



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

THURSDAY AUGUST 7, 2014

9:00 A.M.

**Vista Center, Ken Rogers 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

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

AUGUST 7, 2014

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, Ken Rogers 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, August 28, 2014 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

1. **ZV-2013-03108** Title: A Type II Variance application of Allegro At Boynton Beach Llc, Allegro At Boynton Beach, LLC - Richard Miller by Cotleur & Hearing Inc., Agent. Request: to allow a fence instead of a wall; for the fence to be located on the north and east property lines; and to allow the required 75% of the plant materials to be located on the inside of the fence.

General Location: East side of Hagen Ranch Road, south of Woolbright. **(Allegro at Boynton Beach)** (Control 1997-00075)

Pages 1 - 1

Project Manager: Joyce Lawrence

Size: 15.00 acres ±

BCC District: 5

Staff Recommendation: Staff has no objection to the withdrawal of the request.

MOTION: To withdraw the application without prejudice.

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**

2. **Z/CA-2014-00663** Title: an Official Zoning Map Amendment application of Place Properties, LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the General Industrial (IG) Zoning District.
Title: a Class A Conditional Use application of Place Properties, LLC by Urban Design Kilday Studios, Agent. Request: to allow a Salvage or Junk Yard.
General Location: Located on the north side of 7th Place North, approximately 1,000 feet east of Pike Road. **(Whiteside Industrial Park)** (Control 1998-00062)

Pages 2 - 20

Conditions of Approval Pages (8 - 8)

Project Manager: Joyce Lawrence

Size: 9.62 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the General Industrial (IG) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a Salvage or Junk Yard subject to the Conditions of Approval as indicated in Exhibit C.

3. **Z-2014-00661** Title: an Official Zoning Map Amendment application of Kunnemann Roy G Tr by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District.
General Location: Approximately 690 feet north of PGA Boulevard on the west side of US Highway One. **(Kunnemann Rezoning)** (Control 2003-30365)

Pages 21 - 35

Project Manager: Roger Ramdeen

Size: 1.00 acres ±

BCC District: 1

(affected area 0.43 acres ±)

Staff Recommendation: Staff recommends approval of the request.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the General Commercial (CG) Zoning District.

4. **ABN/SV/ZV/CB/Z/DOA/CA-2014-00462** Title: a Development Order Abandonment for a Class B Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to abandon Resolution ZR-2008-056.
- Title: a Subdivision Variance application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow access from a 50 foot access easement.
- Title: a Type II Variance application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow frontage and access from a 50-foot easement; allow mountable curbing, increase the percentage of palms, increase in sign height; and to allow signage where there is no frontage.
- Title: a Class B Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow Vehicle Sales and Rental.
- Title: an Official Zoning Map Amendment application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Urban Center (UC) Zoning District to the Public Ownership (PO) Zoning District.
- Title: a Class A Conditional Use application of Palm Auto Plaza, LLC - R Whitfield Ramonat by Jon E Schmidt & Associates, Agent. Request: to allow General Repair and Maintenance.
- General Location: Approximately 0.8 miles north of the intersection of Congress Avenue and Gun Club Road. **(PBIA Parcel G)** (Control 2000-00056)

Pages 36 - 83

Conditions of Approval Pages (51 - 56)

Project Manager: Donna Adelsperger

Size: 14.42 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 4 Condition of Approval as indicated in Exhibit C-1; 9 Conditions of Approval as indicated in Exhibit C-2; 5 Conditions of Approval as indicated in Exhibit C-3; and, 10 Conditions of Approval as indicated in Exhibit C-4.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon Resolution ZR-2008-056.

MOTION: To adopt a resolution approving a Subdivision Variance to allow access from a 50 foot access easement subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving six Type II Variances to allow frontage and access from a 50-foot easement; allow mountable curbing, increase the percentage of palms, increase in sign height; and to allow signage where there is no frontage subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Vehicle Sales and Rental subject to the Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Urban Center (UC) Zoning District to the Public Ownership (PO) Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow General Repair and Maintenance subject to the Conditions of Approval as indicated in Exhibit C-4.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 5. **W-2014-00288** Title: a Type II Waiver application of Hutton Growth Blue Sky LLC by Land Design South Inc., Agent. Request: to allow a reduction in the required side setback for building placement and to allow a single story building.
General Location: Approximately 180 feet south of Lake Worth Road on the west side of Military Trail. **(O Reilly Auto Parts)** (Control 2013-00286)

Pages 84 - 109

Conditions of Approval Pages (88 - 88)

Project Manager: Melissa Matos

Size: 1.04 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the Type II Waiver to reduce the setback from six feet to two feet subject to the Conditions of approval as indicated in Exhibit C.

Staff recommends denial of the Type II Waiver to allow a one-story building.

MOTION: To recommend approval of the Type II Waiver to allow a reduction in the required setback subject to the Conditions of Approval as indicated in Exhibit C.

MOTION: To recommend denial of a Type II Waiver to allow a single story building.

E. SUBDIVISION VARIANCE

- 6. **SD-143** Title: a Subdivision Variance application of Taric Commercial Properties, LLC by Frogner Consulting LLC, Agent. Request: To allow a variance from the requirement that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations.

General Location: Approximate 0.75 miles south of Hypoluxo Road, on the east side of Military Trail, in the General Commercial (CG) Zoning District.

Pages 110 - 118

Conditions of Approval Pages (116-118)

Project Manager: Joanne M. Keller

Size: 3.457 acres +/-

Staff Recommendation: Staff recommends approval of the request subject to 7 Conditions of Approval as indicated in Exhibit C.

Pages 110 - 118

MOTION: To adopt a resolution approving a Subdivision Variance from the requirement that access to each subdivision lot shall be by a street of suitable classification and construction as established by the subdivision regulations subject to the Conditions of Approval as indicated in Exhibit C.

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

7. Architecture Subcommittee First Meeting September 10, 2014, 1:30 to 3:00.

8. [No changes](#) to the June 5, 2014 Zoning Commission Minutes.

C. PLANNING DIRECTOR

9. Workforce Housing Presentation

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT