

**PRELIMINARY MINUTES
ZONING COMMISSION
ZONING MEETING**

THURSDAY, OCTOBER 1, 2015
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	Present
Commissioner Sheri Scarborough, Vice Chair	Present
Commissioner Amir Kanel	Present
Commissioner Joseph Snider	Present
Commissioner William Anderson	Present
Commissioner Sam Caliendo	Present
Commissioner Tinu Peña	Present
Commissioner Alex Brumfield III	<i>In at 9:10 am</i>
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 - 8-0

E. Adoption of the Minutes – Motion carried - 8-0

F. Swearing In

G. Disclosures – Listed by Agenda Number

Kanel	Snider	Anderson	Caliendo	Scarborough	Peña	Brumfield	Beatty	Currie
None	7, 11	5, 9, 11	None	7, 9, 10, 11	1,5,8, 10,11,12	None	7, 9, 10, 11	9, 10

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

- ZV/PDD-2015-00737** Title: a Type II Variance application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. Request: to allow easement overlaps in landscape buffers.
Title: an Official Zoning Map Amendment to a Planned Development District application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. Request: to allow rezoning from Commercial General (CG) and Residential Multi-Family (RM) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
- PDD-2015-00746** Title: an Official Zoning Map Amendment for a Planned Development District application of Verzaal Family Ltd Partnership, Preferred Realty and Development by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.
General Location: North and south sides of Lake Ida Road, east of Sims Road. **(Orchid Bend)** (Control 2014-00194)

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- DOA-2014-02509** Title: a Development Order Amendment application of Sunoco Inc R & M by Jon E Schmidt & Associates, Agent. Request: to reconfigure the Site Plan, add square footage, and modify Conditions of Approval (Signs).
General Location: Southeast corner of Jog Road and Wallis Road. **(Holloway Properties MUPD)** (Control 2002-00032)

Pages: 65 – 89

Conditions of Approval Pages (70 - 78)

Project Manager: Joyce Lawrence

Size: 4.95 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 43 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Josh Nichol, 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, and modify Conditions of Approval (Signs) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

Decision: Recommended approval with a vote of 8-0.

4. **CB-2015-01046** Title: a Class B Conditional Use application of Florida Public Utilities Company by CPH Inc, Baker & Hostetler LLP, Agent. Request: to allow Retail Gas and Fuel.

General Location: Southwest corner of Belvedere Road and Cleary Road. **(Florida Public Utilities Company Corporate Center)** (Control 2009-02465)

Pages 90 - 111

Conditions of Approval Pages (96 - 97)

Project Manager: Osniel Leon

Size: 10.41 acres ±

BCC District: 2

(affected area 0.70 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 9 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

Javier Omana, Agent – in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Requested Use to allow Retail Gas and Fuel, subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

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

Decision: Approved as advertised with a vote of 8-0.

5. **PDD/W/R/TDR-2015-01036** Title: an Official Zoning Map Amendment to a Planned Development District application of Amelia Trevino by Wantman Group Inc, Agent. Request: to allow rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District.

Title: a Type II Waiver application of Amelia Trevino by Wantman Group Inc, Agent. Request: to allow a reduction in lot frontage.

Title: a Requested Use application of Amelia Trevino by Wantman Group Inc, Agent. Request: to allow a Type 3 Congregate Living Facility (CLF) and a Transfer of Development Rights.

Title: a Transfer of Development Rights application of Amelia Trevino by Wantman Group Inc, Agent. Request: to allow a Transfer of Development Rights for 2 units and designate site as a receiving area.

General Location: Southeast corner of State Road 7 and Woodwind Lane. **(Lake Worth Senior Living)** (Control 2005-00122)

Pages 112 - 141

Conditions of Approval Pages (120 - 125)

Project Manager: Christine Stivers

Size: 6.81 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C-1, 1 Condition of Approval as indicated in Exhibit C-2, 9 Conditions of Approval as indicated in Exhibit C-3, and 7 Conditions of Approval as indicated in Exhibit C-4.

People who spoke on application

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

MOTION: To recommend approval to allow rezoning from the Agriculture Residential (AR) Zoning District to a Planned Unit Development (PUD) Zoning District, subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0-1

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

MOTION: To recommend approval to allow a reduction in lot frontage, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0-1

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

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

Motion carried 8-0-1

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

MOTION: To recommend approval of a Transfer of Development Rights for 2 units and designate site as a receiving area, subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 8-0-1

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

Decision: Recommended approval with votes of 8-0-1.

6. **DOA-2015-00315** Title: a Development Order Amendment application of Preparatory Wellington by Miller Land Planning, Agent. Request: to reconfigure the Site Plan, add square footage, add students, and to delete Conditions of Approval (Architectural).
General Location: North side of Lake Worth Road approximately 880 feet west of Lyons Road. (**Wellington Preparatory School**) (Control 1998-00012)

Pages 142 - 181
 Conditions of Approval Pages (147 - 160)
 Project Manager: Christine Stivers
 Size: 4.12 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 40 Conditions of Approval as indicated in Exhibit C-1 and 37 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Bradley Miller, Agent – in agreement with the Conditions of Approval with a notation that there was still some discussion regarding the Engineering Conditions of Approval.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, add square footage, add students, and to delete Conditions of Approval (Architectural) subject to the Conditions of Approval as indicated in Exhibit C-1 and C-2.

Motion carried 9-0

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

Decision: Recommended approval with a vote of 9-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

G. SUBDIVISION VARIANCES

12. **SD-150** Title: Resolution approving a Type II Variance application of YTG Palm Beach IL WR, LP, by Urban Design Kilday Studios, Agent. Request: To allow a variance from the requirement that sidewalks be provided on both sides of the street. (Article 11.E.2B.1.)

General Location: East side of Pratt Whitney Road and northeast of Bee Line Highway, in the PIPD Zoning District. **(Palm Beach Park of Commerce)** (1981-00190)

Pages 393 – 412

Conditions of Approval Pages (406 - 406)

Project Manager: Joanne Keller

Size: 101.24 acres ±

BCC District: 1

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

People who spoke on this application

Joni Brinkman, Agent – in agreement with the Conditions of Approval

MOTION: To adopt resolution approving a Type II Variance from the requirement that sidewalks be provided on both sides of the street subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 9-0

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

DECISION: Approved with a vote of 9-0.

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

*Item 1 was pulled from the Consent Agenda in error. One of the submitted public comment cards stated Item 1, but was intended for Item 2.

- ZV/PDD-2015-00737** Title: Type II Variance application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. Request: to allow easement overlaps in landscape buffers.

Title: an Official Zoning Map Amendment to a Planned Development District application of Florida 2 LLC, WPB No 1 LLC, Florida #8 LLC by Wantman Group Inc., Agent. Request: to allow rezoning from Commercial General (CG) and Residential Multi-Family (RM) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

General Location: Approximately 1,220 feet south of the North Congress Avenue and Okeechobee Boulevard intersection. **(Congress Avenue Office Park)** (Control 1988-00005)

Pages 1 - 43

Conditions of Approval Pages (8 - 11)

Project Manager: Christine Stivers

Size: 6.14 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 18 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Christine Stivers, Senior Site Planner – gave a brief presentation

Doug Murray, Agent – in agreement with the Conditions of Approval

MOTION: To adopt a resolution approving a Type II Variance to allow easement overlaps in landscape buffers subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 8-0-1

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow rezoning from Commercial General (CG) and Residential Multi-Family (RM) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 8-0-1

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

DECISION: Approved the Type II Variance and recommended approval of the Official Zoning Map Amendment with votes of 8-0-1.

- PDD-2015-00746** Title: an Official Zoning Map Amendment for a Planned Development District application of Verzaal Family Ltd Partnership, Preferred Realty and Development by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: North and south sides of Lake Ida Road, east of Sims Road. **(Orchid Bend)** (Control 2014-00194)

Staff Recommendation: Staff recommends approval of the requests subject to 16 Conditions of Approval as indicated in Exhibit C.

People who spoke on application

Osniel Leon, Site Planner II – gave a brief presentation

Kate DeWitt, Agent – gave a presentation

From the public and speaking in opposition, Paul Collinson, Patricia Mitchell, Rosemary Nixon, Arthur Erlich, Richard Klinsky, and Dylan Reyes-Cairo cited concerns with traffic, noise, privacy, two-story construction near their one-story residences, appropriate buffers and compatibility with the surrounding senior (over-55) communities. There was also discussion about short notice of pending public hearings. A fence with increased landscaping was requested for the area between the two-story and one-story residences. The Agent agreed and accepted an additional Condition of Approval requiring the fence and increased landscaping.

MOTION: To recommend approval of a rezoning from the Agriculture Residential (AR) Zoning District to the Planned Unit Development (PUD) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 9-0

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

Decision: Recommended approval as amended with a vote of 9-0.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 7. **ZV-2015-00122** Title: a Type II Variance application of Minto PBLH LLC by Cotleur & Hearing Inc., Agent. Request: to allow a reduction in the minimum lot width; an increase in building coverage; a reduction in front and side setbacks; and to allow one housing type.

General Location: East of Seminole Pratt Whitney Road and north of Town Center Parkway, approximately 1 mile south of Orange Boulevard. **(Minto West Pod Q)** (Control 2006-00397)

People who spoke on this application

Wendy Hernandez, Zoning Manager – gave a brief presentation

Don Hearing, Agent – gave a presentation

From the public and speaking in opposition, Alan Ballweg stated that this plan is not New Urbanism and cited concerns about the density of the project’s perimeter and the placement of the garages and parking spaces.

The Zoning Commission members and staff discussed changes to the Unified Land Development Code (ULDC) and Design Standards. It was also discussed that the 5 foot separation should be applied to no more than 50% of the total development. Commissioner Anderson suggested that an option should be available to have impact windows used for the side of the houses with the 5 foot separation. After much discussion, the Zoning Commission decided to postpone this application to Thursday, November 5, 2015.

MOTION: To postpone to Thursday, November 5, 2015.

Motion carried 9-0

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

DECISION: Postponed to Thursday, November 5, 2015.

D. ZONING APPLICATIONS – NEW

8. **Z/CA-2015-01229** Title: an Official Zoning Map Amendment application of Florida Fish and Wildlife Conservation by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District.

Title: a Class A Conditional Use application of Florida Fish and Wildlife Conservation by Urban Design Kilday Studios, Agent. Request: to allow an Outdoor Shooting Range

General Location: North of Northlake Boulevard on the east side of Seminole Pratt Whitney Road. **(Palm Beach County Shooting Sports Park)** (Control 2004-00269)

Pages 223 - 248

Conditions of Approval Pages (232 - 234)

Project Manager: Roger Ramdeen

Size: 150.41 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1 and 11 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Collene Walter, Agent – in agreement with the Conditions of Approval

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Public Ownership (PO) Zoning District subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 9-0

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

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

Motion carried 9-0

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

Decision: Recommended approval with votes of 9-0.

9. **ZV/ABN/DOA/R-2015-00331** Title: a Development Order Abandonment application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. Request: to abandon the Special Exception granted under Resolutions R-1987-1206 and R-1988-1802 to allow Recreation Facilities, Amusement and Attractions (Bowling Center).
Title: a Development Order Amendment application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. Request: to reconfigure the site plan; add a Requested Use; and to modify and delete Conditions of Approval (Use Limitation, Health and Engineering).
Title: a Requested Use application of Military Self Storage LLC by Urban Design Kilday Studios, Agent. Request: to allow a Self-Service Storage Facility
General Location: West side of Military Trail, approximately 0.34 mile north of Hypoluxo Road. **(Mangone and Spirk Self-Storage MUPD)** (Control 1987-00134)

Pages 249 - 278
 Conditions of Approval Pages (254 - 259)
 Project Manager: Roger Ramdeen
 Size: 7.18 acres ±
 (affected area 6.21 acres ±)

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 26 Conditions of Approval as indicated in Exhibit C-1 and 4 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on application

Roger Ramdeen, Senior Site Planner – gave a brief presentation
 Collene Walter, Agent – gave a presentation

From the public and speaking in opposition, Jack Doser and Sandra Mann cited concerns with too many storage facilities in the area, the loss of family entertainment and indoor recreation. They stated that the bowling alley is functional and is well used. Representing Palm Beach Mini Golf, Inc, and also speaking in opposition, Martin Perry stated that there is on-going litigation with the applicant involving the cross-access parking agreement and the number of parking spaces.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exception granted under Resolutions R-1987-1206 and R-1988-1802 to allow Recreation Facilities, Amusement and Attractions (Bowling Center).

Motion carried 8-0

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

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan; add a Requested Use and, to modify and delete Conditions of Approval (Use Limitation, Health and Engineering) 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
			Seconded		Moved			
Yes	Yes	Yes	Yes	Absent*	Yes	Yes	Yes	Yes

MOTION: To recommend approval of a Requested Use to allow a Self-Service Storage Facility 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
			Seconded		Moved			
Yes	Yes	Yes	Yes	Absent*	Yes	Yes	Yes	Yes

*Commissioner Scarborough temporarily left the Hearing room.

DECISION: Recommended approval with votes of 8-0.

10. **ZV/PDD-2015-00764** Title: a Type II Variance application of Pulte Home Corporation by Urban Design Kilday Studios, Agent. Request: to allow an increase in building coverage for Zero Lot Line and Single Family homes; and to allow an increase in sign face area, height, distance from the point of ingress and be located on a property that does not provide ingress or egress for an Off-site Sign.

Title: an Official Zoning Map Amendment to a Planned Development District application of Pulte Home Corporation by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District.

General Location: East and west sides of Polo Road and north and south sides of 47th Place South approximately 650 feet south of Lake Worth Road and approximately 1,900 feet east of Lyons Road. (**Gulfstream Polo Properties PUD**) (Control 2005-00594)

Pages 279 - 380

Conditions of Approval Pages (292 - 303)

Project Manager: Melissa Matos

Size: 224.90 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requested Rezoning and Type II Zoning Variances V3 thru V6 subject to 7 Conditions of Approval as indicated in Exhibit C-1 and 37 Conditions of Approval as indicated in Exhibit C-2.

And

Staff recommends denial of the requested Type II Zoning Variance V1 and V2 to increase the building coverage for both Zero Lot Line and Single Family units.

People who spoke on application

Melissa Matos, Site Planner II – gave a brief presentation

Ken Tuma, Agent – gave a brief presentation

MOTION: To adopt a resolution approving a Type II Zoning Variance to allow an increase in building coverage for Zero Lot Line and Single Family homes.

Motion carried 7-2

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

MOTION: To adopt a resolution approving of Type II Zoning Variances to allow an increase in sign face area, height, distance from the point of ingress and be located on a property that does not provide ingress or egress for an Off-site Sign, subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 9-0

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

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 9-0

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

Decision: Recommended approval of the Official Zoning Map Amendment and approved Type II Variances V-3 thru V-6 with votes of 9-0 and approved Type II Variances V-1 and V-2 with a vote of 7-2.

E. SUBDIVISION VARIANCE

13. **SD-147** Title: a Subdivision Variance application of The Falls Country Club, by Cotleur and Hearing, Agent. Request: to modify conditions of approval imposed by the Zoning Commission on ZR-2015-006 on February 5, 2015 pursuant to the applicant's request for variance from the requirement that access to each subdivision lot shall be provided by and limited to local streets or residential access streets. Specifically for modification of Condition 2: to increase driveway connection from one to two, to include egress to Jog Rd, to delete the requirement for right turn lane; for modification of Condition 5: to construct a right turn lane within the existing Palm Beach County right-of-way at the project's eastern entrance onto Hypoluxo Road and delete the requirement for acquisition of any additional required right-of-way; for deletion of Conditions 4 and 6; and a change to the legal description of the property subject to the variance request.

General Location: Northwest corner of Jog Road and Hypoluxo Road. **(The Falls Commercial)** (Control 1985-00155)

Pages 381 – 392

Conditions of Approval Pages (389 - 390)

Project Manager: Joanne Keller

Size: 171.32 acres ±

BCC District: 3

Staff Recommendation: Staff recommends denial of the request.

People who spoke on this application

Joanne Keller, Director of Land Development – gave a brief presentation

Don Hearing, Agent – gave a brief presentation

Kyle Duncan, Traffic Engineer – answered questions from the Zoning Commission members regarding the right-turn lane on Jog Road

MOTION: To adopt resolution approving a Subdivision Variance from the requirement that access to each subdivision lot shall be provided by and limited to local streets or residential access streets.

Motion carried 9-0

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

DECISION: Approved with a vote of 9-0.

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONER COMMENTS

ADJOURNMENT – 12:19 pm