



**ZONING COMMISSION  
ZONING HEARING**

**AMENDMENTS TO THE AGENDA  
MARCH 2, 2017**

**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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**CONSENT AGENDA**

**D. ZONING APPLICATIONS – NEW**

3.	(49-85)	ZV/DOA/R-2016-00644 (1973-00043)	Shadowwood Square
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**ADD** LWDD Condition 1 to read as follows:

Prior to final plan approval by the Development Review Officer (DRO), the property owner or the applicant of the General Retail (Pharmacy) to label the LWDD E-1 Canal right-of-way and show the canal is being tied to/ from an accepted control. This information shall be shown on the Final Site Plan. (DRO: ZONING – Lake Worth Drainage District) [Note: COMPLETED] (Previous LAKE WORTH DRAINAGE DISTRICT Condition 1 of Resolution R-2011-113, Control 1973-00043)

4.	(86-107)	DOA-2016-01437 (1984-00030)	Public Storage
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**REPLACE** Engineering Condition E.4 to read as follows:

- 4. The developer shall construct concurrent with a paving and drainage permit issued from the Office of the County Engineer:
  - a. Left turn lane, south approach on Boca Rio Road at the project's south entrance.
  - b. Right turn lane, north approach on Boca Rio Road at the project's north entrance. (ONGOING:ENG-Eng)(Previous Condition 4 of Resolution R-1984-1107, Petition SE1984-030)

**Is hereby deleted.** [REASON: No longer warranted]

**ADD** Engineering Conditions 5-7 and renumber accordingly:

5. Previously deleted by R-2005-1787 (Previous ENGINEERING Condition 5 of Resolution R-1984-1107, Control Number 1984-00030)

6. Previously deleted by R-2005-1787 (Previous ENGINEERING Condition 11 of Resolution R-1986-0102, Control Number 1984-00030)

7. Previously deleted by R-2005-1787 (Previous ENGINEERING Condition 12 of Resolution R-1986-01 02, Control Number 1984-00030)

5.	(108-134)	ZV-2016-02195 (1981-00190)	Project Beach Ball
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**REPLACE** Use Limitation Condition 1 to read as follows:

- 1. This Variance is approved for the Manufacturing and Processing Use. Any change to the use, which does not comply with minimum code requirements, shall be subject to approval by the Zoning Commission or as required by the ULDC. (ONGOING: ZONING – Zoning)

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

**THURSDAY MARCH 2, 2017**

**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**

**MARCH 2, 2017**

**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, March 23, 2017 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**

**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. [Z/CA-2015-02509](#) Title: an Official Zoning Map Amendment application of Pho Chieu Buddhist Center Inc by Sycamore Engineering Inc., Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

Title: a Class A Conditional Use application of Pho Chieu Buddhist Center Inc by Sycamore Engineering Inc., Agent. Request: to allow a Place of Worship.

General Location: Northwest corner of Lake Worth Road and Cypress Isle Way. **(Pho Chieu Buddhist Center)** (Control 2013-00345)

Pages 1 - 24

Conditions of Approval Pages (7 - 9)

Project Manager: Yoan Machado

Size: 1.54 acres ±

BCC District: 6

Staff Recommendation: Staff recommends the approval of the requests subject to 1 Conditions of Approval as indicated in Exhibit C-1, and 10 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 Agriculture Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

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

2. [SV/W-2016-01231](#) Title: a Subdivision Variance application of Eddy Hernandez by Miller Land Planning, Agent. Request: to allow access from a 40-foot Right-of-Way.  
Title: a Type II Waiver application of Eddy Hernandez by Miller Land Planning, Agent.  
Request: to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and increase the setback from the build-to-line.  
General Location: Southeast corner of Military Trail and Fuller Street. **(Palm Elite Car Wash)** (Control 2013-00200)

Pages 25 - 48

Conditions of Approval Pages (32 - 33)

Project Manager: Yoan Machado

Size: 0.93 acres ±

BCC District: 3

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

**MOTION:** To adopt a resolution approving a Subdivision Variance to allow access from a 40-foot Right-of-Way subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Type II Waiver to allow the primary entrance to face the interior parking area; reduce the setback for outdoor uses to Non-PRA residential use; and increase the setback from the build-to-line subject to the Conditions of Approval as indicated in Exhibit C-2.

3. [ZV/DOA/R-2016-00644](#) Title: a Type II Variance application of Rafael Peri LLC, Shadowwood Square Ltd, Shadowwood Square Ltd & Best, BR Sundar LLC, Shadowwood Square Ltd & by Miller Land Planning, Agent. Request: to allow a reduction in a divider median width and to eliminate the canopy trees within a divider median.  
Title: a Development Order Amendment application of Rafael Peri LLC, Shadowwood Square Ltd, Shadowwood Square Ltd & Best, BR Sundar LLC, Shadowwood Square Ltd & by Miller Land Planning, Agent. Request: to reconfigure the Site Plan; delete square footage; modify the use; amend Conditions of Approval (DRO-Dumpster).  
Title: a Requested Use application of Rafael Peri LLC, Shadowwood Square Ltd, Shadowwood Square Ltd & Best, BR Sundar LLC, Shadowwood Square Ltd & by Miller Land Planning, Agent. Request: to allow a Type I Restaurant with a drive-through.  
General Location: Northeast corner of Glades Road and State Road 7. **(Shadowwood Square)** (Control 1973-00043)

Pages 49 - 85

Conditions of Approval Pages (56 - 64)

Project Manager: Josue Leger

Size: 34.93 acres ±

BCC District: 5

(affected area 0.76 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 9 Conditions of Approval as indicated in Exhibit C-1, 40 Conditions of Approval as indicated in C-2, and 4 Conditions of Approval as indicated in Exhibit C-3.

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in a divider median width and to eliminate the canopy trees within a divider median subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; delete square footage; modify the use; and amend Conditions of Approval (DRO-Dumpster) subject to the Conditions of Approval as indicated in Exhibit C-2.

**MOTION:** To recommend approval of a Requested Use to allow a Type I Restaurant with a drive-through subject to the Conditions of Approval as indicated in Exhibit C-3.

4. [DOA-2016-01437](#) Title: Development Order Amendment application of Public Storage Inc by Bercow Radell & Fernandez PLLC, Agent. Request: to reconfigure the Site Plan, add square footage, and delete Conditions of Approval (Engineering).  
General Location: Approximately 0.25 mile south of Glades Road on the west side of Boca Rio Road. **(Public Storage)** (Control 1984-00030)

Pages 86 - 107

Conditions of Approval Pages (91 - 94)

Project Manager: Yoan Machado

Size: 8.37 acres ±

BCC District: 5

Staff Recommendation: Staff recommends the approval of the requests subject to 29 Conditions of Approval as indicated in Exhibit C.

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

5. [ZV-2016-02195](#) Title: a Type II Variance. application of YTG Palm Beach IL WR LP by Urban Design Kilday Studios, Agent. Request: to allow a reduction in the number of parking spaces; and to eliminate interior and terminal islands within the truck parking area.  
General Location: Approximately 675-feet west of Pratt Whitney Road on the south side of Corporate Road North. **(Project Beach Ball)** (Control 1981-00190)

Pages 108 - 134

Conditions of Approval Pages (113 - 113)

Project Manager: Donna Adelsperger

Size: 41.00 acres ±

BCC District: 1

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

**MOTION:** To adopt a resolution approving a Type II Variance to allow a reduction in the number of parking spaces 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**

**D. ZONING APPLICATIONS - NEW**

- 6. [Z/CA-2016-01414](#) Title: an Official Zoning Map Amendment application of John Cinicolo by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District.  
Title: a Class A Conditional Use application of John Cinicolo by Cotleur & Hearing Inc., Agent. Request: to allow an Office, Business or Professional greater than 15,000 square feet (sq. ft.).  
General Location: Southwest corner of Northlake Boulevard and Bates Road. **(Place of Hope Lane Outreach Center)** (Control 2016-00142)

Pages 135 - 163

Conditions of Approval Pages (144 - 151)

Project Manager: Josue Leger

Size: 2.27 acres ±

BCC District: 1

Staff Recommendation: Staff Recommend approval of the requests subject to 10 Conditions of Approval as indicated in Exhibit C-1, and 24 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 Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District with a Conditional Overlay Zone subject to the Conditions of Approval as indicated in Exhibit C-1.

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Office, Business or Professional greater than 15,000 square feet (sq. ft.) 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**

7. Voting of Chair and Vice Chair

Pages

**MOTION:** Voting of Chair and Vice Chair

**ADJOURNMENT**