



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

THURSDAY FEBRUARY 2, 2012

9:00 A.M.

**Vista Center 1st Floor 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. Proof of Publication
- E. [Adoption of the Minutes](#)
- F. Swearing In
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER 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

FEBRUARY 2, 2012

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 Vista Center 1st Floor 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 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, February 23, 2012 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. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

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. Adoption of the Minutes
- F. Swearing In - County Attorney
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

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**

1. **ZV-2011-03180** Title: a Type II Zoning Variance application of Sandra Slomin by Urban Design Kilday Studios, Agent. Request: to allow a zero-foot setback and a zero-foot separation from a residential zoning district for a Freestanding Sign; an increase in sign face area for a Wall Sign; and, an Off-Site Directional sign on a parcel not abutting the subject parcel.

General Location: Approximately 1000 feet west of Jog Road on the north side of Morikami Park Road **(Roslyn and Raymond Slomin Campus)** (Control 1995-00034)

Pages 1 - 25

Conditions of Approval Pages (12 - 12)

Project Manager: Carol Glasser

Size: 5.02 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval subject to 5 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow a zero-foot setback and a zero-foot separation from a residential zoning district for a Freestanding Sign; an increase in sign face area for a Wall Sign; and, an Off-Site Directional sign on a parcel not abutting the subject parcel subject to the Conditions of Approval in Exhibit C.

2. **DOA/R-2011-01750** Title: a Development Order Amendment application of Friends of Chabad of Boca Raton Inc. by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to reconfigure the Site Plan and modify Conditions of Approval (Commercial Pod - Use Limitation and Landscape)

Title: a Requested Use application of Friends of Chabad of Boca Raton Inc. by Siegel Lipman Dunay Shepard & Miskel LLP, Agent. Request: to allow a Place of Worship

General Location: Northwest corner of Kimberly Boulevard and State Road 7 (**Boca Greens**) (Control 1977-00013)

Pages 26 - 62

Conditions of Approval Pages (45 - 54)

Project Manager: Joyce Lawrence

Size: 22.35 acres \pm

BCC District: 5

(affected area 1.00 acres \pm)

Staff Recommendation: Staff recommends approval of the requests subject to 67 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan and modify Conditions of Approval (Commercial Pod - Use Limitation and Landscape) subject to Conditions of Approval as indicated in Exhibit C.

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

3. **DOA-2011-02353** Title: a Development Order Amendment application of Delray 282 LLC by CMS Engineering LLC, Agent. Request: to reconfigure the Master Plan, modify and delete Conditions of Approval (Engineering, ERM, Landscaping, Planning, PREM, PUD) and to restart the commencement clock

General Location: Approximately 2.25 miles north of Atlantic Avenue on the east side of US 441 (**Monticello AGR-PUD**) (Control 2005-00014)

Pages 63 - 98

Conditions of Approval Pages (79 - 94)

Project Manager: Joyce Lawrence

Size: 282.68 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 53 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of the Development Order Amendment to reconfigure the Master Plan, modify and delete Conditions of Approval (Engineering, ERM, Landscaping, Planning, PREM, PUD) and to restart the commencement clock subject to Conditions of Approval as indicated in Exhibit C.

4. **PDD/R-2011-02339** Title: an Official Zoning Map Amendment to a Planned Development District application of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use application of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a Charter School for more than 200 students

General Location: East side of Old Congress Avenue north of Belvedere Road (**Congress Business Center MUPD**) (Control 1983-00118)

Pages 99 - 123

Conditions of Approval Pages (114 - 117)

Project Manager: Carol Glasser

Size: 4.21 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the rezoning subject to 13 Conditions of Approval as indicated in Exhibit C-1: and, approval of the Requested Use subject to 4 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval in Exhibit C-1.

MOTION: To recommend approval of a Requested Use to allow a Charter School for more than 200 students subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

5. [ZV-2011-02632](#) Title: a Type II Variance application of KRG Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to allow internally illuminated signs; and, to allow an increase in distance from the development's entrances for Entrance Signs

General Location: Northwest corner of West Atlantic Avenue and Lyons Road (**Delray Marketplace**) (Control 2004-00616)

Pages 124 - 149

Conditions of Approval Pages (133 - 133)

Project Manager: Carol Glasser

Size: 32.82 acres \pm

BCC District: 5

Staff Recommendation: Staff recommends denial of the request to allow internally illuminated signs; and, approval of the request to allow an increase in distance from the development's entrances for Entrance Signs subject to 4 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow internally illuminated signs.

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an increase in distance from the development's entrances for Entrance Signs subject to 4 Conditions of Approval as indicated in Exhibit C.

D. ZONING APPLICATIONS - NEW

6. [Z/CA-2011-00404](#) Title: an Official Zoning Map Amendment application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.

Title: a Class A Conditional Use application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to allow Medical or Dental Office.

General Location: Southwest corner of Lantana Road and Hagen Ranch Road. (**Stunkel Medical Office**) (Control 1999-00033)

Pages 150 - 197

Conditions of Approval Pages (177 - 181)

Project Manager: Carrie Rechenmacher

Size: 2.30 acres \pm

BCC District: 3

(affected area 2.09 acres \pm)

Staff Recommendation: Staff recommends denial of the requests.

MOTION: To recommend denial of an Official Zoning Map Amendment to rezone from the Residential Transitional Suburban (RTS) Zoning District to the Commercial Low-Office (CL-O) Zoning District.

MOTION: To recommend denial of a Class A Conditional Use to allow a Medical or Dental Office.

- 7. **ZV-2011-03179** Title: a Type II Zoning Variance application of James Fitzgerald by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow a reduction in the required frontage and width for two proposed lots within the Residential Transitional (RT) Zoning District

General Location: South side of Riverside Drive, between Tequesta Drive and County Line Road. (**Fitzgerald Subdivision**) (Control 2007-00284)

Pages 198 - 215

Conditions of Approval Pages (205 - 205)

Project Manager: Donna Adelsperger

Size: 1.59 acres ±

BCC District: 1

Staff Recommendation: Staff recommends denial of the request.

MOTION: To adopt a resolution denying the Type II Zoning Variance to allow a reduction in the required frontage and width for two proposed lots within the Residential Transitional (RT) Zoning District.

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

- A. COUNTY ATTORNEY
- B. ZONING DIRECTOR
- C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT