 **ZV2007-1405 (112TH TERRACE\ NORTHLAKE BLVD MUPD)**  
(Control 2006-529)

Modify Motion to read as follows:

MOTION: To adopt a resolution ~~approving~~ denying a Type II Zoning Variance to allow a reduction in pervious surface area.

Addie L. Greene, Chairperson  
Jeff Koons, Vice Chair  
Karen T. Marcus  
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**ORDER OF BUSINESS  
ZONING COMMISSION  
PALM BEACH COUNTY, FLORIDA**

**THURSDAY NOVEMBER 1, 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 (Pages 2-4)**

**3. CONSENT AGENDA (Pages 5-6)**

**4. REGULAR AGENDA (Pages 7-9 )**

**5. COMMISSIONER COMMENTS (Page 9)**

**6. DIRECTOR COMMENTS (Page 9)**

**7. ADJOURNMENT (Page 9)**

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**

**NOVEMBER 1, 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, 6<sup>th</sup> 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, 6<sup>th</sup> Floor, at 9:30 A.M. on Thursday, November 29, 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

A. POSTPONEMENTS

- 1. **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 1  
Project Manager-Ron Sullivan

Size: 5.0 acres ± BCC District: 5

MOTION: To postpone sixty (60) days to Friday, January 4, 2008.

- 2. **Z/CA2006-1914** Title: Resolution approving an Official Zoning Map Amendment application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the Transfer of Development Rights for 10 units. General Location: Approximately 1300 feet north of Belvedere Road on the west side of Haverhill Road. **(THE RESIDENCES AT HAVERHILL) (2006-551)**

Page 2  
Project Manager-Douglas Robinson

Size: 2.70 acres ± BCC District: 2

MOTION: To postpone sixty (60) days to Thursday, January 4, 2008.

- 3. **DOA/R2007-528** Title: Resolution approving a Development Order Amendment application of Harvey Geller, by Land Design South, Inc., Agent. Request: To reconfigure site plan. Title: Resolution approving a Requested Use application of Harvey Geller, by Land Design South, Inc., Agent. Request: To allow a Daycare, General; a Assembly-Non-Profit and a Veterinary Clinic. General Location: Southeast corner of Yamato Road and SR 7/US 441. **(YAMATO COURT MUPD)** (Control 2005-597)

Page 3  
Project Manager-Ron Sullivan

Size: 24.98 acres ± BCC District: 5  
(affected area 15.0 acres ±)

MOTION: To postpone thirty (30) days to Thursday, December 6, 2007.

4. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. **(LAKE HARBOR QUARRY)** (Control 2007-054)

Page 4

Project Manager-Douglas Robinson

Size: 7351.24 acres ±  
Affected area 640.0 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, December 6, 2007.

5. **ZV2007-1181** Title: Resolution approving a Type II Zoning Variance application of Jonathan Bramley. Request: To allow a reduction in the rear setback. General Location: South side of Stonehaven Estates Drive on the east side of SR 7/US441 approximately 0.25 mile north of Forest Hill Boulevard. **(BRAMLEY VARIANCE)** (Control 1996-084)

Page N/A

Project Manager-Andrea Harper

Size: 0.27 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, December 6, 2007.

6. **ZV2007-1177** Title: Resolution approving a Type II Zoning Variance application of James Fitzgerald, by Gentile Holloway O'Mahoney, Inc, Agent. Request: To allow for the reduction in the minimum lot frontage and lot width for 2 proposed lots in the proposed Residential Transitional (RT) Zoning District. General Location: West on Riverside Drive between Tequesta Drive and County Line Road. **(FITZGERALD)** (Control 2007-284)

Page 5

Project Manager-Sandra Gonzalez

Size: 1.59 acres ±

BCC District: 1

MOTION: To postpone sixty (60) days to Friday, January 4, 2008

7. **ZV2007-1411** Title: Resolution approving a Type II Variance application of Value Place Hotels, by Land Design South, Inc., Agent. Request: To allow deviation in hours of operation for a commercial use adjacent to a residential district. General Location: Approximately 250 feet North of the Northwest corner of Roan Lane and Northlake Boulevard. **(NORTHLAKE VALUE PLACE HOTEL)** (Control 2007-259)

Page 6

Project Manager-Sandra Gonzalez

Size: 3.06 acres ±

BCC District: 1

MOTION: To postpone sixty (60) days to Friday, January 4, 2008.

8. **ZV2007-1403** Title: Resolution approving a Type II Variance application of Alina Maher and Daniel Maher, by Daniel Maher, Agent. Request: To allow the reduction of the required side interior setback. General Location: Approximately 0.05 mile south and west of Hypoluxo Road and Military Trail. **(MAHER RESIDENCE)** (Control 2007-350)

Page 7

Project Manager-Douglas Robinson

Size: 0.22 acres ±

BCC District: 3

MOTION: To postpone sixty (60) days to Friday, January 4, 2008.

**END OF POSTPONEMENTS**

3. CONSENT AGENDA

A. STATUS REPORTS

9. [Status Report for Resolution ZR-2001-006](#) (Petition 1993-009(B)), the petition of Young Israel of Boca Raton, Inc. Property owner: Young Israel of Boca Raton, Inc. General Location: south side of Palmetto Circle N, approximately 900 feet west of Powerline Road. Zoning District: General Commercial (CG) with a Class B Conditional Use for daycare general (Young Israel Daycare).

Pages 8-11

Size: 3.5 acres

BCC District: 5

MOTION: To approve a time extension until August 19, 2009, for ZR-2001-006.

B. ZONING APPLICATIONS

10. [ZV2007-1010](#) Title: Resolution approving a Type II Zoning Variance application of Deisy Jimenez. Request: To allow structure to encroach the rear setback. General Location: Approximately 1,400 feet west of North Florida Mango Road on the south side of Upland Road. **(JIMENEZ VARIANCE)** (Control 2005-575)

Pages 12-21

Conditions of Approval Pages (19)

Project Manager-Sandra Gonzalez

Size: 0.153 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow structure to encroach the rear setback.

11. [DOA2007-526](#) Title: Resolution approving a Development Order Amendment application of James Crystal Farms, Inc., by Land Design South, Inc., Agent. Request: To modify/delete conditions of approval for a Class B Conditional Use and reconfigure site plan to add four additional Radio Towers. General Location: Approximately 2 miles west of US Highway 27 and 0.5 miles south of Willard Smith Road. **(SUNDANCE FARMS TOWER)** (Control 1999-048)

Pages 22-40

Conditions of Approval Pages (34-36)

Project Manager-Ron Sullivan

Size: 45.98 acres ±

BCC District: 6

MOTION To adopt a resolution approving a Development Order Amendment to modify/delete conditions of approval for a Class B Conditional Use and reconfigure site plan to add four additional Radio Towers.



12. **ZV2007-1399** Title: Resolution approving a Type II Zoning Variance application of Northstar Homes, by Land Design South, Inc., Agent. Request: To increase the number of certificate of occupancies permitted and extend the time limitation for a temporary residential development sign. General Location: Approximately 500 feet north of Boynton Beach Boulevard on the east side of Lyons Road. **(COBBLESTONE CREEK VARIANCE)** (Control 2003-035)

Pages 41-52

Conditions of Approval Pages (46)

Project Manager-William Cross

Size: 250.10 acres  $\pm$   
(affected area 14.60 acres  $\pm$ )

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to increase the number of certificate of occupancies permitted and extend the time limitation for a temporary residential development sign.

13. **ZV2007-1503** Title: Resolution approving a Type II Zoning Variance application of SRR Holdings, LLC, by Miller Land Planning, Agent. Request: To allow for reduction of the required frontage for an MUPD. General Location: Approximately 0.25 mile north of Lantana Road on the west side of SR7/US441. **(CARLYLE CLF VARIANCE)** (Control 2005-454)

Pages 53-66

Conditions of Approval Pages (60)

Project Manager-Ron Sullivan

Size: 10.22 acres  $\pm$   
(affected area 2.47 acres  $\pm$ )

BCC District: 3

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow for reduction of the required frontage for proposed MUPD.

– END OF CONSENT AGENDA –

## - START OF REGULAR AGENDA -

## 4. REGULAR AGENDA

## A. PREVIOUSLY POSTPONED ITEMS

14. **Z/CA2006-022** Title: Resolution approving an Official Zoning Map Amendment application of Colonial Lake, LLC, by Kim Glas-Castro, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Colonial Lakes, LLC, by Kim Glas-Castro, Agent. Request: To allow the Transfer of Development Rights for 35 units. General Location: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road. **(COLONIAL LAKES)** (Control 2006-010)

Pages 67-97

Conditions of Approval (86-92) Pages

Project Manager-Anthony Wint

Size: 9.84 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multi-family Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights for 35 Units.

15. **DOA2006-1694** Title: Resolution approving a Development Order Amendment application of Haitian Bethel Baptist Church, Inc., Jean Joint, Robert Borgelin, by Ron Uphoff, Agent. Request: To reconfigure the site plan, add square footage, and modify/delete conditions of approval. General Location: High Ridge Road approximately .44 miles south of Hypoluxo Road. **(FRIENDSHIP BAPTIST CHURCH)** (Control 1979-077)

Pages 98-118

Conditions of Approval Pages (113-118)

Project Manager-Douglas Robinson

Size: 1.93 acres ±

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan, add square footage and modify/delete conditions of approval.

16. **ZV/PDD/R2007-519** Title: Resolution approving a Type II Zoning Variance application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: To allow a reduction of side setback; to allow encroachment of landscape buffers into easements; to eliminate trees in the incompatibility buffer; and to allow a reduction in the incompatibility buffer width. Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of Casa De Restauracion, by Anna S. Cottrell & Associates, Agent. Request: To allow a Place of Worship. General Location: Southeast corner of Military Trail and Saturn Avenue. **(CASA DE RESTAURACION)** (Control 1977-148)

Pages 119-149

Conditions of Approval Pages (138-141)

Project Manager-Carol Glasser

Size: 7.58 acres  $\pm$   
(affected area 2.47 acres  $\pm$ )

BCC District: 2

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction of side setback; to allow encroachment of landscape buffers into easements; to eliminate trees in the incompatibility buffer; and to allow a reduction in the incompatibility buffer width.

MOTION: To recommend approval of an Official Zoning Map Amendment Rezoning from the General Commercial Zoning District to the Multiple Use Planned Development Zoning District.

MOTION: To recommend approval of a Requested Use to allow a Place of Worship.

## B. ZONING APPLICATION

17. **Z/CA2007-184** Title: Resolution approving an Official Zoning Map Amendment application of Florida Hindu Cultural & Religious Associates, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential Estates (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Florida Hindu Cultural & Religious Associates, by Land Research Management, Inc., Agent. Request: To allow a Place of Worship. General Location: Northwest corner of the intersection of Pioneer Road and Benoist Farms Road. **(FLORIDA HINDU CULTURAL & RELIGIOUS ASSOCIATES)** (Control 1979-044)

Pages 150-170

Conditions of Approval Pages (163-166)

Project Manager-Ora Owensby

Size 2.74 acres  $\pm$

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Estates Zoning District to the Residential Transitional Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a Place of Worship.

18. **ZV/DOA/R2007-886** Title: Resolution approving a Type II Zoning Variance application of MS Woolbright Boca Grove, LLC, by Miller Land Planning Consultants Inc., Agent. Request: To allow easement encroachments in the R-O-W buffers; to allow reduction of R-O-W buffer widths; to allow reduction of shrubs in R-O-W buffer; to allow elimination of berm in R-O-W buffers. Title: Resolution approving a Development Order Amendment application of MS Woolbright Boca Grove, LLC, by Miller Land Planning Consultants Inc., Agent. Request: To reconfigure site plan, add square footage. Title: Resolution approving a Requested Use application of MS Woolbright Boca Grove, LLC, by Miller Land Planning Consultants Inc., Agent. Request: To allow a Type I Restaurant. General Location: Northwest corner of Powerline Road and Boca Grove Boulevard. **(SHOPS AT BOCA GROVE)** (Control 1974-104)

Pages 171-201

Conditions of Approval Pages (187-192)

Project Manager-Carol Glasser

Size 6.31 acres ±  
(affected area 0.67 acres ±)

BCC District: 5

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow easement encroachments in the R-O-W buffer; to allow reduction of R-O-W buffer widths; to allow reduction of shrubs in R-O-W buffer; to allow elimination of berm in R-O-W buffers.

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan, add square footage.

MOTION: To recommend approval of a Requested Use to allow a Type I Restaurant.

19. **ZV2007-1405** Title: Resolution approving a Type II Variance application of W & W IX, LLC, by Land Design South, Inc., Agent. Request: To allow a reduction in pervious surface area. General Location: Southeast corner of 112th Terrace and Northlake Boulevard. **(112TH TERRACE\NORTHLAKE BLVD MUPD)** (Control 2006-529)

Pages 202-227

Conditions of Approval Page (210)

Project Manager-William Cross

Size: 10.80 acres ±

BCC District: 6

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a reduction in pervious surface area.

**5. COMMISSIONER COMMENTS**

**6. DIRECTOR COMMENTS**

20. Bob Banks, County Attorney - Ethics Presentation-Sunshine Law and the Code of Ethics
21. Barbara Alterman, Executive Director-[Workforce Housing](#)-Attachment A Pages 228-229

**7. ADJOURNMENT**