

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, MARCH 5, 2015
Room, VC-1W-47
2300 N. Jog Road, West Palm Beach FL 33411

CALL TO ORDER

A. Roll Call 9:00 A.M.

Commissioner, Mark Beatty, Chair	Present
Commissioner, Sheri Scarborough, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Present
Commissioner William Anderson	Absent
Commissioner Sam Caliendo	Present
Commissioner Tinu Peña	Present
Commissioner Alex Brumfield III	Present
Commissioner Robert Currie	Present

B. Opening Prayer and Pledge of Allegiance

C. Remarks of the Chair

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

E. Adoption of the Minutes – Motion carried -

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Peña	Brumfield	Beatty	Currie
3	None	Absent	None	4	None	None	3	None

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **DOA/R-2014-01619** Title: a Development Order Amendment application of Donna Klein Jewish Academy, Inc. by Land Design South Inc., Agent. Request: to modify the Master Site Plan, add square footage, and add a Requested Use.
Title: a Requested Use application of Donna Klein Jewish Academy, Inc. by Land Design South Inc., Agent. Request: to allow an Elementary or Secondary School, (Charter School).
General Location: North of Happy Hollow Road, west of Lyons Road. **(Delray Marketplace - Happy Hollow Charter School)** (Control 2004-00616)

Pages 1 - 1
Project Manager: Osniel Leon
Size: 23.51 acres +

BCC District: 5

Staff Recommendation: Staff recommends a postponement to Thursday April 2, 2015.

MOTION: To postpone to Thursday April 2, 2015.

Motion carried 8-0

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

DECISION: Postponed the request with a vote of 8-0

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

C. ZONING APPLICATIONS – NEW

- 2. **CB/ABN-2014-02317** Title: a Class B Conditional Use application of Little Red School House Early by Miller Land Planning, Agent. Request: to allow Day Care (General). Title: a Development Order Abandonment application of Little Red School House Early by Miller Land Planning, Agent. Request: to abandon Special Exception to allow a recreational facility granted under Resolution R-1983-0375 and to abandon a Development Order Amendment which allowed the relocation of an existing driveway; modify the parking lot; and amend a Condition of Approval (Engineering) granted under Resolution R-2014-0108.

General Location: 1,200 feet north of Hypoluxo Road on the west side of Military Trail. **(Little Red School House Early Learning Center)** (Control 1983-0003)

Pages 2 - 23

Conditions of Approval Pages (7- 9)

Project Manager: Melissa Matos

Size: 2.31 acres±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 1 Condition of Approval as indicated in Exhibit C-2.

People who spoke on application

Bradley Miller, Agent – in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Class B Conditional Use to allow Day Care (General) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval of a Development Order Abandonment to abandon Special Exception to allow a recreational facility granted under Resolution R-1983-0375 and to abandon a Development Order Amendment which allowed the relocation of an existing driveway; modify the parking lot; and amend a Condition of Approval (Engineering) granted under Resolution R-2014-0108 subject to the Condition of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

Decision: Approved the request for a Class B Conditional Use and Recommended approval of the Abandonment with votes of 8-0

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

3. Z/CA-2014-01129 Title: an Official Zoning Map Amendment application of Dale Hedrick, Hedrick 33, LLC - Cathleen T Burk by Land Design South Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single-family (RS) Zoning District.

Title: a Class A Conditional Use application of Dale Hedrick, Hedrick 33, LLC - Cathleen T Burk by Land Design South Inc., Agent. Request: to allow Zero Lot Line homes.

General Location: East side of Jog Road, between Belvedere Road and Southern Boulevard. **(Hedrick Property)** (Control 2005-00347)

Pages 24 - 52

Conditions of Approval Pages (33 - 37)

Project Manager: Joyce Lawrence

Size: 9.24 acres +

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone (COZ) and 7 Conditions of Approval as indicated in Exhibit C-1; and 14 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Joyce Lawrence, Site Planner II – gave a presentation

Brian Terry, Agent – gave a presentation

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Single-family (RS) Zoning District subject to a Conditional Overlay Zone (COZ) and the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval of a Class A Conditional Use to allow Zero Lot Line homes subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

Decision: Recommended approval with votes of 8-0.

D. ZONING APPLICATIONS - NEW

- 4. **W/DOA-2014-02325** Title: a Development Order Amendment application of G. L. Homes of Boca Raton Assoc. V, Ltd. by G.L. Homes, Agent. Request: to reconfigure the Master Plan, add units, and modify and delete Conditions of Approval (Engineering and Planned Unit Development).

General Location: Terminus of Coral Ridge Drive. **(Collier PUD)** (Control 2004-00015)

Pages 53 - 81

Conditions of Approval Pages (60 - 69)

Project Manager: Carrie Rechenmacher

Size: 44.28 acres +

BCC District: 5

Staff Recommendation: Staff recommends approval subject to 38 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

Carrie Rechenmacher, Senior Site Planner – gave a brief presentation

Kevin Ratterree, Agent – gave a presentation

From the public and speaking in opposition, Stanley Hess, Edward Dietrich, Leslie Butzer, Mark Rosner, Michael Bendell, Dominick Manzo, and Jarrett Buetti cited concerns about drainage, the water table, the proposed density, increased traffic, noise, and safety. They also pointed out that they have no legal access to their homes.

Staff determined that this application would have no effect on the concerned citizens' access to their homes but assured the citizens that the issue would be researched and they would be contacted with the results.

MOTION: To recommend approval for a Development Order Amendment to reconfigure the Master Plan, to add units, and modify/delete Conditions of Approval (Engineering and Planned Unit Development) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

DECISION: Recommended approval of the request with a vote of 8-0

E. SUBDIVISION VARIANCE**F. OTHER ITEMS****END OF REGULAR AGENDA****COMMENTS****A. COUNTY ATTORNEY****B. ZONING DIRECTOR**

5. Annual Workshop

Pages 82 – 90

Chief Land Use County Attorney Bob Banks spoke to the Zoning Commission on Ethics, the Sunshine Law, and the newly adopted Quasi-Judicial Rules. Zoning Manager Wendy Hernandez explained that the Sunshine Law also applies to email and that Commissioners are not to use the “Reply to All” email feature when responding.

Commissioners had questions about whether direct contact from agents or applicants is appropriate. Mr. Banks advised that Commissioners could choose to speak with or respond to direct contact attempts or not.

Staff also offered to provide electronic-only versions of the back-up packet to any Commissioners that would prefer to receive it in that format. The changes to the ZC Seating Chart were discussed, as was the attendance policy which states that Commissioners must attend two-thirds of monthly meetings within one year and not miss any three consecutive meetings.

C. PLANNING DIRECTOR**D. EXECUTIVE DIRECTOR****E. COMMISSIONER COMMENTS**

ADJOURNMENT – 10:47 am