



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

**AMENDMENTS TO THE AGENDA
SEPTEMBER 24, 2018**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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POSTPONMENTS/REMANDS/WITHDRAWALS AGENDA

WITHDRAWALS

2.A.		ZV/ABN/DOA/CA-2017-00354 (Control 1984-00058)	7-Eleven Delray Beach
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WITHDRAWAL by applicant without prejudice. Item was previously postponed from July 26, 2018 to September 24, 2018.

CONSENT AGENDA

ZONING APPLICATIONS – NEW

8.	(92)	ZV/DOA/CA 2018-00394 (1986-00090)	Polo Cub Shoppes
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AMEND All Petition Condition 2 of Exhibit C-2

....
Is hereby amended to read:

The approved Preliminary Site Plan is dated ~~July~~ June 25, 2018. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Board of County Commissioners or the Zoning Commission. (ONGOING: ZONING - Zoning)

9.	(122)	DOA-2017-02490 (1981-00190)	Palm Beach Park of Commerce Surf Ranch Florida
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AMEND Environmental Condition 5 of Exhibit C, as follows:

No vegetation shall be removed and no Preservation of Native Vegetation permit; pursuant to ULDC Article 14.C, shall be issued until ERM condition ~~4 3~~ and ~~5 4~~ are satisfied. Relocation of native material may take place with ERM approval and the ~~applicant's~~ Property Owner's commitment to maintain the tree tags per the tree disposition plan presented at the Board of County ~~Commission~~ Commissioners Hearing. (ONGOING: ERM-ERM)

COMMENTS

PLANNING DIRECTOR

10.	(10)	Title: Resolution revoking a County Historic Property Tax Exemption (212 Seabreeze Avenue, Delray Beach), District 4.	
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AMEND motion to read as follows

MOTION: To adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, revoking an existing County historic property ad valorem tax exemption for a property located at 212 Seabreeze Avenue within the City of Delray Beach and authorize Mayor to execute the Termination and Release of Historic Preservation Covenant.

11. (10) **Title: Resolution revoking a County Historic Property Tax Exemption (330 Island Road, Palm Beach), District 7.**

AMEND motion to read as follows

MOTION: To adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, revoking an existing County historic property ad valorem tax exemption for a property located at 330 Island Road within the Town of Palm Beach and authorize Mayor to execute the Termination and Release of Historic Preservation Covenant.



**BOARD OF COUNTY COMMISSIONERS
ZONING HEARING**

MONDAY SEPTEMBER 24, 2018

9:30 A.M.

**BCC Chambers 6th Floor, Jane Thompson Memorial Chambers
301 N Olive Ave, West Palm Beach, 33401**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

OTHER DEPARTMENT ITEMS

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**

SEPTEMBER 24, 2018

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. Amendments to the Agenda
- G. Motion to Adopt the Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [Z/CA-2017-01996](#) Title: an Official Zoning Map Amendment application of Andrew Podray by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District and Multifamily Residential High Density (RH) Zoning District, to the Multifamily Residential (RM) Zoning District.
General Location: On the east side of Barwick Road, approximately 0.55 miles north of Lake Ida Road. **(Banyan Cove)** (Control 2014-00078)

Pages: 1 - 1

Project Manager: Lorraine Fuster

Size: 6.68 acres ±

BCC District: 4

Staff Recommendation: Staff recommends a postponement to Thursday, February 22, 2019.

MOTION: To postpone to Thursday, February 22, 2019.

- 2. [ABN/ZV/Z/CA-2017-02003](#) Title: a Development Order Abandonment application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to abandon a Special Exception to allow the expansion of an existing Private Club, Sewage Treatment Plant and On-Site Water Treatment Facility.
Title: a Type 2 Variance of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow for an increase in easement overlap within a Compatibility Buffer; to modify a Right-of-Way (R-O-W) Buffer, to include: width reduction, to eliminate small and medium shrubs, to eliminate trees; eliminate or reduce minimum wall or fence setback, and eliminate or reduce 75 percent planting on the exterior side of a fence or wall; to allow for Drive Aisle width reduction; and, to eliminate a Divider Median within the parking area.
Title: an Official Zoning Map Amendment of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) the Zoning District.
Title: a Class A Conditional Use of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow an Assembly Membership Nonprofit.
General Location: Northeast corner of Lantana Road and Myers Road, approximately 870 feet west of Haverhill Road. **(American German Club)** (Control 1981-00148)

Pages: 2 - 2

Project Manager: Carlos Torres

Size: 10.27 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, October 25, 2018.

Zoning Commission Recommendation: Postponed to October 4, 2018 due to lack of quorum.

MOTION: To postpone to Thursday, October 25, 2018.

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

- 3. [STR-1984-00064-1](#) Status Report for Resolution R-1985-950. Property Owner: Fern House, Inc. General Location: Located on the west side of Church Street, approximately 200 feet south of Okeechobee Boulevard. Current Zoning: General Commercial (CG) **(Fern House (Control No. 1984-064))**

Pages: 3 - 7

Project Manager: Bruce Thomson

Size: 0.91 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution to revoke the Special Exception, approved by Resolution R-1985-950.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 4. [ABN/CA-2017-01812](#) Title: a Development Order Abandonment application of Sunco TH LLC by WGINC, Agent. Request: to abandon the Class A Conditional Use to allow a Voluntary Density Bonus of 19 units in the Medium Residential (RM) Density Zoning District.

Title: a Class A Conditional Use of Sunco TH LLC by WGINC, Agent. Request: to allow a Workforce Housing (WFH) density bonus greater than 50 percent; and, to allow a Transfer of Development Rights (TDR) of more than two dwelling units per acre, for a total of 13 TDR units.

General Location: West side of South Haverhill Road approximately 220 feet north of Purdy Lane. **(Aviera Green)** (Control 2003-00093)

Pages: 8 - 31

Conditions of Approval (16 - 21)

Project Manager: Carlos Torres

Size: 3.28 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 19 Conditions of Approval as indicated in the Exhibit C-1, and 12 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 6-0-1.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 6-0-1.

MOTION: To adopt a resolution approving Development Order Abandonment to abandon the Class A Conditional Use to allow a Voluntary Design Bonus of 19 units in the Medium Residential (RM) Density Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Workforce Housing density bonus greater than 50 percent, subject to the Conditions of Approval in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Transfer of Development Rights of more than two dwelling units per acre, for a total of 13 TDR units subject to the Conditions of Approval in Exhibit C-2.

E. ZONING APPLICATIONS - NEW

- 5. [CA-2018-00303](#) Title: a Class A Conditional Use application of Thomas McGovern by Land Research Management Inc., Agent. Request: to allow Limited Pet Boarding accessory to a Single-Family residence.

General Location: Northeast corner of 67th Street North and Coconut Boulevard. **(McGovern's K9 Solutions)** (Control 2018-00026)

Pages: 32 - 47

Conditions of Approval (37 - 38)

Project Manager: Lorraine Fuster

Size: 1.32 acres ±

BCC District: 6

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

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use (as amended) by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Limited Pet Boarding accessory to a Single-Family residence, subject to the Conditions of Approval as indicated in Exhibit C.

- 6. [ZV/ZW-2018-00380](#) Title: an Official Zoning Map Amendment application of Jimenez Family Limited Partnership, Skees Industrial Park, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District and Single Family Residential (RS) Zoning District to the General Industrial (IG) Zoning District.

General Location: Approximately 0.15 miles north of Belvedere Road on the east side of Skees Road. **(A1 Industrial Park)** (Control 2005-00231)

Pages: 48 - 66

Conditions of Approval (53 - 54)

Project Manager: Lorraine Fuster

Size: 9.85 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to a Conditional Overlay Zone (COZ) and 8 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of an Official Zoning Map Amendment (as amended) by a vote of 5-0-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District and the Single Family Residential (RS) Zoning District to the General Industrial (IG) Zoning District with a Conditional Overlay Zone (COZ), subject to the Conditions of Approval as indicated in Exhibit C.

7. [ABN/DOA/CA-2018-00406](#) Title: a Development Order Abandonment application of Family Church 6, LLC by Urban Design Kilday Studios, Agent. Request: to abandon a Class A Conditional Use for a Church or Place of Worship.
Title: a Class A Conditional Use of Family Church 6, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Day Care General.
General Location: Northeast corner of Indiantown Road and 134th Way North. (**Jupiter Farms Baptist Church**) (Control 1998-00061)

Pages: 67 - 82

Conditions of Approval (73 - 74)
 Project Manager: Diego Penaloza

Size: 10.31 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 15 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Class A Conditional Use by a vote of 5-0-0.

Zoning Commission Recommendation: Recommended Approval of a Development Order Abandonment by a vote of 5-0-0.

MOTION: to adopt a resolution approving a Development Order Abandonment to abandon a Class A Conditional Use for a Church or Place of Worship.

MOTION: to adopt a resolution approving a Class A Conditional Use to allow a Day Care General subject to the Conditions of Approval as indicated in Exhibit C.

8. [ZV/DOA/CA-2018-00394](#) Title: a Development Order Amendment application of Jamestown 29 Investment Holdings LP by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan and modify the Regulating Plan; to add land area; to add uses; to add an access point, to add square footage; and, modify Conditions of Approval (All Petition and Engineering).
General Location: On Southwest corner of Military Trail and Champion Blvd. (**Polo Club Shoppes**) (Control 1986-00090)

Pages: 83 - 110

Conditions of Approval (91 - 96)
 Project Manager: Carlos Torres

Size: 14.18 acres ±

BCC District: 5

(affected area 9.14 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 25 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Withdrawn by applicant.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

Zoning Commission Recommendation: Approved a Type 2 Variance (with conditions) by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and modify the Regulating Plan; to add land area; to add uses; to add an access point, to add square footage; and, modify Conditions of Approval (All Petition and Engineering) subject to the Conditions of Approval as indicated in Exhibit C-2.

- 9. [DOA-2017-02490](#) Title: a Development Order Amendment application of SR II, LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan; relocate square footage; increase building square footage; and, modify a Condition of Approval (Environmental).

General Location: East side of Pratt Whitney Road, approximately 1,000 feet north of Corporate Road North. **(Palm Beach Park of Commerce Surf Ranch Florida)**
(Control 1981-00190)

Pages: 111 - 145

Conditions of Approval (120 - 124)

Project Manager: Lorraine Fuster

Size: 78.91 acres ±

BCC District: 1

(affected area 46.66 acres ±)

Staff Recommendation: Staff recommends approval of the request, subject to 28 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended Approval of a Development Order Amendment by a vote of 5-0-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan; relocate square footage; increase building square footage; and, to modify a Condition of Approval (Environmental).

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**

- 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**

- L. COMPREHENSIVE PLAN TEXT AMENDMENTS**

- M. OTHER ITEMS**

END OF REGULAR AGENDA

OTHER DEPARTMENT ITEMS

A. PURCHASING CONTRACT

B. DEPARTMENT UPDATE

C. ENGINEERING ITEM

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

10. Title: [Resolution revoking a County Historic Property Tax Exemption \(212 Seabreeze Avenue, Delray Beach\), District 4.](#)

Pages: Under Separate Cover

Project Manager: Bryan Davis

MOTION: To adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, revoking an existing County historic property ad valorem tax exemption for a property located at 212 Seabreeze Avenue within the City of Delray Beach.

11. Title: [Resolution revoking a County Historic Property Tax Exemption \(330 Island Road, Palm Beach\), District 7.](#)

Pages: Under Separate Cover

Project Manager: Bryan Davis

MOTION: To adopt a resolution of the Board of County Commissioners of Palm Beach County, Florida, revoking an existing County historic property ad valorem tax exemption for a property located at 330 Island Road within the Town of Palm Beach.

D. EXECUTIVE DIRECTOR

E. ASSISTANT COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT