



**ZONING COMMISSION  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA  
SEPTEMBER 1, 2016**

**AGENDA**

<b><u>ITEM #</u></b>	<b><u>PAGE #</u></b>	<b><u>APPLICATION AND CONTROL #S</u></b>	<b><u>APPLICATION NAME</u></b>
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**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

6.	(44-78)	DOA2016-00435 (2008-00129)	Andalucia PUD
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**MOTION:** To postpone to October 6, 2016

**CONSENT AGENDA**

**D. ZONING APPLICATIONS - NEW**

4.	(4-17)	Z-2016-00663 (2014-00133)	Autism School
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**AMEND** Motion to read as follows:

**MOTION:** To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District with a conditional overlay zone and subject to the Conditions of Approval as indicated in Exhibit C.

**REGULAR AGENDA**

**D. ZONING APPLICATIONS - NEW**

9.	(148-194)	DOA/R-2015-01918 (2008-00243)	Hypoluxo Shoppes
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**AMEND** Use Limitation Condition 2 of Exhibit C-1 to read as follows:

2. Hours of business operation including deliveries shall be limited from 7:00 a.m. to 10:00 p.m. daily.

10. (195-343) ZV/PDD/DOA-2016-00269 Sussman AGR-PUD  
(2000-00032)

**DELETE** Lake Worth Drainage District Condition 3 Exhibit C-3



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

**THURSDAY SEPTEMBER 1, 2016**

**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. Notice
- E. Proof of Publication
- F. Adoption of the Minutes
- G. Swearing In
- H. Disclosures

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

**REGULAR AGENDA**

**COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

*Disclaimer: Agenda subject to changes at or prior to the public hearing.*



**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**

**SEPTEMBER 1, 2016**

**CALL TO ORDER**

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, and Pledge of Allegiance
- 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 takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. 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, September 22, 2016 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

- D. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

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.

- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Disclosures

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

1. [DOA-2015-01470](#) Title: a Development Order Amendment application of Florida Education Properties Villages of by F.P. Dino Inc., Agent. Request: to reconfigure the site plan, add and delete square footage, increase the number of students for the Private School, decrease the number of children for the Day Care, and amend Conditions of Approval (Engineering).

General Location: Southeast corner of Hypoluxo Road and Lyons Road. **(Villages of Windsor SE Civic)** (Control 1996-00081)

Pages 1 - 1

Project Manager: Joyce Lawrence

Size: 543.60 acres ±

BCC District: 3

(affected area 12.12 acres ±)

Staff Recommendation: Staff recommends postponement to Thursday November 3, 2016.

**MOTION:** To postpone to Thursday November 3, 2016.

2. [ZV/ABN/CA-2016-00444](#) Title: a Type II Variance application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to allow a reduction in the width of Right of Way and Compatibility buffers, to allow easements overlap in perimeter buffers and foundation planting, a reduction in setbacks; an increase in wall signage, and reduction of lot depth.

Title: a Development Order Abandonment application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to abandon resolution R-1984-1843

Title: a Class A Conditional Use application of Rex & Rex Unlimited Inc by Cotleur & Hearing Inc., Agent. Request: to allow General Repair and Maintenance.

General Location: Northeast corner of Northlake Boulevard and Silverthorne Drive. **(Tire Kingdom)** (Control 1984-00048)

Pages 2 - 2

Project Manager: Carlos Torres

Size: 1.05 acres ±

BCC District: 1

Staff Recommendation: Staff recommends a postponement to Thursday October 6, 2016.

**MOTION:** To postpone to Thursday October 6, 2016.

- 3. [DOA-2015-01724](#) Title: a Development Order Amendment application of Target Corporation, EIP Boynton, LLC by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan, add square footage, and to modify and delete Conditions of Approval (Architectural, Signs and Use Limitation).

General Location: Southwest corner of Boynton Beach Boulevard and Hagen Ranch Road. **(Monterey Square)** (Control 1998-00073)

Pages 3 - 3

Project Manager: Carlos Torres

Size: 23.87 acres ±

BCC District: 5

(affected area 3.31 acres ±)

Staff Recommendation: Staff recommends a postponement to Thursday October 6, 2016.

**MOTION:** To postpone to Thursday October 6, 2016.

**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**

- 4. [Z-2016-00663](#) Title: an Official Zoning Map Amendment application of Dayna2 LLC by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District.  
General Location: Approximately 0.16 miles north of Belvedere Road, and on the east side of Marine Drive. **(Autism School)** (Control 2014-00133)

Pages 4 - 17

Conditions of Approval Pages (9 - 9)

Project Manager: Carolina Valera

Size: 1.31 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to 4 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval for an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

- 5. [ZV-2016-00084](#) Title: a Type II Variance application of Delray Commons of Palm Beach Inc by South East Architect Services Inc, Agent. Request: to allow a reduction in the lot depth and Right-of-Way (ROW) buffer width.  
General Location: West Side of Military Trail approximately 1/4 mile north of Flavor Pict Road. **(Barkley Place)** (Control 1984-00163)

Pages 18 - 43

Conditions of Approval Pages (22 - 23)

Project Manager: Yoan Machado

Size: 3.98 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution approving Type II Variances to allow a reduction in the lot depth and Right-of-Way (ROW) buffer width subject to the Conditions of Approval as indicated in Exhibit C.

6. [DOA-2016-00435](#) Title: a Development Order Amendment application of Standard Pacific Of South Florida, Standard Pacific Of Florida, Homes Westbrooke by Urban Design Kilday Studios, Agent. Request: to reconfigure the Master Plan, modify Conditions of Approval (Engineering, Landscaping, Parks, Planned Development, Planning and Site Design), relocate access point, modify unit type, and add units.

General Location: East side of Lyons Road approximately 3,325 feet south of Lake Worth Road (**Andalucia PUD**) (Control 2008-00129)

Pages 44 - 78

Conditions of Approval Pages (52 - 63)

Project Manager: Carlos Torres

Size: 67.76 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 32 Conditions of Approval as indicted in Exhibit C.

**MOTION:** To recommend approval for a Development Order Amendment to reconfigure the Master Plan, modify Conditions of Approval (Engineering, Landscaping, Parks, Planned Development, Planning and Site Design) relocate access point, modify unit type, and add units subject to the Conditions of Approval as indicated in Exhibit C.

7. [ZV-2016-01037](#) Title: a Type II Variance application of Haley Farms LLC by AJ Entitlements & Plannings LLC, Agent. Request: to allow an increase in height and square footage for an off-site directional sign, to allow the sign to be located more than 50 feet away from the point of ingress and to allow the sign to be located on a parcel not subject to a recorded document insuring ingress and egress to the parcel identified on the directional sign.

General Location: Southeast corner of Lake Worth Road and Polo Road. (**Fields at Gulfstream Polo PUD**) (Control 2013-00296)

Pages 79 - 123

Conditions of Approval Pages (84 - 85)

Project Manager: Josue Leger

Size: 224.90 acres ±

BCC District: 6

(affected area 10.40 acres ±)

Staff Recommendation: Staff recommend approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To adopt a resolution to approving a Type II Variance to allow an increase in height and square footage for an off-site directional sign, to allow the sign to be located more than 50 feet away from the point of ingress and to allow the sign to be located on a parcel not subject to a recorded document insuring ingress and egress to the parcel identified on the directional sign subject to the Conditions of Approval as indicated in Exhibit C.



8. [DOA-2016-00445](#) Title: a Development Order Amendment application of Gods Church Of Faith Inc by Jose C. Huertas P.E., Agent. Request: to reconfigure the Site Plan, relocate an access point, add square footage and seats, and modify and delete Conditions of Approval (Architectural Control, Building and Site Design, Concurrency, Landscaping, Signs, Lighting and Use Limitations).

General Location: East side of Haverhill Road between Dryden Road and Sunny Lane Avenue. **(Eternal Gospel Church)** (Control 1997-00062)

Pages 124 - 147

Conditions of Approval Pages (129 - 134)

Project Manager: Dan Greenberg

Size: 1.77 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 31 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan, relocate an access point, add square footage, add seats and modify and delete Conditions of Approval (Architectural Control, Building and Site Design, Concurrency, Landscaping, Signs, Lighting and Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C.

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**END OF CONSENT AGENDA**

## REGULAR AGENDA

## A. ITEMS PULLED FROM CONSENT

## B. STATUS REPORTS

## C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

9. [DOA/R-2015-01918](#) Title: a Development Order Amendment application of Hypoluxo & I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to reconfigure the Site Plan, delete square footage, add a Requested Use, and modify or delete Conditions of Approval (All Conditions).

Title: a Requested Use application of Hypoluxo & I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to allow a Convenience Store with Gas Sales.

General Location: Northeast corner of Hypoluxo Road and High Ridge Road. **(Hypoluxo Shoppes)** (Control 2008-00243)

Pages 148 - 194

Conditions of Approval Pages (157 - 168)

Project Manager: Joyce Lawrence

Size: 4.20 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 34 Conditions of Approval as indicated in Exhibit C-1 and 7 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan, delete square footage, add a Requested Use, and modify or delete Conditions of Approval (All Conditions) subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Requested Use to allow a Convenience Store with Gas Sales subject to the Conditions of Approval as indicated in Exhibit C-2.

**D. ZONING APPLICATIONS - NEW**

10. [ZV/PDD/DOA-2016-00269](#) Title: a Type II Variance application of 441 Acquisition, LLC by G.L. Homes, Agent. Request: to allow a reduction in the width of the Type 3 Incompatibility Buffer and the front setback for front loading garages for Single-Family and Zero Lot Line homes

Title: an Official Zoning Map Amendment to a Planned Development District application of 441 Acquisition, LLC by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR PUD) Zoning District.

Title: a Development Order Amendment application of 441 Acquisition, LLC by G.L. Homes, Agent. Request: to reconfigure the Master Plan, add land area, add units and add an access point.

General Location: Approximately 740 feet south of West Atlantic Avenue on the east side of State Road 7. **(Sussman AGR-PUD)** (Control 2000-00032)

Pages 195 - 343

Conditions of Approval Pages (205 - 225)

Project Manager: Roger Ramdeen

Size: 743.00 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends approval of the Type II Variance V3 subject to 7 Conditions of Approval as indicated in Exhibit C-1, approval of the Rezoning subject to 4 Conditions of Approval as indicated in Exhibit C-2 and approval of the Development Order Amendment subject to 52 Conditions of Approval as indicated in Exhibit C-3.

Staff recommends denial of Type II Variances V1 and V2.

**MOTION:** To adopt a resolution approving the Type II Variance (V3) to allow a reduction in the width of the Type 3 Incompatibility Buffer subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To adopt a resolution denying the Type II Variances (V1 and V2) to allow a reduction in the front setback for front loading garages for Single-Family and Zero Lot Line homes.

**MOTION:** To recommend approval for the Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of the Development Order Amendment to reconfigure the Master Plan, add land area, add units and add an access point. subject to the Conditions of Approval as indicated in Exhibit C-3.

- 11. [ZV/DOA-2016-00658](#) Title: a Type II Variance application of Country New by Brandenburg & Associates P.A., Agent. Request: to allow an increase in the number of ground mounted-freestanding signs.

Title: a Development Order Amendment application of Country New by Brandenburg & Associates P.A., Agent. Request: to reconfigure the Site Plan, add and delete square footage, and modify Conditions of Approval (Signs).

General Location: South side of Okeechobee Boulevard, about 580 feet from the intersection of Palm Beach Lakes Boulevard. **(Ferrari-Maserati-Mercedes Benz MUPD)** (Control 1983-00161)

Pages 344 - 416

Conditions of Approval Pages (352 - 366)

Project Manager: Diego Penalosa

Size: 13.96 acres ±

BCC District: 7

Staff Recommendation: Staff recommends denial of the Type II Variance and denial of the modification of the Conditions of Approval (Signage).

Staff recommends approval of the Development Order Amendment to reconfigure the Site Plan, and to add and delete square footage subject to 81 Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To adopt a resolution to deny a Type II Variance to allow an increase in the number of ground monument-freestanding signs.

**MOTION:** To recommend denial of the Development Order Amendment to modify Conditions of Approval (Signage).

MOTION: To recommend approval of a Development Order amendment to modify the Site Plan to add and delete square footage subject to the Conditions of Approval as indicated in Exhibit C-2.

**E. SUBDIVISION VARIANCE**

**F. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**ADJOURNMENT**