



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY JULY 23, 2015

9:30 A.M. 6TH FLOOR

JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Adoption of Agenda

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
BOARD OF COUNTY COMMISSIONERS**

JULY 23, 2015

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. 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 Mayor, 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.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [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 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: 1 - 2

Project Manager: Carrie Rechenmacher

Size: 5.98 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday August 27, 2015.

Zoning Commission Recommendation: Postponed to August 06, 2015 with a vote of 7-0-0

MOTION: To postpone to Thursday August 27, 2015.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

2. [PDD/R-2014-02095](#) Title: an Official Zoning Map Amendment to a Planned Development District application of Michael Gilley by Joshua Mahr, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use of Michael Gilley by Joshua Mahr, Agent. Request: to allow a Self-Service Storage Facility.

General Location: West side of South Military Trail, approximately 0.43 mile north of Hypoluxo Road. **(Lake Worth Storage 2)** (Control 2009-02300)

Pages: 3 - 30

Conditions of Approval (9 - 12)

Project Manager: Roger Ramdeen

Size: 3.80 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 13 Conditions of Approval as indicated in Exhibit C-1 and the 5 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment to a Planned Development District with a vote of 7-0-0

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 7-0-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Self-Service Storage Facility subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [DOA-2014-01870](#) Title: a Development Order Amendment application of Boca Medical Plaza LLC by RKB Architects Planners Inc., Agent. Request: to reconfigure the site plan, modify the uses and a Condition of Approval (Use Limitation); and, to modify a Condition of Approval for a Type II Variance.

General Location: West side of Powerline Road at the terminus of West Camino Real. **(Fountains at Camino Real)** (Control 1980-00108)

Pages: 31 - 58

Conditions of Approval (36 - 41)

Project Manager: Osniel Leon

Size: 14.66 acres ±

BCC District: 4

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1, and 30 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved a Development Order Amendment for a Type II Variance with a vote of 7-0-0

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment with a vote of 7-0-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, modify the uses and a Condition of Approval (Use Limitation) subject to the Conditions of Approval as indicated in Exhibit C-2.

- 4. [ZV/DOA/R-2014-01341](#) Title: a Type II Variance application of Hammerhead Motors by Jon E Schmidt & Associates, Agent. Request: to eliminate terminal and interior landscaping islands, divider medians, and interior trees and shrubs.
Title: a Development Order Amendment of Hammerhead Motors by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan, add square footage, and add a Requested Use.
Title: a Requested Use of Hammerhead Motors by Jon E Schmidt & Associates, Agent. Request: to allow an Outdoor Auction (Auto).
General Location: Approximately 500 feet north of the intersection of Kelly Drive and Southern Boulevard. (**Ponderosa Industrial Park Lot 13**) (Control 1976-00134)

Pages: 59 - 82

Conditions of Approval (64 - 68)

Project Manager: Joyce Lawrence

Size: 1.10 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 20 Conditions of Approval as indicated in Exhibit C-2; and 4 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved a Type II Variance with a vote of 7-0-0

Zoning Commission Recommendation: Recommended Approval of a Requested Use with a vote of 7-0-0

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment with a vote of 7-0-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow an Outdoor Auction (Auto) subject to the Conditions of Approval as indicated in Exhibit C-3.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

5. [STR-1994-00013-2](#) Status Report for Resolution R-2005-1122. Property Owner: Chimu, Inc. General Location: Approximately 600 feet west of Military Trail, on the north side of Hypoluxo Road. Current Zoning: Multiple Use Planned Developmet (MUPD) (**Chimu Shopping Center (Control 1994-00013)**)

Pages: 83 - 87

Size: 8.55 acres ±

BCC District: 3

DISCLOSURE

MOTION: To approve: 1) a three-year time extension, from December 31, 2015 to December 31, 2018, to commence development, and an extension of the buildout date (based on a traffic study) from December 31, 2014 to December 31, 2018, and 2) a new Condition of Approval: Eng-9.

F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

I. PREVIOUSLY POSTPONED ZONING APPLICATIONS

J. ZONING APPLICATIONS - NEW

K. ULDC AMENDMENTS

**6. FIRST READING AND REQUEST TO ADVERTISE FOR ADOPTION HEARING
UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT ROUND 2015-01**

Pages: 88 - 115

MOTION: To approve on First Reading and advertise for Adoption Hearing on August 27, 2015: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 2003-067, AS AMENDED, AS FOLLOWS: ARTICLE 2 - DEVELOPMENT REVIEW PROCEDURES; CHAPTER A, GENERAL; CHAPTER B, PUBLIC HEARING PROCESS; CHAPTER D, ADMINISTRATIVE PROCESS; ARTICLE 3 - OVERLAYS AND ZONING DISTRICTS; CHAPTER B, OVERLAYS; CHAPTER D, PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E, PLANNED DEVELOPMENT DISTRICTS (PDDs); ARTICLE 4 - USE REGULATIONS; CHAPTER B, SUPPLEMENTARY USE STANDARDS; ARTICLE 6 - PARKING; CHAPTER A, PARKING; CHAPTER B, LOADING STANDARDS; ARTICLE 7 - LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; CHAPTER G, OFF-STREET PARKING REQUIREMENTS; ARTICLE 8 - SIGNAGE; CHAPTER G, STANDARDS FOR SPECIFIC SIGN TYPES; ARTICLE 11 - SUBDIVISION, PLATTING, AND REQUIRED IMPROVEMENTS; CHAPTER D, PLATTING; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND, AN EFFECTIVE DATE.

L. COMPREHENSIVE PLAN TEXT AMENDMENTS

M. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT