



**BOARD OF COUNTY COMMISSION
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
FEBRUARY 26, 2015**

AGENDA

<u>ITEM #</u>	<u>PAGE #</u>	<u>APPLICATION AND CONTROL #S</u>	<u>APPLICATION NAME</u>
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CONSENT AGENDA

E. ZONING APPLICATIONS – NEW

6.	(117 - 132)	ABN/EAC-2014-02324 (Control 1984-00130)	Vista Center PIPD Parcel 23
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ADD ABN Resolution WHEREAS Clause to read as follows:

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

ADD Condition of Approval to Exhibit C-1 to read as follows:

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

AMEND DOA Exhibit C to read as follows:

Exhibit C-2

G. ABANDONMENTS

7.	(149 - 151)	ABN-2014-02309 (Control 1979-00226)	Hemstreet Park PID
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ADD ABN Resolution WHEREAS Clause to read as follows:

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

ADD Condition of Approval to Exhibit C-1 to read as follows:

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY FEBRUARY 26, 2015

9:30 A.M. 6TH FLOOR

JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Notice
- D. Proof of Publication
- E. Swearing In
- F. Adoption of Agenda

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
BOARD OF COUNTY COMMISSIONERS**

FEBRUARY 26, 2015

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. 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 Mayor, 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.

- D. Proof of Publication - Motion to receive and file
- E. Swearing In - County Attorney
- F. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. [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 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: 1 - 1

Project Manager: Joyce Lawrence

Size: 9.24 acres ±

BCC District: 2

Staff Recommendation: Staff recommends postponement to Thursday March 26, 2015.

Zoning Commission Recommendation: Postponed to Thursday March 5, 2015 with a vote of 8-0.

MOTION: To postpone to Thursday March 26, 2015.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

E. ZONING APPLICATIONS - NEW

- 2. [CA-2014-00915](#) Title: a Class A Conditional Use application of F G H Inc by Jon E Schmidt & Associates, Agent. Request: to allow a Convenience Store with Gas Sales with an accessory car wash.

General Location: Southeast corner of Alternate A1A and Florida Boulevard. **(Thomas Colony Shell)** (Control 1988-00100)

Pages: 2 - 26

Conditions of Approval (7 - 9)

Project Manager: Roger Ramdeen

Size: 0.68 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 20 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Recommended approval with a vote of 8-0.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Convenience Store with Gas Sales with an accessory car wash subject to the Conditions of Approval as indicated in Exhibit C.

3. [DOA/R-2014-01874](#) Title: a Development Order Amendment application of Lowes Home Centers Inc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the site plan, add square footage, add a use, and modify and delete Conditions of Approval (Architectural Control; Lighting; and Building and Site Design).
Title: a Requested Use of Lowes Home Centers Inc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a Type I Restaurant.
General Location: North of Palmetto Park Road on the East Side of South State Road 7. **(Pollo Tropical at Palmetto Park MUPD)** (Control 1998-00079)

Pages: 27 - 56

Conditions of Approval (32 - 44)

Project Manager: Melissa Matos

Size: 25.28 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 56 Conditions of Approval as indicated in Exhibit C-1 and 1 Condition of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Recommended approval with votes of 8-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, add square footage, add a use, and modify and delete Conditions of Approval (Architectural Control; Lighting; and Building and Site Design) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Condition of Approval as indicated in Exhibit C-2.

4. [W-2014-01610](#) Title: a Type II Waiver application of PRG Empire Inc by Land Design South Inc., Agent. Request: to allow the shortest side of the building to front a primary street; to allow a reduction of the building frontage on a primary street; to allow a reduction to the side setback on a secondary street; and to allow a single story building.
General Location: Southeast corner of Military Trail and Coconut Road, north of Forest Road. **(O'Reilly Auto Parts-Forest)** (Control 2003-00829)

Pages: 57 - 86

Conditions of Approval (61 - 61)

Project Manager: Melissa Matos

Size: 0.78 acres ±

BCC District: 2

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

Zoning Commission Recommendation: Recommended approval with a vote of 8-0.

MOTION: To adopt a resolution approving the Type II Waivers to allow the shortest side of the building to front a primary street; to allow a reduction of the building frontage on a primary street; to allow a reduction to the side setback on a secondary street; and to allow a single story building subject to the Conditions of Approval as indicated in Exhibit C.

5. [SV/ZV/Z-2014-01624](#) Title: an Official Zoning Map Amendment application of MPC 3 LLC by CPH Inc, Baker & Hostetler LLP, Agent. Request: to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Light Industrial (IL) Zoning District. General Location: Southwest corner of Cleary Road and Belvedere Road. **(Florida Public Utilities Regional Operations Center)** (Control 2009-02465)

Pages: 87 - 111

Conditions of Approval (94 - 95)

Project Manager: Osniel Leon

Size: 10.41 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and 5 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved the Type II Variances with votes of 8-0 and recommended Approval with a vote of 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Commercial Recreation (CRE) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ) and subject to the Conditions of Approval as indicated in Exhibit C-2.

6. [ABN/EAC-2014-02324](#) Title: a Development Order Abandonment application of W2PR LLC - Joel Wantman by Land Design South Inc., Agent. Request: to abandon the Requested Use approved under Resolution R-2005-0379 which allowed a General Daycare. Title: an Expedited Application Consideration of W2PR LLC - Joel Wantman by Land Design South Inc., Agent. Request: to remove the daycare and modify/delete Conditions of Approval (Planned Unit Development). General Location: Northwest corner of Okeechobee Boulevard and Vista Parkway. **(Vista Center PIPD Parcel 23)** (Control 1984-00130)

Pages: 112 - 148

Conditions of Approval (117 - 132)

Project Manager: Osniel Leon

Size: 272.09 acres ±

BCC District: 2

(affected area 20.07 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 47 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Requested Use approved under Resolution R-2005-0379 which allowed a General Daycare.

MOTION: To adopt a resolution approving the Expedited Application Consideration to remove the daycare and modify/delete Conditions of Approval (Planned Unit Development) subject to the Conditions of Approval as indicated in Exhibit C.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

- 7. [ABN-2014-02309](#) Title: a Development Order Abandonment application of WH Cleary LLC by Urban Design Kilday Studios, Agent. Request: to abandon the Special Exception granted under Resolution R-1979-1626 for a Planned Industrial Development (PID).

General Location: Northwest corner of Wallis Road and Cleary Road. **(Hemstreet Park PID)** (Control 1979-00226)

Pages: 149 - 151

Project Manager: Osniel Leon

Size: 9.24 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request.

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Special Exception granted under Resolution R-1979-1626 for a Planned Industrial Development (PID).

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT**

- B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA**

- C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**

- D. PREVIOUSLY POSTPONED STATUS REPORTS**

- E. STATUS REPORTS - NEW**

- F. LARGE SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

- G. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

- H. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**

- I. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

- J. ZONING APPLICATIONS - NEW**

- K. ULDC AMENDMENTS**

- L. COMPREHENSIVE PLAN TEXT AMENDMENTS**

- M. OTHER ITEMS**

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

8. [Initiation of 2015-01 Round of ULDC Amendments](#)

Pages: 152 - 154

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT