



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

THURSDAY JULY 6, 2017

9:00 A.M.

**Vista Center, Ken Rogers Hearing Room, VC-1W-47
2300 N Jog Rd, West Palm Beach, 33411**

CALL TO ORDER

- A. Roll Call
 - Commissioner Sheri Scarborough, Chair Present
 - Commissioner Sam Caliendo, Vice Chair Absent
 - Commissioner Mark Beatty Present
 - Commissioner Amir Kanel Present
 - Commissioner Joseph Snider Absent
 - Commissioner Barbara Katz Present
 - Commissioner Carmine Priore Present
 - Commissioner Alex Brumfield III Arrived 9:06am
 - Commissioner Robert Currie Present
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication – Motion to receive and file
Moved by Priore seconded by Beatty
- F. Adoption of the Minutes – Motion to carried
Moved by Kanel seconded by Priore
- G. Swearing In
- H. Disclosures

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
None	None	None	None	13	13	None	3, 4, 13	None

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 ZONING COMMISSION

JULY 6, 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 Rd, West Palm Beach, 33411, 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 in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, June 22, 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

1. **ABN/DOA-2015-02519** Title: a Development Order Abandonment application of CVS 4785 FL LLC, Taz Inc - Hardial Sibia by Hardial Sibia, Agent. Request: to abandon a Financial Institution.

Title: a Development Order Amendment application of CVS 4785 FL LLC, Taz Inc - Hardial Sibia by Hardial Sibia, Agent. Request: to reconfigure the site plan, add square footage, and amend Conditions of Approval (Building and Site Design, Landscape, Signs, Use Limitations).

General Location: On the southeast corner of Coconut Lane and Military Trail. **(Coconut Plaza)** (Control 1999-00036)

Pages 1 - 1

Project Manager: Carrie Rechenmacher

Size: 3.99 acres ±

BCC District: 4

(affected area 1.81 acres ±)

Staff Recommendation: Staff recommends a postponement to Thursday, August 3, 2017

People who spoke on this application

None

MOTION: To postpone to Thursday, August 3, 2017.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded							Moved	

Decision: Postponed to Thursday, August 3, 2017 by a vote of 7-0-0.

12. **ZV-2017-00348** Title: a Type II Variance application of St Andrews Country Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow an increase in height for a golf course net adjacent to Residential.

General Location: Northeast corner of Florida's Turnpike and Clint Moore Road. **(St Andrew's Country Club PUD)** (Control 1980-00073)

Pages 400 - 421

Conditions of Approval Pages (406 - 406)

Project Manager: Donna Adelsperger

Size: 759.17 acres ±

BCC District: 5

(affected area 63.78 acres ±)

Staff Recommendation: Staff recommends denial of the request.

People who spoke on this application

None

MOTION: To adopt a resolution denying a Type II Variance to allow an increase in height for a golf course net adjacent to Residential.

Motion Carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
						Seconded	Moved	

Decision: Withdrawn without prejudice by a vote of 7-0-0.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

Moved by Beatty Seconded by Kanel – 7-0-0

- 3. **ZV-2017-00352** Chevra Kadisha Cemetery A
- 4. **ZV-2017-01039** Chevra Kadisha Cemetery B

B. STATUS REPORTS

- 2. **STR-2007-00003-1** Title: Status Report for Resolution ZR-2008-0066 Request: to revoke the Class B Conditional Use to allow Agriculture Sales and Service approved by Resolution ZR-2008-0066. Property Owner: Shark Enterprises LLC General Location: Approximately 0.5 miles south of Atlantic Avenue on the west side of SR7. Zoning District: Agricultural Reserved (AGR) (**Shark Enterprises (Control No. 2007-00003)**)

Pages 2 - 6
 Project Manager: Bruce Thomson
 Size: 3.62 acres ±

BCC District 5

Staff Recommendation: Staff recommends approval of the request.

People who spoke on this application

None

MOTION: To adopt a resolution revoking the Class B Conditional Use to allow Agriculture, Sales and Service approved by Resolution ZR-2008-0066.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Moved							Seconded	

Decision: Approved by a vote of 7-0-0.

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS – NEW

- 5. **ZV/PDD/DOA-2016-02199** Title: a Type II Variance application of Mazal Land, LLC by Miller Land Planning, Agent. Request: to allow an increase in the number of parking spaces.

Title: an Official Zoning Map Amendment to a Planned Development District application of Mazal Land, LLC by Miller Land Planning, Agent. Request: to allow rezoning from the Agriculture Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Development Order Amendment application of Mazal Land, LLC by Miller Land Planning, Agent. Request: to reconfigure the site plan; add land area; request an Alternative Type 3 Incompatibility buffer to eliminate the required wall; and, to modify Conditions of Approval (Landscaping).

General Location: Southeast corner of Boynton Beach Boulevard and Hagen Ranch Road. (**Hagen Ranch Commerce Center MUPD**) (Control 1991-00047)

Pages 49 - 105
 Conditions of Approval Pages (58 - 70)
 Project Manager: Carlos Torres
 Size: 9.25 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 10 Conditions of Approval as indicated in Exhibit C-1; 4 Condition of Approval as indicated in

Exhibit C-2; and 77 Conditions of Approval as indicated in Exhibit C-3.

People who spoke on this application

Bradley Miller, Agent – In Agreement with the Conditions of Approval.

MOTION: To adopt a resolution approving a Type II Variance to allow an increase in the number of parking spaces subject to Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded					Moved			

Decision: Approved Type II variance (with conditions) by a vote of 7-0-0.

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

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded					Moved			

Decision: Recommended Approval of an Official Zoning Map Amendment to a Planned Development District by a vote of 7-0-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan; add land area; request an Alternative Type 3 Incompatibility buffer to eliminate the required wall; and, to modify Conditions of Approval (Landscaping) subject to Conditions of Approval as indicated in Exhibit C-3.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded					Moved			

Decision: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

- 6. **ZV-2016-02203** Title: a Type II Variance application of Brightwork Acquisitions, LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a reduction in the minimum acreage for a Multiple Use Planned Development (MUPD).

General Location: Northwest corner of Southern Boulevard and Benoist Farms Road. (**Wawa SB 1327**) (Control 1991-00037)

Pages 106 - 147

Conditions of Approval Pages (112 - 112)

Project Manager: Meredith Leigh

Size: 3.13 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 6 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Scott Backman, Agent – In agreement to the Conditions of Approval.

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in the minimum acreage for a Multiple Use Planned Development (MUPD) subject to Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded							Moved	

Decision: Approved a Type II Variance (with conditions) by a vote of 7-0-0.

7. **DOA-2016-02216** Title: a Development Order Amendment application of First Union Natl Bank of Fla by Dunay Miskel and Backman LLP, Agent. Request: to reconfigure the Site Plan and delete land area.

General Location: Approximately 160 feet east of Haverhill Road on the south side of Okeechobee Boulevard. **(Atlantic Bank Corp)** (Control 1973-00077)

Pages 148 - 176

Conditions of Approval Pages (152 - 153)

Project Manager: Carolina Valera

Size: 3.19 acres ±

BCC District: 7

(affected area 1.57 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 11 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Scott Backman, Agent – In agreement to the Conditions of Approval.

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

Motion carried 6-1-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	Yes
Moved						Seconded		

Decision: Recommended Approval of a Development Order Amendment by a vote of 6-1-0.

8. **ABN/PDD/CA-2017-00137** Title: a Development Order Abandonment application of Brightwork Acquisitions LLC by Dunay Miskel and Backman LLP, Agent. Request: to abandon an Auto Service Station.

Title: a Planned Development District application of Brightwork Acquisitions LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Class A Conditional Use application of Brightwork Acquisitions LLC by Dunay Miskel and Backman LLP, Agent. Request: to allow a Retail Gas and Fuel Sales with a Convenience Store.

General Location: Southeast corner of Haverhill Road and Okeechobee Boulevard. **(Wawa HO 1193)** (Control 1978-00288)

Pages 177 - 216

Conditions of Approval Pages (185 - 188)

Project Manager: Carolina Valera

Size: 2.48 acres ±

BCC District: 7

Staff Recommendation: Staff recommends approval of the requests subject to 15 Condition of Approval as indicated in Exhibit C-1; and 6 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Scott Backman, Agent – In agreement to the Conditions of Approval, stated that a variance was approved for a convenience store and Type I Restaurant.

Carolina Valera, Senior Site Planner – spoke in regards the variance approved.

Koomal Dass – from the public and spoke in opposition: his property is less than 500 feet from the proposed site and is concerned about the noise and the impact in the value of his property.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exception for an Auto Service Station.

Motion carried 6-1-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	Yes
Seconded					Moved			

Decision: Recommended Approval of a Development Order Amendment by a vote of 6-1-0.

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 as indicated in Exhibit C-1.

Motion carried 6-1-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	Yes
Seconded					Moved			

Decision: Recommended Approval of a Planned Development District by a vote of 6-1-0.

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-1-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	Yes
Seconded					Moved			

Decision: Recommended Approval of a Class A Conditional Use by a vote of 6-1-0.

- 9. **ZV/DOA/R-2016-01826** Title: a Development Order Amendment application of Max Realty Corporation by Shutts and Bowen LLP, Agent. Request: to reconfigure the Site Plan; add square footage; modify and delete square footage; and, modify and delete Conditions of Approval (Architectural, Engineering, Planned Development, Signs). Title: a Requested Use application of Max Realty Corporation by Shutts and Bowen LLP, Agent. Request: to allow Retail Gas and Fuel Sales with a Convenience Store. General Location: Northwest corner of Jog Road and Hypoluxo Road. **(The Falls Commercial MUPD)** (Control 1985-00155)

Pages 217 - 248

Conditions of Approval Pages (224 - 231)

Project Manager: Yoan Machado

Size: 3.51 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 26 Conditions of Approval as indicated in Exhibit C-1, 5 Conditions of Approval as indicated in Exhibit C-2, and 6 Conditions of Approval as indicated in Exhibit C-3.

People who spoke on this application

Charles Millar, Agent – In Agreement of Conditions of Approval.

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

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Moved						Seconded		

Decision: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the site plan and add square footage for the Type I Restaurant with Drive through subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Moved						Seconded		

Decision: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow Retail Gas and Fuel Sales with a Convenience Store subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Moved						Seconded		

Decision: Recommended Approval of a Requested Use by a vote of 7-0-0.

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

3. **ZV-2017-00352** Title: a Type II Variance application of Congregation Chevra Kadisha Inc by Miller Land Planning, Agent. Request: to eliminate a Right of Way Buffer; reduce the width and the number of trees and shrubs for a Compatibility Buffer; and, reduce the number of interior trees.

General Location: Southwest corner of Congress Avenue and Lantana Road. **(Chevra Kadisha Cemetery A)** (Control 1979-00132)

Pages 7 - 27

Conditions of Approval Pages (13 - 13)

Project Manager: Yoan Machado

Size: 14.66 acres ±

BCC District: 3

(affected area 6.35 acres ±)

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

Staff Recommendation: Staff recommends approval of the request subject to 26 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Yoan Machado, Site Planner II – Gave a brief presentation.

Bradley Miller, Agent – In agreement with the Conditions of Approval and gave a brief presentation.

MOTION: To adopt a resolution approving a Type II Variance to eliminate a Right of Way Buffer; reduce the width and the number of trees and shrubs for a Compatibility Buffer; and, reduce the number of interior trees subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded							Moved	

Decision: To postpone to Thursday August 3, 2017 by a vote of 7-0-0.

4. **ZV-2017-01039** Title: a Type II Variance application of Congregation Chevra Kadisha Inc by Miller Land Planning, Agent. Request: to eliminate a Right of Way Buffer; reduce the width and the number of trees and shrubs for a Compatibility Buffer; and, reduce the number of interior trees.

General Location: Southwest corner of Congress Avenue and Lantana Road. **(Chevra Kadisha Cemetery B)** (Control 1979-00132)

Pages 28 - 48

Conditions of Approval Pages (34 - 34)

Project Manager: Yoan Machado

Size: 7.70 acres ±

BCC District: 3

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

People who spoke on this application

Yoan Machado, Site Planner II – Gave a brief presentation.

Bradley Miller, Agent – In agreement with the Conditions of Approval and gave a brief presentation.

MOTION: To adopt a resolution approving a Type II Variance to eliminate a Right of Way Buffer; reduce the width and the number of trees and shrubs for a Compatibility Buffer; and, reduce the number of interior trees subject to the Conditions of Approval as indicated in

Exhibit C.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
Seconded							Moved	

Decision: To postpone to Thursday, August 3, 2017 by a vote of 7-0-0.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

10. **DOA/W-2016-02025** Title: a Development Order Amendment application of Boca Raton Associates VII LLLP, Mcgrath Farms Inc, Pontano Family Farms LLC, Boynton Beach Associates XXIV LLLP, 87th Place South LLC, South Fla Water Mgmt Dist by G.L. Homes, Agent. Request: to reconfigure the Master Plan; add and delete land area; delete units; amend the Conservation Easement; and, modify Conditions of Approval (Engineering and Planning).

Title: a Type II Waiver application of Boca Raton Associates VII LLLP, Mcgrath Farms Inc, Pontano Family Farms LLC, Boynton Beach Associates XXIV LLLP, 87th Place South LLC, South Fla Water Mgmt Dist by G.L. Homes, Agent. Request: to allow 65 percent of the local streets to terminate in a Cul-de-sac.

General Location: On the west side of Lyons Road approximately one mile south of Atlantic Avenue. **(Hyder AGR-PUD)** (Control 2005-00455)

Pages 249 – 324

Conditions of Approval Pages (257 - 271)

Project Manager: Roger Ramdeen

Size: 1,836.80 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends approval of the requests subject to 45 Conditions of Approval as indicated in Exhibit C-1; and 7 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Roger Ramdeen, Senior Site Planner – Gave a brief presentation.

Gladys DiGiloramo, Agent – In agreement with the Conditions of Approval and gave a brief presentation.

From the public, in support: Andre Parke, Steven Michaels and Neil Schiller – in support, they have done a great job.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan; add and delete land area; delete units; amend the Conservation Easement; and, modify Conditions of Approval (Engineering and Planning) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
						Seconded		Moved

Decision: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.

MOTION: To recommend approval of a Type II Waiver to allow 65 percent of the local streets to terminate in a Cul-de-sac subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
						Seconded		Moved

Decision: Recommended Approval of a Type II Waiver by a vote of 7-0-0

11. **PDD/DOA/W/CA-2016-02029** Title: an Official Zoning Map Amendment application of Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from Agricultural Reserve (AGR) and Planned Unit Development (PUD) Zoning Districts to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment application of Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc by JMorton Planning & Landscape Architecture, Agent. Request: to reconfigure the Master Plan; add and delete land area; increase the number of units; amend the Conservation Easement; modify Conditions of Approval (Engineering, Palm Tran and Planning); and, restart the commencement of development.

Title: a Type II Waiver application of Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow 46 percent of the local streets to terminate in a Cul-de-sac.

Title: a Class A Conditional Use application of Bridges HOA Inc, South Fla Water Mgmt Dist Licensor, Amkbj Partners Ltd LLLP, South Fla Water Mgmt Dist, Mizner Country Club Master Assn Inc by JMorton Planning & Landscape Architecture, Agent. Request: to allow a Golf Course.

General Location: On the east of Lyons Road approximately one mile south of Atlantic Avenue. **(Bridges-Mizner AGR-PUD)** (Control 2004-00250)

Pages 325 - 399

Conditions of Approval Pages (338 - 353)

Project Manager: Yoan Machado

Size: 2,323.20 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends approval of the requests subject to 4 Conditions of Approval as indicated in Exhibit C-1, 52 Conditions of Approval as indicated in Exhibit C-2, 7 Conditions of Approval as indicated in Exhibit C-3, and 4 Conditions of Approval as indicated in Exhibit C-4.

People who spoke on this application

Gladys DiGiloramo, Agent – In agreement with the Conditions of Approval, except for the School Board condition, they are still working with the timing on this condition.

From the public and in support: Dr. Steven Michaels and Neil Shiller.

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

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
					Moved	Seconded		

Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the

Master Plan; add and delete land area; increase the number of units; amend the Conservation Easement; modify Conditions of Approval (Engineering, Palm Tran and Planning); and, restart the commencement of development subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
					Moved	Seconded		

Decision: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.

MOTION: To recommend approval of a Type II Waiver to allow 46 percent of the local streets to terminate in a Cul-de-sac subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
					Moved	Seconded		

Decision: Recommended Approval of a Type II Waiver by a vote of 7-0-0.

MOTION: To recommend approval of a Class A Conditional Use to allow a Golf Course subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 7-0

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	Yes	Yes
					Moved	Seconded		

Decision: Recommended Approval of a Class A Conditional Use by a vote of 7-0-0.

13. **ZV/ABN/DOA/R-2016-01229** Title: a Type II Variance application of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to allow a reduction in the Right of Way Buffer width; reduce the divider median width; eliminate the trees within a divider median; and, reduce the number and dimensions for point of service/queuing spaces.
Title: Development Order Abandonment application of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to abandon a Special Exception for an Auto Service Station.
Title: a Development Order Amendment application of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to reconfigure the Site Plan; delete square footage; modify uses; and, add parking spaces.
Title: a Requested Use. application of Boynton Kir by Gunster Yoakley & Stewart PA, Agent. Request: to allow Retail Gas and Fuel.
General Location: Northwest corner of Military Trail and Boynton West Road. **(7-Eleven Inc. at Boynton West Shopping Center)** (Control 1972-00051)

Pages 422 - 484

Conditions of Approval Pages (434 - 440) Project Manager: Carolina Valera

Size: 17.84 acres ±

BCC District: 5

(affected area 1.24 acres ±)

Staff Recommendation: Staff recommends approval of the Type II Variance to allow a reduction in the Right-of-Way buffer width; reduce the divider median width; and eliminate the trees within the divider median; subject to 11 Conditions of Approval as indicated in Exhibit C-1.

Staff recommends **denial** of the Type II Variance to reduce the dimension for point of service/queuing spaces.

Staff recommends approval of the Development Order Abandonment; approval of the Development Order Amendment and Requested Use for a Retail Gas and Fuel; subject to 7 Conditions of Approval as indicated in Exhibit C-3 and 5 Conditions of Approval as indicated in Exhibit C-4.

People who spoke on this application

Carolina Valera, Senior Site Planner – gave a brief presentation.
 Bryan Seymour, Agent – gave a brief presentation.
 Josh Long, Agent - gave a brief presentation.
 Bill Pfeffer, Agent - gave a brief presentation.

From the public and in opposition: Rod Feiner, Charlie Carson, Stan Beecoff, Carol Frazier, David Green, Mel Olshan, Michael Herzfeld and Burt Thompson – traffic concerns, dangerous intersection, proposed project is too big for the site, narrowness of the site, multiple 7-Elevens in this area, hours of operation, fumes, noise, oppose to the sales of alcoholic beverages and too many gas pumps for the small site.

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

Motion carried 5-2

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	No
Seconded					Moved			

Decision: Approved a Type II Variance (with conditions) by a vote of 5-2-0.

MOTION: To adopt a resolution **denying** a Type II Variance to allow a reduction of the number and dimensions for point of service/queuing spaces.

Motion failed 2-5

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	No	Absent	No	No	No	Yes	No
Moved							Seconded	

Decision: Motion to deny a Type II Variance failed by a vote of 2-5-0.

MOTION: To adopt a resolution **approving** a Type II Variance to allow a reduction of the number and dimensions for point of service/queuing spaces.

Motion carried 4-3

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
No	Absent	Yes	Absent	Yes	Yes	Yes	No	No
					Moved	Seconded		

Decision: Approved a Type II Variance (with conditions) by a vote of 4-3-0.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exception for an Auto Service Station.

Motion carried 5-2

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	No
					Moved	Seconded		

Decision: Recommended Approval of Development Order Abandonment by a vote of 5-2-0.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan; delete square footage; modify uses; and, add parking spaces, subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 5-2

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	No
					Moved	Seconded		

Decision: Recommended Approval of Development Order Amendment by a vote of 5-2-0.

MOTION: To recommend approval of a Requested Use for Retail Gas and Fuel, subject to the Conditions of Approval as indicated in Exhibit C-4.

Motion carried 5-2

Kanel	Snider	Katz	Caliendo	Scarborough	Priore	Brumfield	Beatty	Currie
Yes	Absent	Yes	Absent	Yes	Yes	Yes	No	No
					Moved	Seconded		

Decision: Recommended Approval of a Requested Use by a vote of 5-2-0.

D. ZONING APPLICATIONS - NEW

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

ADJOURNMENT – 11:10AM