

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**THURSDAY, AUGUST 7, 2014**

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47  
2300 N. Jog Road, West Palm Beach FL 33411

**CALL TO ORDER**

**A. Roll Call 9:00 A.M.**

Commissioner Alex Brumfield III, Chair	<b>Arrived at 9:06 am</b>
Commissioner Mark Beatty, Vice Chair	<b>Present</b>
Commissioner Amir Kanel	<b>Present</b>
Commissioner Joseph Snider	<b>Present</b>
Commissioner William Anderson	<b>Present</b>
Commissioner Sam Caliendo	<b>Absent</b>
Commissioner Sheri Scarborough	<b>Present</b>
Commissioner Joanne Davis	<b>Absent</b>
Commissioner Robert Currie	<b>Present</b>

**B. Opening Prayer and Pledge of Allegiance**

**C. Remarks of the Chair**

**D. Proof of Publication** – Motion to receive and file carried 6-0

**E. Adoption of the Minutes** – Motion carried 6-0

**F. Swearing In**

**G. Disclosures** – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
5	None	None	Absent	None	Absent	None	5	None

**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.

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
Seconded				Moved				

**DECISION: Approved with a vote of 7-0**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

Commissioner Beatty made a motion to have Item number 4, application ABN/SV/ZV/CV/Z/DOA/CA-2014-00462, PBI Parcel G, moved to the Regular Agenda due to public comment cards. Commissioner Anderson seconded the motion and the Agenda was reordered with a vote of 7-0.

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

- 2. **Z/CA-2014-000663** 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 7<sup>th</sup> 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.

**People who spoke on application**

Joni Brinkman, Agent – In agreement with the Conditions of Approval

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

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
				Seconded			Moved	

**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.

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
				Seconded			Moved	

**DECISION: Recommended Approval as Advertised with a vote of 7-0**

- Z-2014-000661** 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.

**People who spoke on application**

George Gentile, Agent – In agreement with the Conditions of Approval

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

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
		Seconded		Moved				

**DECISION: Recommended Approval as Advertised with a vote of 7-0**

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

**END OF CONSENT AGENDA**

## REGULAR AGENDA

### A. ITEMS PULLED FROM CONSENT

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 Conditions 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.

#### **People who spoke on application**

Donna Adelsperger, Site Planner I, gave a brief presentation

Josh Nichols, Agent, gave a brief presentation

Speaking in opposition, Alice McLane, Mayor, pointed out that the Town of Glen Ridge had never been notified of this application and was therefore unprepared to fully present their concerns about lighting, traffic, and noise. She stated that the Town Council had met the previous night (August 6, 2014) and unanimously voted to oppose this application. The Mayor also submitted a letter of opposition from the Town Council indicating a belief that the proposed change will cause a serious hardship to the residents of the Town of Glen Ridge and the surrounding environment

Staff apologized that the Town of Glen Ridge had not received the notification letter and expressed assurance that one would be sent as soon as possible.

Also from the public, speaking in opposition, Peter Harholdt advised that he lives near the proposed site and the bus depot. He stated that the noise and lights from the bus depot were annoying and cited concerns that the proposed application would provide additional noise, light and negative visual impact.

Commissioner Scarborough suggested a postponement to allow a meeting between the Agent and interested parties to resolve concerns. The Agent, Josh Nichols, indicated that he had no objection to the postponement and that a meeting would be arranged before the next hearing.

**MOTION:** To postpone to September 4, 2014.

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
		Seconded		Moved				

**DECISION: Postponed to September 4, 2014 with a vote of 7-0**

**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.

**People who spoke on application**

Melissa Matos, Site Planner I, gave a brief presentation

Michele Hoyland, Agent, gave a presentation

There was a discussion between members of the Zoning Commission and staff about the URA requirement that buildings in this area should have two stories. The Zoning Director and Planning staff explained the history and reasoning on the URA requirements. The Zoning Commission determined the proposed site plan was an improvement for this location and a second story was not necessary.

**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 carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
Moved				Seconded				

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

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
Moved				Seconded				

**DECISION: Recommended Approval as Advertised with votes of 7-0**

**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: Approximately 0.75 miles south of Hypoluxo Road, on the east side of Military Trail, in the General Commercial (CG) Zoning District. **(BAREFOOT POOLS)** (1999-00062)

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.

**People who spoke on application**

Jim Frogner, Agent – In agreement with the Conditions of Approval

**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 s indicated in Exhibit C.

Motion carried 7-0

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes	Yes
				Moved				Seconded

**DECISION: Approved as Advertised with a vote of 7-0**

**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.**

Commissioner Sheri Scarborough requested that items on the minutes be placed in the order that they are heard at the Hearing. If the agenda is re-ordered at the Hearing, then the minutes should reflect the changes. Zoning Manager Wendy Hernandez stated that future Zoning Commission Minutes will be produced in this manner.

**C. PLANNING DIRECTOR**

**9. Workforce Housing Presentation**

Staff presented an educational workshop to the Zoning Commission on the Workforce Housing Program. Senior Planner Michael Howe, from the Planning Division, presented a comprehensive overview of Workforce Housing and its history. Executive Director Rebecca Caldwell further explained some of the key points and criteria, with Deputy County Administrator Verdenia Baker speaking about the reasoning and development of the program.

**D. EXECUTIVE DIRECTOR**

**C. COMMISSIONER COMMENTS**

**ADJOURNMENT – 10:54 am**