



PALM BEACH COUNTY ZONING COMMISSION

FRIDAY JANUARY 4, 2019

MINUTES

CALL TO ORDER

A. Roll Call- 9:00am

Commissioner Mark Beatty, Chair	Present
Commissioner Alex Brumfield III, Vice Chair	Absent
Commissioner Sam Caliendo	Present
Commissioner Sheri Scarborough	Present
Commissioner Amir Kanel	Present
Commissioner John Kern	Present
Commissioner Marcelle Griffith Burke	Present
Commissioner Barbara Katz	Absent

- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Notice
- E. Proof of Publication

Motion to receive and file 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Moved	Second		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

F. Adoption of the Minutes

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

- G. Swearing In
- H. Disclosures

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
16, 17	14	No	Absent	16, 17	10,12,14,16, 17	Absent	16, 17 Recused: 7,8,10,11, 13,15

*Commission Chair Mark Beatty Recused himself from ABN/Z-2018-01739 Tree Town, Z-2018-01740 PBC WUD Water Treatment Plant No. 8, ZV/ABN/PDD/W-2018-00548 Lyons Glades Center, ABN/DOA/CA-2018-00964 Villages of Windsor - SE Civic, W-2018-01718 Fountains of Boynton – LA Fitness Waiver, and PDD/DOA-2018-01351 Andalucia PUD.

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **CA-2018-01520** Title: a Class A Conditional Use application of Catherine Bonilla, Richard Bonilla by Land Research Management Inc., Agent. Request: to allow Limited Pet Boarding accessory to a Single-Family residence.

General Location: Northeast corner of 75th Street North and Coconut Boulevard. **(Bonilla Limited Pet Boarding)** (Control 2018-00039)

Pages 1 - 1

Project Manager: Lorraine Fuster

Size: 1.37 acres ±

BCC District: 6

Staff Recommendation: Staff recommends a postponement to Thursday, February 7, 2019.

MOTION: To postpone to the Thursday, February 7, 2019.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Postponed to February 7, 2019 by a vote of 6-0-0.

2. **DOA/CA-2017-02447** Title: a Development Order Amendment application of RG Towers, LLC, Westchester Golf and Country Club Assoc. by RG Towers LLC, Agent. Request: to modify the Master Plan to add a use.

Title: a Class A Conditional Use application of RG Towers, LLC, Westchester Golf and Country Club Assoc. by RG Towers LLC, Agent. Request: to allow a Stealth Commercial Communication Tower.

General Location: Southwest corner of Piper's Glen Boulevard and Lake Worth Drainage District E-3 canal, approximately 0.5 miles west of South Military Trail. **(RG Towers Westchester Club East)** (Control 1980-00212)

Pages 2 - 2

Project Manager: Lorraine Fuster

Size: 645.19 acres ±

BCC District: 5

(affected area 0.15 acres ±)

Staff Recommendation: Staff recommends a postponement to Thursday, February 7, 2019.

MOTION: To postpone to Thursday, February 7, 2019.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Postponed to February 7, 2019 by a vote of 6-0-0.

3. **ABN/ZV/PDD/CA-2018-01172** Title: Development Order Abandonment application of Florida Public Utilities Company by Schmidt Nichols, Agent. Request: to abandon a Class B Conditional Use for Retail Gas and Fuel Sales.
Title: a Type 2 Variance application of Florida Public Utilities Company by Schmidt Nichols, Agent. Request: to allow a reduction of an Incompatibility Buffer width; and, to allow a reduction of parking spaces.
Title: an Official Zoning Map Amendment application of Florida Public Utilities Company by Schmidt Nichols, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Planned Unit Development (PUD) Zoning District.
Title: a Class A Conditional Use application of Florida Public Utilities Company by Schmidt Nichols, Agent. Request: to allow a Transfer of Development Rights to a planned development; and, to allow Workforce Housing Program Density Bonus greater than 30 percent.
General Location: Southwest corner of Belvedere Road and Cleary Road. **(Banyan Ridge Planned Unit Development)** (Control 2009-02465)

Pages 3 - 3

Project Manager: Carolina Valera

Size: 10.42 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a postponement to Thursday, February 7, 2019.

MOTION: To postpone to Thursday, February 7, 2019.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Postponed to February 7, 2019 by a vote of 6-0-0.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

11. ABN/DOA/CA-2018-00964- Villages of Windsor – SE Civic

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/DOA/CA-2018-00964 Villages of Windsor - SE Civic.

15. PDD/DOA-2018-01351- Andalucia PUD

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from PDD/DOA-2018-01351 Andalucia PUD.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

- 4. **ABN/Z-2017-02478** Title: a Development Order Abandonment application of Christian and Missionary Alliance Church by Arc Development Global LLC, Agent. Request: to abandon a Special Exception to allow a Church and Accessory Buildings and Structures.
Title: an Official Zoning Map Amendment application of Christian and Missionary Alliance Church by Arc Development Global LLC, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District.

General Location: North side of Lake Worth Road, approximately 100 feet west of Cypress Isle Way and 1/4 mile of Florida's Turnpike. **(Christian & Missionary Alliance Church of Lake Worth)** (Control 1988-00079)

Pages 4 - 15

Conditions of Approval Pages (8 - 8)

Project Manager: Carolina Valera

Size: 4.61 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C.

People who spoke on this application

Aaron Taylor, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow a Church and Accessory Buildings and Structures.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 6-0-0.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District subject to the Condition of Approval as indicated in Exhibit C.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

- 5. **SV-2018-01540** Title: a Subdivision Variance application of Vincent and Raimi Rus by Frogner Consulting Inc., Agent. Request: to allow access from a 40-foot Right-of-Way. General Location: Approximately 815 feet east of South Congress Avenue and 0.50 miles north of Hypoluxo Road. **(Rus Property)** (Control 2018-00114)

Pages 16 - 32

Conditions of Approval Pages (20 - 20)

Project Manager: Joanne Keller

Size: 1.42 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 3 Conditions of Approval as indicated in Exhibit C.

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.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Approved a Subdivision Variance by a vote of 6-0-0.

- 6. **SV-2018-01728** Title: a Subdivision Variance application of The Fiber Session, Inc., Trace On, Inc., The Last Byte Land Corporation, Inc., Ronald Steedly by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow access to residential homes from a 60-foot access easement.

General Location: North side of 172nd Place North, approximately 0.25 miles west of Rocky Pines Road. **(Steedly Subdivision)** (Control 2017-00205)

Pages 33 - 58

Conditions of Approval Pages (37 - 37)

Project Manager: Joanne Keller

Size: 19.47 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 3 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Pat Lentini, Agent- In agreement with Conditions of Approval and staff recommendations

MOTION: To adopt a resolution approving a Subdivision Variance to allow access to residential homes from a 60-foot access easement subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
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				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Approved a Subdivision Variance by a vote of 6-0-0.

7. **ABN/Z-2018-01739** Title: a Development Order Abandonment application of Palm Beach County by Urban Design Kilday Studios, Agent. Request: to abandon a Special Exception to allow an Office/Warehouse Complex.

Title: an Official Zoning Map Amendment application of Palm Beach County by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Commercial General (CG) Zoning District to the Public Ownership (PO) Zoning District.

General Location: North side of Belvedere Road, inbetween 6th Street and Marine Drive (7th Street), approximately 0.35 miles west of Congress Avenue. **(Tree Town)** (Control 1977-00092)

Pages 59 - 69

Conditions of Approval Pages (64 - 65)

Project Manager: Nancy Frontany

Size: 3.63 acres ±

BCC District: 2,7

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone and 4 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Colleen Walter, Agent- In agreement with Conditions of Approval and staff recommendations

MOTION: To recommend approval of a Development Order Abandonment to abandon a Special Exception to allow an Office/Warehouse Complex.

Motion carried 5-0-1.

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/Z-2018-01739 Tree Town.

Board Decision: Recommended Approval of a Development Order Abandonment with a COZ by a vote of 5-0-1.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Commercial General (CG) Zoning District to the Public Ownership (PO) Zoning District, with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 5-0-1.

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/Z-2018-01739 Tree Town.

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-1.

8. **Z-2018-01740** Title: an Official Zoning Map Amendment application of PBC Water Utilities Department, Palm Beach County by Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Single Family Residential (RS) and Agriculture Residential (AR) Zoning Districts to the Public Ownership (PO) Zoning District.

General Location: Southwest corner of Jog Road and Florida's Turnpike; northeast corner of Jog Road and Belvedere Road; and northeast of existing Water Treatment Plant. **(PBC WUD Water Treatment Plant No. 8)** (Control 1988-00057)

Pages 70 - 80

Conditions of Approval Pages (76 - 76)

Project Manager: Travis Goodson

Size: 54.28 acres ±

BCC District: 2

(affected area 38.48 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 4 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Colleen Walter, Agent- In agreement with Conditions of Approval and staff recommendations

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Single Family Residential (RS) and Agriculture Residential (AR) Zoning Districts to the Public Ownership (PO) Zoning District, with a Conditional Overlay Zone (COZ) subject to the Condition of Approval as indicated in Exhibit C.

Motion carried 5-0-1.

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from Z-2018-01740 PBC WUD Water Treatment Plant No. 8.

Board Decision: Recommended Approval of an Official Zoning Map Amendment with a COZ by a vote of 5-0-1.

9. **Z/CA-2018-01161** Title: an Official Zoning Map Amendment application of Worldwide Realty Investment Corp., 8475LWR, LLC by Schmidt Nichols, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use application of Worldwide Realty Investment Corp., 8475LWR, LLC by Schmidt Nichols, Agent. Request: to allow a Day Care General.

General Location: Northeast corner of Lake Worth Road and Blanchette Trail, approximately 0.40 miles west of Florida's Turnpike. **(Children of America - LWR Campus)** (Control 2005-00001)

Pages 81 - 106

Conditions of Approval Pages (87 - 90)

Project Manager: Lorraine Fuster

Size: 1.60 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 1 Condition of Approval as indicated in Exhibit C-1; and, 13 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Josh Nichols, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-

1.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

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

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Recommended Approval of an Class A Conditional Use a vote of 6-0-0.

10. **ZV/ABN/PDD/W-2018-00548** Title: a Type 2 Variance application of Boca Pier Associates, LLC, Glades Road West Investments, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to reduce the width of a Right-of-Way (R-O-W) Buffer, landscape islands, and divider medians; reduce required foundation planting dimensions, building and freestanding sign setback, and lot size for a Multiple Use Planned Development; to allow easement overlap of landscape islands and a R-O-W Buffer; and, to eliminate landscape protection measures and trees in landscape islands.
- Title: a Development Order Abandonment application of Boca Pier Associates, LLC, Glades Road West Investments, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to abandon the Special Exception for a Financial Institution with Drive -up Teller Windows, as amended by Resolutions R-1989-0946 and R-2011-0789.
- Title: an Official Zoning Map Amendment application of Boca Pier Associates, LLC, Glades Road West Investments, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.
- Title: a Type 2 Waiver application of Boca Pier Associates, LLC, Glades Road West Investments, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to allow an alternative Landscape Buffer to reduce the width and eliminate a 6-foot high wall.
- General Location: Northwest corner of Glades Road and Lyons Road. **(Lyons Glades Center)** (Control 1979-00106)

Pages 107 - 161

Conditions of Approval Pages (118 - 121)

Project Manager: Meredith Leigh

Size: 4.86 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 6 Conditions of Approval as indicated in Exhibit C-1; 13 Conditions of Approval as indicated in Exhibit C-2; and, 5 Conditions of Approval as indicated in Exhibit C-3.

People who spoke on this application

Lauren McClellan, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To adopt a resolution approving a Type 2 Variance to reduce the width of a Right-of-Way (R-O-W) Buffer, landscape islands, and divider medians; reduce required foundation planting dimensions, building and freestanding sign setback, and lot size for a Multiple Use Planned Development; to allow easement overlap of landscape islands and a R-O-W Buffer; and, to eliminate landscape protection measures and trees in landscape islands subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from Z-/ABN/PDD/W-2018-00548 Lyons Glades Center.

Board Decision: Approval a Type 2 Variance by a vote of 5-0-1.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exception for a Financial Institution with Drive-up Teller Windows, as amended by Resolutions R-1989-0946 and R-2011-0789.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from Z-/ABN/PDD/W-2018-00548 Lyons Glades Center.

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 5-0-1.

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-2.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from Z-/ABN/PDD/W-2018-00548 Lyons Glades Center.

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-1.

MOTION: To recommend approval of a Type 2 Waiver to allow an alternative Landscape Buffer, to reduce the width and eliminate a 6-foot high wall subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from Z-/ABN/PDD/W-2018-00548 Lyons Glades Center.

Board Decision: Recommended Approval of a Type 2 Waiver by a vote of 5-0-1.

- DOA-2018-01151** Title: Development Order Amendment application of Tri County Humane Society, City of Boca Raton by Miller Land Planning, Agent. **Request:** to reconfigure the Site Plan to add square footage, uses and phasing, and add and delete an access point; modify Conditions of Approval (Architecture, Signage); and, Restart the Commencement of Development Clock.

General Location: Southwest corner of Boca Rio Road and Via Ancho Road. **(Tri County Humane Society)** (Control 1976-00152)

Pages 198 - 231
 Conditions of Approval Pages (205 - 208)
 Project Manager: Carrie Rechenmacher
 Size: 13.75 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 21 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Bradley Miller, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan to add square footage, uses and phasing, and add and delete an access point; modify Conditions of Approval (Architecture, Signage); and, Restart the Commencement of Development Clock subject to Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

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

- 13. **W-2018-01718** Title: a Type 2 Waiver application of G&I IX Fountains Center, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to extend hours of operation for a non-Residential use located within 250 feet of a Residential Future Land Use designation or use.

General Location: Northeast corner of Boynton Beach Boulevard and Jog Road. **(Fountains of Boynton - LA Fitness Waiver)** (Control 1990-00030)

Pages 232 - 250
 Conditions of Approval Pages (236 - 236)
 Project Manager: Carlos Torres
 Size: 24.13 acres ±
 (affected area 2.26 acres ±)

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 5 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Lauren McClellan, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To recommend approval of a Type 2 Waiver to extend hours of operation for a non-Residential use located within 250 feet of a Residential Future Land Use designation or use.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from W-2018-01718 Fountains of Boynton – LA Fitness Waiver.

Board Decision: Recommended Approval of a Type 2 Waiver by a vote of 5-0-1.

- 14. **DOA/CA-2018-01907** Title: a Development Order Amendment application of TMT Properties Loggers Run, LLC by iPlan and Design LLC, Saul Erwing Arnstein & Lehr

LLP, Agent. Request: to amend the Master Plan and Site Plan to add a Use; and, amend Conditions of Approval (Use Limitations).

Title: a Class A Conditional Use application of TMT Properties Loggers Run, LLC by iPlan and Design LLC, Saul Erwing Arnstein & Lehr LLP, Agent. Request: to allow Indoor Entertainment.

General Location: On the North side of Palmetto Park Road between Judge Winikoff Road and Ponderosa Drive, approximately 1.5 miles west of SR7/US441. **(Loggers Run Commercial Center)** (Control 1975-00068)

Pages 251 - 277

Conditions of Approval Pages (258 - 266)

Project Manager: Carrie Rechenmacher

Size: 1,813.99 acres ±

BCC District: 5

(affected area 12.56 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 53 Conditions of Approval as indicated in Exhibit C-1; and, 8 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Neil Schiller, Agent- In agreement with Conditions of Approval and staff recommendations.

MOTION: To recommend approval for a Development Order Amendment to amend the Master Plan and Site Plan to add a Use; and amend Conditions of Approval (Use Limitations) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

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

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

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

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

E. CORRECTIVE RESOLUTIONS

F. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

15. **PDD/DOA-2018-01351** Title: an Official Zoning Map Amendment application of Standard Pacific of South Florida GP Inc, Izzy-Lizzie Acres, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) and Residential Transitional (RT) Zoning Districts to the Planned Unit Development (PUD) Zoning District.

Title: a Development Order Amendment application of Standard Pacific of South Florida GP Inc, Izzy-Lizzie Acres, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to reconfigure the Master Plan, to add land area and to amend Conditions of Approval (Access, Engineering, Landscape).

General Location: On the east side of Lyons Road approximately 0.50 miles south of Lake Worth Road. **(Andalucia PUD)** (Control 2008-00129)

Pages 278 - 326

Conditions of Approval Pages (287 - 297)

Project Manager: Carrie Rechenmacher

Size: 81.22 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 1 Condition of Approval as indicated in Exhibit C-1 and 36 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Jennifer Morton, Agent and staff provided a brief presentation. Agent in agreement with Conditions of Approval and staff recommendations. Discussion on Clarification of the 20' buffer.

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

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from PDD/DOA-2018-01351.

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 5-0-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Master Plan, to add land area and to amend Conditions of Approval (Access, Engineering, Landscape) subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from PDD/DOA-2018-01351.

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 5-0-1.

11. **ABN/DOA/CA-2018-00964** Title: a Development Order Abandonment application of Civic Hypoluxo Holding, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to abandon Requested Uses for a General Daycare and Private Elementary School.

Title: a Development Order Amendment application of Civic Hypoluxo Holding, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to modify the Master Plan to add/delete uses within a Civic Pod.

Title: a Class A Conditional Use application of Civic Hypoluxo Holding, LLC by JMorton Planning & Landscape Architecture, Agent. Request: to allow a Type 3 Congregate Living Facility.

General Location: Southeast corner of Hypoluxo and Lyons Road. **(Villages of Windsor -SE Civic)** (Control 1996-00081)

Pages 162 - 197

Conditions of Approval Pages (169 - 183)

Project Manager: Carrie Rechenmacher

Size: 543.60 acres ±

BCC District: 3

(affected area 12.12 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 60 Conditions of Approval as indicated Exhibit C-1, and 11 Conditions of Approval as indicated in Exhibit C-2.

People who spoke on this application

Jennifer Morton, Agent and staff provided a brief presentation.

MOTION: To recommend approval of a Development Order Abandonment to abandon Requested Uses for a General Daycare and Private Elementary School.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/DOA/CA-2018-00964 Villages of Windsor.

Board Decision: Recommended Approval of a Development Order Abandonment by a vote of 5-0-1.

MOTION: To recommend approval of a Development Order Amendment to modify the Master Plan and add/delete uses within a Civic Pod subject to Conditions of Approval as indicated in Exhibit C-1.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/DOA/CA-2018-00964 Villages of Windsor

Board Decision: Recommended Approval of a Development Order Amendment by a vote of 5-0-1.

MOTION: To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to Conditions of Approval as indicated in Exhibit C-2.

Motion carried 5-0-1

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
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				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	*Recused

*Commission Chair Mark Beatty Recused himself from ABN/DOA/CA-2018-00964 Villages of Windsor

Board Decision: Recommended Approval a Class A Conditional Use by a vote of 5-0-1.

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

16. **DOA-2018-01054** Title: a Development Order Amendment application of ZF Development II, LLC, Cove Club Investors, Ltd. by Dunay Miskel and Backman LLP, Insite Studio, Agent. Request: to reconfigure the Site Plan to delete land area and building square footage.

General Location: Southeast corner of Southwest 65th Avenue and Southwest 8th Street; bounded by Lyons Road to the east, and Southwest 18th Street to the south. (**Boca Dunes Golf Course**) (Control 2013-00354)

Pages 327 - 356

Conditions of Approval Pages (332 - 333)

Project Manager: Meredith Leigh

Size: 112.32 acres ±

BCC District: 5

(affected area 55.76 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C.

People who spoke on this application

Scott Backman & Brain Terry, Agents and staff provided a brief presentation.

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

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

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

17. **PDD-2018-01053** Title: an Official Zoning Map Amendment application of Cove Club Investors, Ltd., ZF Development II, LLC by Dunay Miskel and Backman LLP, Insite Studio, Agent. Request: to allow a rezoning from the Single Family Residential (RS) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: West side of Lyons Road, generally bounded by Southwest 3rd Street, Southwest 8th Streets and Southwest 65th Avenue. (**Residences at Boca Dunes**) (Control 2018-00073)

Pages 357 - 396

Conditions of Approval Pages (365 - 371)

Project Manager: Meredith Leigh

Size: 112.32 acres ±

BCC District: 5

(affected area 55.76 acres ±)

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

Scott Backman & Brain Terry, Agents and staff provided a brief presentation. One member from the public Michael Dropkin, spoke in opposition. ZC Discussed traffic impacts and proportionate share allocation.

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

Motion carried 6-0

Kanel	Kern	Burke	Katz	Caliendo	Scarborough	Brumfield	Beatty
				Second	Moved		
Yes	Yes	Yes	Absent	Yes	Yes	Absent	Yes

Board Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

END OF REGULAR AGENDA

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

- Reminder to check County Emails.
- Annual Workshop to be included in February Zoning Commission Hearing.

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT 10:58am

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on JANUARY 04, 20 19;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of PALM BEACH COUNTY, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. HAS PROFESSIONAL SERVICE CONTRACTS WITH PALM BEACH COUNTY. I WAS NOT SURE IF I HAD A CONFLICT OF INTEREST, SO I FELT IT BEST TO RECUSE MYSELF SO THERE WOULD BE NO QUESTION.

Agenda JANUARY, 04, 2019

- Item #7- ABN/Z-2018-01739
- Item #8- Z-2018-01740

JAN - 04 - 19
Date Filed

[Handwritten Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, MARK STEVEN BEATTY, hereby disclose that on JANUARY 04, 20 19 :

(a) A measure came or will come before my agency which (check one)

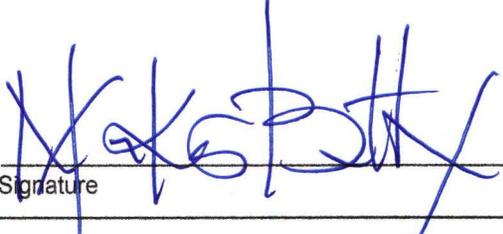
- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

MY FIRM, ARCHITECTURE GREEN LLC. RETAINED JMORTON PLANNING AND LANDSCAPE ARCHITECTURE TO PROVIDE LANDSCAPE ARCHITECTURE SERVICES FOR CANYON DISTRICT PARK.

**ZONING COMMISSION PUBLIC HEARING
 JANUARY, 4, 2019
 AGENDA ITEM #10 ZV/ABN/PDD/W-2018-00548
 # 11 ABN/DOA/CA-2018-00964
 # 13 W-2018-01718
 # 15 PDD/DOA-2018-01351**

JAN. 04. 19
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.