

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

FRIDAY, JANUARY 10, 2014

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47
2300 N. Jog Road, West Palm Beach FL 33411

CALL TO ORDER

A. Roll Call 9:00 A.M.

Commissioner Sheri Scarborough, Chair - Present
 Commissioner Alex Brumfield, Vice Chair - Arrived 9:09 am
 Commissioner Amir Kanel - Present
 Commissioner Joseph R. Snider - Present
 Commissioner William F. Anderson - Present
 Commissioner Joanne Davis - Arrived 9:11 am
 Commissioner Sam Caliendo - Absent
 Commissioner Mark Beatty - 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 6-0

E. Adoption of the Minutes – Motion carried 6-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Davis	Brumfield	Beatty	Currie
		7	Absent	6			7	

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- ZV/2012-03380** Title: a Type II Variance application of AMKBJ Partners Ltd, Agriculture Property Inc by Land Research Management Inc., Agent. Request: to allow the elimination of the perimeter landscape buffers along the western portion of the north and south property lines and the entire west property line.

General Location: 1/4 mile north of the northwest corner of Boynton Beach Boulevard and State Road 7/US 441 on the west side of SR 7/US 441. **(Atlas Peat and Soil)** (Control 1979-00120)

Pages 1-1

Project Manager: Donna Adelsperger

Size: 62.80 acres ±

BCC District: 5, 6

Staff Recommendation: Staff recommends a postponement to February 6, 2014.

MOTION: To postpone to February 6, 2014.

Motion carried 6-0

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

DECISION: Postponed to February 6, 2014

B. REMANDS

C. WITHDRAWALS

2. **ZV -2013-01846** Title: a Type II Variance application of Jasmine Of Palm Beach Ltd by Land Design South Inc., Agent. Request: to allow an increase in the build-to-line on Congress Avenue and Westgate Avenue; to reduce the rear setback; to eliminate the minimum building frontage; number of queuing spaces, and foundation plantings on south and east sides; to reduce the Right-of-Way Buffer and Incompatibility Buffer widths; to increase the allowable easement overlap within a Landscape Buffer; and, to increase the height of a Freestanding Sign location.

General Location: Northwest corner of Congress Avenue and Westgate Avenue
(Meerdink's Little Ranches) (Control 1980-00008)

Pages 2 - 2

Project Manager: Roger Ramdeen

Size: 0.61 acres ±

BCC District: 7

Staff Recommendation: N/A (application withdrawn by agent)

MOTION: N/A (application withdrawn by agent)

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

3. **ZV/CA-2013-01323** Title: a Type II Variance application of Michael Lombardo by Ronald K. Kolins Esq, Agent. Request: to allow a reduction in the drive aisle width and number of parking spaces; an elimination of the Compatibility Buffer on the north, south, and west property lines, the foundation plantings, the terminal and interior landscape islands and Right-of-Way buffer width.

Title: a Class A Conditional Use application of Michael Lombardo by Ronald K. Kolins Esq, Agent. Request: to allow a Pawn Shop

General Location: West side of Military Trail approximately 0.25 mile south of Belvedere Road. **(Lombardo)** (Control 2007-00246)

Pages 3-36

Conditions of Approval Pages (11-12)

Project Manager: David McGuire

Size: 0.92 acres ±

BCC District: 7

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

People who spoke on application

Ron Kolins, Agent, in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving six Type II Variances to allow a reduction in the drive aisle width and number of parking spaces; an elimination of the compatibility buffer on the north, south, and east property line, the foundation plantings, the terminal and interior landscape islands and right-of-way buffer width for a non-residential use subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

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

MOTION: To recommend approval of a Class A Conditional Use to allow a Pawn Shop, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-0

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

DECISION: Approved and Recommended Approval as Advertised 6-0

- 4. **DOA-2013-02359** Title: a Development Order Amendment application of J&B Management Co. of Palm Beaches, Inc – James Prosen by Miller Land Planning Inc, Agent. Request: to reconfigure the Site Plan to allow the relocation of an existing driveway; modify the parking lot; and amend a Condition of Approval (Engineering)

General Location: Approximately 1,200 feet north of Hypoluxo Road on the west side of Military Trail. **(Bingo Hall)** (Control 1983-00003)

Pages 37-52

Conditions of Approval Pages (41-43)

Project Manager: Joyce Lawrence

Size: 0.92 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 15 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

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

MOTION: To recommend approval of the Development Order Amendment to reconfigure the Site Plan to allow the relocation of an existing driveway; modify the parking lot; and amend a Condition of Approval (Engineering) as indicated in Exhibit C.

Motion carried 6-0

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

DECISION: Recommended Approval as Advertised 6-0

5. **ZV/DOA-2013-02365** Title: a Type II Variance application of Palm Beach County by PLACE Planning & Design, Michael E. Wood Consultant Inc, Agent. Request: to increase the maximum building build-to-line for the front, side and rear; to reduce the building depth; to reduce the interior landscaping requirements; to reduce the parking terminal island and divider medians

Title: a Development Order Amendment Palm Beach County by PLACE Planning & Design, Michael E. Wood Consultant Inc, Agent. Request: to reconfigure the Site Plan, to add land area, to modify Conditions of Approval and to delete square footage

General Location: located on the north side of Belvedere Road, approximately half a mile east of Congress Avenue. **(National/Alamo Rent-A-Car)** (Control 1988-00088)

Pages 53-104

Conditions of Approval Pages (60-65)

Project Manager: Roger Ramdeen

Size: 19.96 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1 and the 23 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Corey O’Gorman, Agent, in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Type II Variance to increase the maximum building build-to-line for the front, side and rear; to reduce the building depth; to reduce the interior landscaping requirements; to reduce the parking terminal island and divider medians subject to Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

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

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

Motion carried 7-0

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

DECISION: Approved and Recommended Approval 7-0 as Advertised

6. **ZV/Z/CA-2013-01077** Title: a Type II Variance application of St Vincent De Paul Regional Seminary by Anderson Architecture Inc, Agent. Request: to eliminate required roofline elements; recesses and projections; and additional design elements (exterior treatment)

Title: an Official Zoning Map Amendment application of St Vincent De Paul Regional Seminary by Anderson Architecture Inc, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) Zoning District

Title: a Class A Conditional Use application of St Vincent De Paul Regional Seminary by Anderson Architecture Inc Agent. Request: to allow a College (Seminary).

General Location: West side of Military Trail north of Woolbright Road. **(St. Vincent De Paul Regional Seminary)** (Control 1994-00030)

Pages 105-127
 Conditions of Approval Pages (114-115)
 Project Manager: Joyce Lawrence
 Size: 70.89 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 5 Conditions of Approval as indicated in Exhibit C-1 and 6 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Erik Anderson, Agent, in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Type II Variances to eliminate required roofline elements; recesses and projections; and additional design elements (exterior treatment) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) Zoning District.

Motion carried 8-0

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

MOTION: To recommend approval of a Class A Conditional Use to allow a College (Seminary), subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0

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

DECISION: Approved and Recommended Approval 8-0 as Amended

- DOA-2013-01607** Title: a Development Order Amendment application of Northlake Land Group LLC, Coconut Northlake LLC by Land Design South Inc, Atlantic Land Management, Agent. Request: to reconfigure the site plan to relocate square footage; to modify Conditions of Approval (Engineering, Landscaping, Planning and Site Design) and to modify the date for Commencement of Development

General Location: Southwest corner of Northlake Boulevard and Coconut Boulevard. **(Shops at Indian Trails)** (Control 2006-00147)

Pages 128-172
 Conditions of Approval Pages (134-144)
 Project Manager: Joyce Lawrence
 Size: 30.71 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 48 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

Joyce Lawrence, Site Planner II, gave a brief presentation
Joe Lelonek, Agent, gave a presentation

From the public, Anne Kuhl and Janice Sommer spoke in opposition. Their concerns included increased traffic and if there was a necessity for the access points on Hamlin Boulevard and Coconut Boulevard.

MOTION: To recommend approval of the Development Order Amendment to reconfigure the Site Plan to relocate square footage; to modify Conditions of Approval (Engineering, Landscaping, Planning and Site Design) and to restart the commencement date of the Development subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-1

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

DECISION: Recommended Approval 7-1 as Advertised

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

B. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 8. **ZV-2013-01853** Title: a Type II Variance application of Living Word Lutheran Church (Lca) by Frogner Consulting Inc., Agent. Request: to allow a General Day Care to be permitted at either end of a runway and in an area that extends within five miles from the end of the airport runway.

General Location: South side of Lantana Road, ¼ mile west of I-95. **(Living Word Lutheran Church)** (Control 1975-00038)

Pages 173-198
Conditions of Approval Pages (182-182)
Project Manager: Carrie Rechenmacher
Size: 3.32 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the request.

People who spoke on application

Carrie Rechenmacher, Senior Site Planner, and Jerry Allen, Director, PBIA gave a brief presentation

Jim Frogner, Agent, gave a presentation

From the public, Paola Sheppard spoke in support of the application. She stated that many professional people have allowed their children to attend the church and that the church provides an important outreach service to the community.

MOTION: To adopt a resolution denying a General Day Care to be permitted at either end of a runway in an area that extends within five miles from the end of the airport runway.

Motion carried 7-1

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

DECISION: Denied 7-1 as Advertised

D. ZONING APPLICATIONS - NEW

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. EXECUTIVE DIRECTOR

C. COMMISSIONER COMMENTS

ADJOURNMENT 10:18 a.m.