

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**THURSDAY, MARCH 3, 2016**  
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	<b>Present</b>
Commissioner Sheri Scarborough, Vice Chair	<b>Present</b>
Commissioner Amir Kanel	<b>Absent</b>
Commissioner Joseph Snider	<b>Present</b>
Commissioner William Anderson	<b>Present</b>
Commissioner Sam Caliendo	<b>Present</b>
Commissioner Tinu Peña	<b>Present</b>
Commissioner Alex Brumfield III	<b>In at 9:14 am</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 – 7-0

**E. Adoption of the Minutes** – Motion carried – 7-0

**F. Swearing In**

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

Kanel	Snider	Anderson	Caliendo	Scarborough	Peña	Brumfield	Beatty	Currie
Absent	None	None	None	None	4	None	12	4

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

15. Title: Zoning Commission Annual Workshop

Pages 454-462

**POSTPONED** to Thursday, April 7, 2016

**B. REMANDS**

**C. WITHDRAWALS**

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

# CONSENT AGENDA

## A. REQUESTS TO PULL ITEMS FROM CONSENT

4. **SV/Z/CA-2015-01921** Title: a Subdivision Variance application of Life Covenant Church by Wantman Group Inc., Agent. Request: to allow an access point to a major street (Jog Road).  
Title: an Official Zoning Map Amendment application of Life Covenant Church by Wantman Group 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 Life Covenant Church by Wantman Group Inc., Agent. Request: to allow a Place of Worship.

## B. STATUS REPORTS

## C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

## D. ZONING APPLICATIONS – NEW

1. **Z-2015-02351** Title: an Official Zoning Map Amendment application of ORCO3 LLC by iPlan and Design LLC, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Commercial High Office (CH-O) Zoning District.

General Location: Approximately 500 feet west of Pike Road on the north side of Southern Boulevard. (**Palm Beach Orthopaedic Institute**) (Control 2006-00360)

Pages 1 - 16

Conditions of Approval Pages (5 - 6)

Project Manager: Diego Penalosa

Size: 1.23 acres ±

BCC District: 2

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

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

Brian Chegus, Agent – in agreement with the Conditions of Approval

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the Commercial High Office (CH-O) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

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

**Decision: Recommended approval with a vote of 7-0.**

2. **ZV/CB-2015-01029** Title: a Type II Variance application of Lantana Const Corp by Miller Land Planning, Agent. Request: to allow a reduction in the non-residential queuing distance; to allow a building to be located greater than 25 feet from the build to line; to eliminate foundation planting on the east façade of Building B.  
Title: a Class B Conditional Use application of Lantana Const Corp by Miller Land Planning, Agent. Request: to allow an Office/Warehouse.

General Location: Northwest corner of Florida Mango Road and Old Okeechobee Boulevard. (**Old Okeechobee Business Park**) (Control 2011-00366)

Pages 17 - 42

Conditions of Approval Pages (24 - 27)

Project Manager: Osniel Leon

Size: 1.34 acres ±

BCC District: 2

**Staff Recommendation:** Staff recommends approval of the requests, subject to 9 Conditions of Approval as indicated in Exhibit C-1 and 9 Conditions of Approval as indicated in Exhibit C-2.

**People who spoke on this application**

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

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the non-residential queuing distance; to allow a building to be located greater than 25 feet from the build to line subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

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

**MOTION:** To adopt a resolution approving a Class B Conditional Use to allow an Office/Warehouse subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

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

**Decision: Approved the Type II Variances and the Class B Conditional Use with votes of 7-0.**

- 3. **DOA-2015-00767** Title: a Development Order Amendment application of 8470 Belvedere LLC by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan; add square footage; add phase lines; and delete Conditions of Approval (Landscape Standards and Site Design).

**General Location:** Located on the southwest corner of Belvedere Road and Johnson Lane. (Palms West Industrial Park II) (Control 1985-00055)

Pages 43 - 79

Conditions of Approval Pages (48 - 54)

Project Manager: Osniel Leon

Size: 13.29 acres ±

BCC District: 2

**Staff Recommendation:** Staff recommends approval of the request subject to 36 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Josh Nichols, Agent – in agreement with the Conditions of Approval.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add square footage; add phase lines; and delete Conditions of Approval (Landscape Standards and Site Design) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried

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

**Decision: Recommended Approval with a vote of 7-0.**

5. **ABN/W-2015-02158** **Title:** a Development Order Abandonment application of Strata Realty Inc, Stratemeyer LLC, Boat Mart Inc by Wantman Group Inc., Agent. **Request:** to abandon a Special Exception Use granted under Resolutions R-1978-068, R-1982-0411, R-1987-0903, and R-1989-0613 for a commercial automobile sales facility and lot; and an automotive repair facility.

**Title:** a Type II Waiver application of Strata Realty Inc, Stratemeyer LLC, Boat Mart Inc by Wantman Group Inc., Agent. **Request:** to allow a deviation in the block dimensions greater than five acres; and allow outdoor vehicle storage within 200 feet of a Non-PRA residential zoning district.

**General Location:** 620 feet to the north of Forest Hill Boulevard and Military Trail. **(Don Cook Motors)** (Control 1986-00139)

Pages 132 - 156

Conditions of Approval Pages (136 - 136)

Project Manager: Osniel Leon

Size: 9.75 acres ±

BCC District: 2

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

**People who spoke on this application**

Angela Biagi, Agent – in agreement with the Conditions of Approval

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Special Exception Use granted under Resolutions R-1978-068, R-1982-0411, R-1987-0903, and R-1989-0613 for a commercial automobile sales facility and lot; and an automotive repair facility.

Motion carried 6-0-1

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

**MOTION:** To recommend approval of a Type II Waiver to allow a deviation in the block dimensions greater than five acres; and allow outdoor vehicle storage within 200 feet of a Non-PRA residential zoning district subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0-1

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

**Decision: Recommended approval of the Development Order Abandonment and the Type II Waiver with votes of 6-0-1.**

6. **ZV/ABN/DOA-2015-02363** **Title:** a Development Order Abandonment application of Comac Waterford LLC by Urban Design Kilday Studios, Agent. **Request:** to abandon a Requested Use granted under R-2004-0717 to allow Building Supplies.

**Title:** a Development Order Amendment application of Comac Waterford LLC by Urban Design Kilday Studios, Agent. **Request:** to reconfigure the site plan to add square footage.

**General Location:** Southwest corner of Okeechobee Boulevard and Jog Road. **(Waterford Crossing MUPD)** (Control 1989-00127)

Pages 157 - 184

Conditions of Approval Pages (163 - 168)

Project Manager: Joyce Lawrence

Size: 11.33 acres ±

(affected area 1.99 acres ±)

BCC District: 2

**Staff Recommendation:** Staff recommends approval of the requests subject to 27 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Sandra Megrue, Agent – in agreement with the Conditions of Approval, as amended on the Add/Delete

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Requested Use granted under R-2004-0717 to allow Building Supplies.

Motion carried 8-0

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

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan to add square footage subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

**Decision: Recommended approval of the Development Order Abandonment and Development Order Amendment with votes of 7-0.**

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCES**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

- 4. **SV/Z/CA-2015-01921** Title: a Subdivision Variance application of Life Covenant Church by Wantman Group Inc., Agent. Request: to allow an access point to a major street (Jog Road). Title: an Official Zoning Map Amendment application of Life Covenant Church by Wantman Group 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 Life Covenant Church by Wantman Group Inc., Agent. Request: to allow a Place of Worship.

General Location: Southeast corner of Belvedere Road and Jog Road. **(Life Church)** (Control 2000-00027)

Pages 81 - 131  
 Conditions of Approval Pages (91 - 97)  
 Project Manager: Carlos Torres  
 Size: 11.85 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to Conditions of Approval as indicated in Exhibit C-1; 1 Condition of Approval as indicated in Exhibit C-2; and 20 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application**

Carlos Torres, Site Planner II – with a brief presentation  
 Richard Donofrio, Agent – In agreement with the Conditions of Approval, stating that research would be done with Staff on Engineering Condition 10

From the public, Ralph Kaylor and Greg Rice cited concerns with excess noise and requested possible installation of a fence. The Agent stated that his firm would be willing to work with any concerned citizens and come to an agreement before this application is heard at the Zoning Board of County Commission Hearing on March 24, 2016.

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow an access point to a major street (Jog Road) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0-1

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

**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 the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0-1

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

**MOTION:** To recommend approval to allow a Class A Conditional Use to allow a Place of Worship subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 7-0-1

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

**DECISION: Approved the Subdivision Variance with a vote of 7-0-1 and recommended approval of the Official Zoning Map Amendment and the Class A Conditional Use with votes of 7-0-1.**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS – NEW**

7. **DOA-2015-02352** Title: a Development Order Amendment application of Power Florida, South Fla Water Mgmt Dist, PBA Holdings Inc by Carlton Fields P.A., Agent. Request: to reconfigure the Site Plan, delete land area, and modify Conditions of Approval (Zoning).

General Location: Approximately 3.5 miles west of Seminole Pratt Whitney Road and on the north side of Southern Boulevard. **(Palm Beach Aggregates)** (Control 1989-00052)

Pages 185 - 227

Conditions of Approval Pages (193 - 214)

Project Manager: Carrie Rechenmacher

Size: 5,234.53 acres ±

BCC District: 6

(affected area 138.31 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 79 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Carrie Rechenmacher, Senior Site Planner – gave a brief presentation

Joe Verdone, Agent – in agreement with the Conditions of Approval, as amended on the Add/Delete

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan, delete land area, and modify Conditions of Approval (Zoning) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

**DECISION: Recommended approval with a vote of 8-0.**

8. **ZV-2015-02511** Title: a Type II Variance application of Boca Mission LLC by Holland & Knight LLP, Agent. Request: to allow an increase of the maximum square footage of a wall sign.

General Location: Northwest corner of Glades Road and State Road 7/441. **(LA Fitness Signage)** (Control 1984-00099)

Pages 228 - 252

Conditions of Approval Pages (233 - 233)

Project Manager: Osniel Leon

Size: 30.75 acres ±

BCC District: 5

Staff Recommendation: Staff recommends denial of the request.

**People who spoke on this application**

Janna Lhota, Agent gave a presentation explaining that last year LA Fitness was granted approval to expand and the expansion would be toward the front field. She stated that with the configuration of the parking lot and the mature age of the trees at the center, visibility was an issue, which is why the increased sign size was needed.

**MOTION:** To adopt a resolution approving a Type II Variance to allow an increase of the maximum square footage of a wall sign, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

**DECISION: Approved the Type II Variance with a vote of 8-0.**

9. **ZV/Z-2014-02333** Title: Type II Variance application of Pronto Enterprises of PBC Inc, Norberto Calderon by Land Research Management Inc., Agent. Request: to allow reductions to the mixed use requirements; reduce the build to line; reduce frontage requirements; eliminate arcade or gallery; reduce rear setbacks; reduce distance of a dumpster located adjacent to a residential district; width reductions for the incompatibility and right-of-way (ROW) buffers; and, to allow access to the front of the property.

Title: an Official Zoning Map Amendment application of Pronto Enterprises of PBC Inc, Norberto Calderon by Land Research Management Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) and Commercial Neighborhood (CN) Zoning Districts to the General Commercial (CG) Zoning District.

General Location: Northwest corner of Westgate Avenue and Cherokee Avenue. **(Dos Hermanos)** (Control 1989-00112)

Pages 253 - 289

Conditions of Approval Pages (262 - 266)

Project Manager: Melissa Matos

Size: 1.79 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the requested Official Zoning Map Amendment and Type II Variances V1 thru V5, V9 and V10, subject to 8 Conditions of Approval as indicated in Exhibit C-1 and 1 Condition of Approval as indicated in Exhibit C-3.

Staff recommends denial of the Type II Zoning Variances V6 thru V8.

**People who spoke on this application**

Melissa Matos, Senior Site Planner – gave a brief presentation

Kevin McGinley, Agent – gave a presentation

The Zoning Commission had questions regarding reduction in setbacks and the other variance requests. The Chair suggested that a postponement to the April 7, 2016 Zoning Commission Hearing would give the Agent time to work with Staff to modify the plan and possibly eliminate the necessity of some of the variances.

Elizee Michel, Executive Director of the Westgate CRA, spoke in support of the project. He stated that revisions to the plan had been reviewed and the WCRA would like this application to move forward. Mr. Michel also stated that he supported the applicant working with staff to address any issues.

**MOTION:** To postpone to Thursday, April 7, 2016.

Motion carried 8-0

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

**DECISION: Postponed to Thursday, April 7, 2016.**

10. **ZICA-2015-01227** Title: an Official Zoning Map Amendment application of JCL Management LLC by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the General Commercial (CG) Zoning District. Title: a Class A Conditional Use application of JCL Management LLC by Urban Design Kilday Studios, Agent. Request: to allow a Convenience Store with Gas Sales; and a Type I Restaurant with drive-through.

General Location: Northeast corner of Southern Boulevard and Benoist Farms Road. **(Southern Station)** (Control 1983-00045)

Pages 290 - 319

Conditions of Approval Pages (298 - 303)

Project Manager: Joyce Lawrence

Size: 1.93 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1; 17 Conditions of Approval as indicated in Exhibit C-2; and 6 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application**

Joyce Lawrence, Site Planner II – gave a brief presentation

Joni Brinkman, Agent – gave a presentation

From the public, Bo Hoover requested that a fence would be required along the east property line. She stated that she had previously spoken with the owner regarding the fence and that he had agreed.

Zoning Commissioner Currie pointed out that the building in this project has been designed by an Engineer, in violation of the State Statute that requires design by Architects. The Zoning Commissioners discussed concerns with the plan’s traffic flow and queuing potential. Brian Seymour, Attorney for the applicant, assured the Commissioners that an Architect will be preparing the final design of the building.

Commissioners stated that they were recommending denial based on issues with the traffic circulation on the site and the lack of an Architect’s signature on the plan.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Light Industrial (IL) Zoning District to the General Commercial (CG) Zoning District subject to Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

**MOTION:** To recommend **denial** of a Class A Conditional Use Amendment to allow a Convenience Store with Gas Sales based on the Standards in Article 2.

Motion carried 8-0

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

**MOTION:** To recommend **denial** of a Class A Conditional Use Amendment to allow a Type I Restaurant with drive-through due to Standards 2 and 4, relative to lay-out and function and lack of compliance with the Florida Statute.

Motion carried 8-0

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

**DECISION: Recommended approval of an Official Zoning Map Amendment with a vote of 8-0 and recommended denial of both Class A Conditional Use Approvals with votes of 8-0**

11. **ZV/ABN/DOA-2015-01225** Title: a Type II Variance Request application of Pine Trail Square LLC by Dunay, Miskel, Backman, and Blattner, LLP, Agent. Request: to allow a reduction in width and hedge material for Right of Way landscape buffers.

Title: a Development Order Abandonment application of Pine Trail Square LLC by Dunay, Miskel, Backman, and Blattner, LLP, Agent. Request: to abandon the Gasoline Service and Auto Sales granted under Resolution Number R-1976-0494.

Title: Development Order Amendment application of Pine Trail Square LLC by Dunay, Miskel, Backman, and Blattner, LLP, Agent. Request: to reconfigure the site plan; add an access point (Elmhurst Road) and delete access points (Military Trail and Okeechobee Boulevard); add and delete square footage; and modify Conditions of Approval (Engineering).

General Location: Southwest corner of Okeechobee Boulevard and Military Trail. **(Pine Trail Shopping Center)** (Control 1978-00273)

Pages 320 - 362

Conditions of Approval Pages (329 - 338)

Project Manager: Carrie Rechenmacher

Size: 28.06 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 45 Conditions of Approval as indicated in Exhibit C-2; and approval of the Development Order Abandonment of the Gasoline Service and Auto Sales granted under Resolution Number R-1976-0494.

Staff recommends denial of the Type II Variance.

**People who spoke on this application**

Carrie Rechenmacher, Senior Site Planner – gave a brief presentation

Bonnie Miskel, Agent – gave a presentation

Zoning Commissioners commented on the need for improvement/modernization of the signs on the property. The Agent agreed to work with Staff to bring about improvement without losing square footage. Commissioners also stated that this is a vastly improved plan that they would support with Commissioner Snyder advising that the requested percentage of reduction in the buffers was too great.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in width and hedge material for Right of Way landscape buffers subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-1

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

**MOTION:** To recommend approval of a Development Order Abandonment to abandon the Gasoline Service and Auto Sales granted under Resolution Number R-1976-0494.

Motion carried 8-0

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

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan; add an access point (Elmhurst Road) and delete access points (Military Trail and Okeechobee Boulevard); add and delete square footage; and modify Conditions of Approval (Engineering) 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
Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

**DECISION: Approved the Type II Variance with a vote of 7-1 and recommended approval of the Development Order Abandonment and the Development Order Amendment with votes of 8-0.**

12. **ZV/PDD/DOA/R-2015-00317** Title: a Type II Variance application of Hippocrates Health Institute of FL by Miller Land Planning, Agent. Request: to eliminate the internal buffers between the Residential and Civic Pods; and to allow a reduced separation distance between buildings.

Title: an Official Zoning Map Amendment for a Planned Development District application of Hippocrates Health Institute of FL by Miller Land Planning, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment application of Hippocrates Health Institute of FL by Miller Land Planning, Agent. Request: to modify the Master Plan; reconfigure the Site Plan; add land area; re-designate Pods; add access points; increase square footage; and add a Requested Use.

Title: a Requested Use application of Hippocrates Health Institute of FL by Miller Land Planning, Agent. Request: to allow an Assembly Non-profit Institutional.

General Location: Northwest corner of Skees Road and Palmdale Road. **(Hippocrates PUD/CLF)** (Control 1987-00032)

Pages 363 - 414

Conditions of Approval Pages (373 - 382)

Project Manager: Melissa Matos

Size: 32.08 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1; 1 Condition of Approval as indicated in Exhibit C-2; 35 Conditions of Approval as indicated in Exhibit C-3; and 6 Conditions of Approval as indicated in Exhibit C-4.

**People who spoke on this application**

Melissa Matos, Senior Site Planner – gave a brief presentation

Bradley Miller, Agent – gave a brief presentation

From the public, Steve Wiehe cited concerns that the new building resembled a hotel; the footprint of the plan was too large for the site and with the increase in traffic. He also requested a possible increase in the buffers.

**MOTION:** To adopt a resolution approving a Type II Zoning Variance to eliminate the internal buffers between the Residential and Civic Pods; and to allow a reduced separation distance between buildings 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
Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District 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
Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

**MOTION:** To recommend approval of a Development Order Amendment to modify the Master Plan; reconfigure the Site Plan; add land area; re-designate Pods; add access points; increase square footage; and add a Requested Use subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 8-0

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

**MOTION:** To recommend approval of a Requested Use to allow an Assembly Non-profit Institutional subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 8-0

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

**DECISION: Approved the Type II Variance with a vote of 8-0 and recommended approval of the Official Zoning Map Amendment, the Development Order Amendment and the Requested Use with votes of 8-0.**

13. **ZV/CA/Z-2015-01456** Title: a Type II Variance application of Checkerboard Acres Inc by Gentile, Glas, Holloway, O’Mahoney & Assoc Inc., Agent. Request: to allow non-natural fence material; a fence located adjacent to the property line within the incompatibility buffer; and all required trees and shrubs or hedges to be located on the interior side of the fence; to reduce the number of shrub rows and the width of the incompatibility buffer; to eliminate the Type 3 Incompatibility Buffer wall requirement; and to allow galvanized metal wall panels as an exterior building finish.

Title: a Class A Conditional Use application of Checkerboard Acres Inc by Gentile, Glas, Holloway, O’Mahoney & Assoc Inc., Agent. Request: to allow Agricultural Sales and Service.

Title: an Official Zoning Map Amendment application of Checkerboard Acres Inc by Gentile, Glas, Holloway, O’Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Community Commercial (CC) Zoning District.

General Location: West side of Jupiter Farms Road; approximately 1.8 miles south of Indiantown Road. **(Town and Country Feed and Supply Store)** (Control 1974-00175)

Pages 415 - 453

Conditions of Approval Pages (426 - 430)

Project Manager: Carlos Torres

Size: 2.77 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the Type II Variance V1 subject to 8 Conditions of Approval as indicated in Exhibit C-1; approval of the Rezoning subject to 1 Condition of Approval as indicated in Exhibit C-3; and approval of the Class A Conditional Use 10 Conditions of Approval as indicated in Exhibit C-4.

Staff recommends denial of the Type II Variances V2 to V5.

**People who spoke on this application**

Carlos Torres, Site Planner II – gave a brief presentation

Dodi Glas, Agent – gave a brief presentation

From the public and speaking in support, Susan Kennedy, President of the Jupiter Farms Environmental Council, stated that she was fully in support of all of the variance requests.

**MOTION:** To adopt a resolution approving a Type II Variance (V1) to allow galvanized metal wall panels as an exterior building finish 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
Absent	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
			Seconded	Moved				

**MOTION:** To adopt a resolution approving the Type II Variances (V2 to V5) to allow non-natural fence material; a fence located adjacent to the property line within the incompatibility buffer; and all required trees and shrubs or hedges to be located on the interior side of the fence; to reduce the number of shrub rows and the width of the incompatibility buffer; and to eliminate the Type 3 Incompatibility Buffer wall requirement subject to Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

**MOTION:** To recommend approval to allow a Class A Conditional Use to allow Agricultural Sales and Service subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 8-0

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

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Community Commercial (CC) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 8-0

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

**DECISION:** *Approved the Type II Variances with votes of 8-0 and recommended approval of the Requested Use and the Official Zoning Map Amendment with votes of 8-0.*

**E. SUBDIVISION VARIANCE**

**F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**14. Title: Voting of Chair and Vice Chair**

**MOTION:** To elect Sheri Scarborough as Chair of the Zoning Commission for the 2016 term.

Motion carried 8-0

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

**MOTION:** To elect Sam Caliendo as Vice-Chair of the Zoning Commission for the 2016 term.

Motion carried 8-0

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

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONER COMMENTS**

**ADJOURNMENT – 12:07 pm**

## FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME BEATTY MARK STEVEN		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PALM BEACH COUNTY ZONING COMMISSION	
MAILING ADDRESS 2461 PALM HARBOR DRIVE		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:	
CITY PALM BEACH GARDENS, FLORIDA	COUNTY PALM BEACH	<input type="checkbox"/> CITY	<input checked="" type="checkbox"/> COUNTY
DATE ON WHICH VOTE OCCURRED ABSTAINED FROM VOTING - MARCH 03, 2016		NAME OF POLITICAL SUBDIVISION:  MY POSITION IS:	
		<input type="checkbox"/> ELECTIVE	
		<input checked="" type="checkbox"/> APPOINTIVE	

### WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

### INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

#### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

#### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, MARK STEVEN BEATTY, hereby disclose that on MARCH 03, 20 16;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of THE WANTMAN GROUP INC., which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

THE WANTMAN GROUP INC. PURCHASED THE STRUCTURAL ENGINEERING FIRM OF BRIDGE DESIGN. MY FIRM, ARCHITECTURE GREEN LLC. HAD PROFESSIONAL SERVICE CONTRACTS WITH BRIDGE DESIGN AND VICE VERSA. THESE CONTRACTS HAVE BEEN TRANSFERRED TO THE WANTMAN GROUP INC.

ITEM #

- #4 SV/Z/CA - 2015 - 01921
- #5 ABN/W - 2015 - 02158

MARCH 03, 2016  
Date Filed

[Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.