AGENDA ITEM # (PAGE #) APPLICATION/CHANGE

REORDER

Reorder agenda to add #6. Election of Chair and Vice Chair after Roll Call. Pages 141-143

POSTPONEMENT (May 3, 2012)

2. (43-59) CA-2011-02908 Florida Buddhist Centers, Inc. – Lotus Monastery (Control 1978-204)

MOTION: To postpone the request to May 3, 2012.

AMENDMENTS

3. (60-87) PDD/R-2011-2339 Congress Business Center MUPD (Control 1983-118)

Add Use Limitations Condition 2 of Exhibit C-2 to read as follows:

USE LIMITATIONS 2

2. Prior to final approval by the Development Review Officer (DRO), the Site Plan shall be revised to limit the number of students (total enrollment) for the Charter School to a maximum of 340 students. (DRO: ZONING - Zoning)

4. (88-106) ZV-2012-0110 Shadowwood Square MUPD (Control 1973-043)

Delete Variance Condition 1 and renumber accordingly.

5. (107-140) ZV/PDD/R/TDR-2011-2634 Lake Worth Road CLF (Control 1981-013)

Modify Condition 4 of Exhibit C-1 (Type II Variance) to read as follows:

4. At time of submittal for final approval by the Development Review Officer (DRO), the planting requirement for the medium and small shrubs required within the variance areas for the landscape buffer of Lake Worth Road shall be relocated to the divider medians of the existing parking lot identified on the Site Plan as divider median 1 and in areas between 2 and 3. (BUILDING PERMIT: BLDG - Landscape)
Add ALL PETITION Conditions 2 Exhibit C-2 (Non Residential Planned Development District) to read as follows:

ALL PETITIONS

2. The existing hotel may continue to operate until October 1, 2012 or the issuance of a Business Tax Receipt of a Type III Congregate Living Facility, whichever occurs first. (DATE/ONGOING- MONITORING-Zoning)

Add Landscape Conditions 1-6 to Exhibit C-2 (Non Residential Planned Development District) to read as follows:

LANDSCAPE – GENERAL

1. At time of submittal for final approval by the Development Review Officer, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan shall be prepared in compliance with all landscape related conditions of approval as contained herein. (DRO: LANDSCAPE - Zoning)

2. Prior to October 4, 2012, all the required fences, gates and security system as conditioned herein shall be installed. (DATE: MONITORING- Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE NORTH PROPERTY LINE (ABUTTING RESIDENTIAL)

3. The landscape buffer along the north property line shall be upgraded to include:
   a. A minimum twenty (20) foot wide landscape buffer strip. Buffer width may be reduced to thirteen (13) feet adjacent to the existing tennis courts, subject to an alternative buffer approval by the Board of County Commissioners;
   b. An eight (8) foot high “Anti-Climb” vinyl coated fence or concrete panel wall; and,
   c. All plant materials shall comply with the requirements for a Type III Incompatibility buffer. (DRO: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE SOUTH PROPERTY LINE (FRONTAGE OF LAKE WORTH ROAD)

4. The landscape buffer along the south property line shall be upgraded to include:
   a. A minimum twenty (20) foot wide landscape buffer strip; except in areas where Variances are approved;
   b. Royal Palms shall be used in place of canopy trees, and installed a maximum of twenty (20) feet on center with a minimum of ten (10) foot of grey wood;
   b. a six (6) foot high metal railing fence; and,
   c. small, medium, and large shrubs shall be installed in accordance with the requirements for a Right-of-Way buffer; except in areas where Variances are approved. (DRO: LANDSCAPE - Zoning)

LANDSCAPE - PERIMETER-LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF HADJES ROAD)

5. The landscape buffer along the east property line shall be upgraded to include:
   a. a minimum fifteen (15) foot wide landscape buffer strip. Compliance with this condition will not prohibit the property owner from requesting a variance or an alternative acceptable to the Zoning Director in accordance with Article 7 of the ULDC;
   b. a six (6) foot high metal railing fence with gates at each access point along Hadjes Road. Gates shall be provided with controlled access (call-box, key access pad, or card reader) to provide security for the facility; and,
   c. all plant materials shall comply with a Right-of-Way buffer. (DRO: LANDSCAPE - Zoning)
6. The landscape buffer along the west property line shall be upgraded to include:
   a. a minimum twenty (20) foot wide landscape buffer strip. The buffer adjacent to the existing
tennis court may remain at five (5) feet in width until such time when the tennis court is
removed; and,
   b. a six (6) foot high chain link fence; and
   c. All plant materials shall comply with the requirements for a Right-of-Way buffer. (DRO:
      LANDSCAPE - Zoning)

Delete LANDSCAPE – Conditions 1- 4 of Exhibit C-3 Requested Use, as they are revised
and relocated to Exhibit C-2.
ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA

THURSDAY APRIL 5, 2012
9:00 A.M.
Vista Center 1st Floor 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. Proof of Publication
E. Adoption of the Minutes
F. Swearing In
G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.
AGENDA
PALM BEACH COUNTY ZONING COMMISSION

APRIL 5, 2012

CALL TO ORDER

A. Roll Call - 9:00 A.M.
B. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice
C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center 1st Floor 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 may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. 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, April 26, 2012 to take final action on the applications listed below.

NOTICE

Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners, which occurs outside of the public hearing, must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

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. Adoption of the Minutes
F. Swearing In - County Attorney
G. Disclosures
POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

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

1. DOA-2011-02905  Title: a Development Order Amendment application of William Burckart by William E. Burckart, Agent. Request: to reconfigure the Preliminary Site Plan, modify and delete Conditions of Approval (Use and Architectural Control), and expand an existing requested use. General Location: Southwest corner of Jupiter Farms and Indiantown Road (Jupiter Farms Community Shopping Center) (Control 1992-00017)

     Pages 1 - 42  Conditions of Approval Pages (20 - 38)
     Project Manager: David McGuire
     Size: 37.89 acres +  BCC District: 1

     Staff Recommendation: Staff recommends approval of the request subject to 97 Conditions of Approval as indicated in Exhibit C.

     MOTION: To recommend approval of a Development Order Amendment to reconfigure the Preliminary Site Plan, modify/delete Conditions of Approval and add square footage subject to the Conditions of Approval as indicated in Exhibit C.

2. CA-2011-02908  Title: a Class A Conditional Use application of Moc Thuy Nguyen by Jon E Schmidt & Associates, Agent. Request: to allow a Place of Worship

     General Location: Northeast corner of Gun Club Road and Cypress Avenue (Florida Buddhist Centers, Inc - Lotus Monastery) (Control 1978-00204)

     Pages 43 - 59  Conditions of Approval Pages (54 - 55)
     Project Manager: David McGuire
     Size: 1.66 acres +  BCC District: 2
     (affected area 1.52 acres +)

     Staff Recommendation: Staff recommends approval of the request subject to 10 Conditions of Approval as indicated in Exhibit C.

     MOTION: To recommend approval of a Class A Conditional Use to allow a place worship subject to the Conditions of Approval as indicated in Exhibit C.

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. PDD/R-2011-02339  Title: an Official Zoning Map Amendment to a Planned Development District application of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Requested Use application of 1310 Congress Partners LLC Lessor by David L. Carpenter & Assoc., Agent. Request: to allow a Charter School for more than 200 students.

General Location: East side of Old Congress Avenue north of Belvedere Road (Congress Business Center MUPD) (Control 1983-00118)

Pages 60 - 87
Conditions of Approval Pages (78 - 81)
Project Manager: Carol Glasser
Size: 4.21 acres +

Staff Recommendation: Staff recommends approval of the rezoning subject to 13 Conditions of Approval as indicated in Exhibit C-1: and, approval of the Requested Use subject to 4 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval in Exhibit C-1.

MOTION: To recommend approval of a Requested Use to allow a Charter School for more than 200 students subject to the Conditions of Approval as indicated in Exhibit C-2.

D. ZONING APPLICATIONS - NEW

4. ZV-2012-00110  Title: a Type II Variance application of Shadowwood Square Ltd by Jon E Schmidt & Associates, Agent. Request: to allow an increase in square footage for a wall signage along the west facade of Building F.

General Location: Northeast corner of Glades Road and SR 7/US441 (Shadowwood Square MUPD) (Control 1973-00043)

Pages 88 - 106
Conditions of Approval Pages (102 - 102)
Project Manager: Donna Adelsperger
Size: 34.94 acres +

Staff Recommendation: Staff recommends denial of the request.

MOTION: To adopt a resolution denying a Type II Variance to allow an increase in square footage for wall signage along the west facade of Building F.
5. **ZV/PDD/R/TDR-2011-02634**  
   **Title:** A Type II Variance application of Behavioral Health of the Palm Beaches Inc by Urban Design Kilday Studios, Agent. **Request:** to allow a reduction in the right-of-way buffer for Lake Worth Road; and to eliminate the small shrubs, medium shrubs, groundcover and to allow the plantings to be planted in a linear pattern. 
   **Title:** an Official Zoning Map Amendment to a Planned Development District application of Behavioral Health of the Palm Beaches Inc by Urban Design Kilday Studios, Agent. **Request:** to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. 
   **Title:** a Requested Use application of Behavioral Health of the Palm Beaches Inc by Urban Design Kilday Studios, Agent. **Request:** to allow a Type III Congregate Living Facility. 
   **Title:** Transfer of Development Rights application of Behavioral Health of the Palm Beaches Inc by Urban Design Kilday Studios, Agent. **Request:** to allow a Transfer Development Rights (TDRs) for 18 units. 

**General Location:** Northeast corner of Lake Worth Road and the Florida Turnpike. *(Lake Worth Road CLF)* (Control 1981-00013)

**Pages 107 - 140**

**Conditions of Approval Pages (126 - 131)**

**Project Manager:** David McGuire

**Size:** 6.06 acres +

**(affected area 6.05 acres +)**

**BCC District:** 2

**Staff Recommendation:** Staff recommends approval of Type II Zoning Variances subject to 6 Conditions of Approval as indicated in Exhibit C-1, approval of the rezoning subject to 5 Conditions of Approval as indicated in Exhibit C-2, approval of the Requested Use subject to 10 Conditions of Approval as indicated in Exhibit C-3, and approval of the Transfer of Development Rights subject to 5 Conditions of Approval as indicated in Exhibit C-4.

**MOTION:** To adopt a resolution approving a Type II Zoning Variance to allow a reduction in the right-of-way buffer for 171 feet of Lake Worth Road; and to eliminate the small shrubs, medium shrubs, groundcover and to allow to be planted in a linear pattern subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Requested Use to allow Type III Congregate Living Facility and to allow a Transfer of Development Rights (TDRs) subject to the Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To recommend approval of a Transfer of Development Rights to allow a Transfer Development Rights (TDRs) for 18 units subject to the Conditions of Approval as indicated in Exhibit C-4.

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**
C. EXECUTIVE DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT