

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**FRIDAY, JANUARY 7, 2011**  
9:00A.M., 1<sup>ST</sup> Floor  
Vista Center Hearing Room, VC-1W-47  
2300 N. Jog Road, West Palm Beach FL 33411

**CALL TO ORDER**

- A. Roll Call**

Commissioner Sherry Hyman, Chair	<b>Present</b>
Commissioner Sheri Scarborough, Vice Chair	Present
Commissioner William F. Anderson	Present
Commissioner Allen Kaplan	Present
Commissioner Joanne Davis	Absent
Commissioner Alex Brumfield	Present
Commissioner Sam Caliendo	Absent
Commissioner Mark Beatty	Absent
Commissioner Robert Currie	Present

**B. Opening Prayer and Pledge of Allegiance**

**C. Remarks of the Chair**

**D. Proof of Publication** – Motion to receive and file, carried 6-0.

**E. Adoption of the Minutes** – Carried 6-0

**F. Swearing In**

**G. Disclosures-** Listed by Agenda Number

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
None	None	Absent	None	None	None	None	Absent	Absent

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

**B. REMANDS**

**C. WITHDRAWALS**

**CONSENT AGENDA**

**A. REQUESTS TO PULL ITEMS FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

1. **DOA-2010-01975** Title: Development Order Amendment application of Palm Beach County by Palm Beach County, Agent. Request: to allow an external access point General Location: Southeast corner of Alternate A1A and Indiantown Road **(Jonathan's Landing PUD)** (Control 1974-00195)

Pages 1 - 19

Conditions of Approval Pages (13 - 19)

Project Manager: Joyce Lawrence

Size: 631.05 acres +

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 41 Conditions of Approval as indicated in Exhibit C.

**MOTION:** To postpone to Thursday, February 3, 2011. Carried 6-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
			Seconded			Maker		

**DECISION: TO POSTPONE TO FEBRUARY 2, 2011**

3. **Z-2010-01985** Title: an Official Zoning Map Amendment application of Donald Carver, Investments Moody, James Moody by Cotleur & Hearing Inc., Agent. Request: to allow for a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District General Location: Northeast corner of Center Street and Woodside Trail. **(Moody-Carver)** (Control 2010-00272)

Pages 57 - 88

Conditions of Approval Pages (70 - 71)

Project Manager: Donna Adelsperger

Size: 2.60 acres +

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone (COZ) and 7 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

Donna Adelsperger – Site Planner I, gave a brief presentation.

Don Hearing – Agent, gave a brief presentation.

Received cards from Buck Moody and Don Carver but neither spoke.

**MOTION:** To recommend approval of the request for an Official Zoning Map Amendment to allow for a rezoning from the Residential Single-family (RS) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C. Carried 6-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
					Seconded	Maker		

**DECISION: APPROVED AS ADVERTISED 6-0**

4. **Z-2010-02225** Title: an Official Zoning Map Amendment application of Palm Beach County, South Florida Water Management District by Palm Beach County, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District.

General Location: South side of Indiantown Road approximately 1 mile west of I-95 and approximately 1 mile east of Jupiter Farms Roads. **(Riverbend Park Rezoning)** (Control 2009-02372)

Pages 89 - 102  
 Conditions of Approval Pages (101 - 101)  
 Project Manager: Donna Adelsperger  
 Size: 512.07 acres +

BCC District: 1

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

**People who spoke on this application:**

Audrey Wolf – Agent, in agreement with voluntary commitments.

**MOTION:** To recommend approval of the request for 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 Voluntary Commitments as indicated in Exhibit C. Carried 5-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Abstained	Absent	Yes	Yes	Yes	Yes	Absent	Absent
			Maker		Seconded			

**DECISION: APPROVED AS ADVERTISED 5-0 with Commissioner Currie abstaining.**

5. **ZV/PDD/DOA-2010-01991** Title: a Type II Zoning Variance application of Wal-Mart Stores East LP by Ruden McClosky, Agent. Request: to allow an elimination of loading area screening walls and elimination/reduction of loading area foundation plantings; reduction of compatibility buffer width; and, easement overlap in the right-of-way buffer. Title: a Development Order Amendment application of Wal-Mart Stores East LP by Ruden McClosky, Agent. Request: to reconfigure the site plan and add square footage  
General Location: Northwest corner of Hypoluxo Road and Military Trail **(Walmart Plaza)** (Control 1980-00173)

Pages 103 - 155  
 Conditions of Approval Pages (129 - 136)  
 Project Manager: Carol Glasser  
 Size: 15.95 acres +  
 (affected area 14.07 acres +)

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 4 Conditions of Approval for the Type II Variance as indicated in Exhibit C-1 and 42 Conditions of Approval for the Development Order Amendment as indicated in Exhibit C-2.

**People who spoke on this application:**

Ken Lassiter – Cobwra- in support but did not need to speak.  
 Susan Motley – Agent – Agreed to conditions except Arch. 10, which they are working on to assure compliance with ADA.

**MOTION:** To adopt a resolution approving a Type II Variance to allow an elimination of loading area screening walls and elimination/reduction of loading area foundation plantings; reduction of compatibility buffer width; and, easement overlap in the right-of-way buffer subject to the conditions of approval as indicated in Exhibit C-1.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
Seconded						Maker		

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the site plan and add square footage subject to the Conditions of Approval as indicated in Exhibit C-2.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
Seconded						Maker		

**DECISION: APPROVED**

**E. CORRECTIVE RESOLUTIONS**

**F. ABANDONMENTS**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

*Item 2 was pulled from the Consent Agenda and placed on Regular Agenda.*

2. **Z/DOA/CA-2010-01729** Title: an Official Zoning Map Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Single family Residential (RS) Zoning District Title: A Development Order Amendment application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Place of Worship and to add and delete land area Title: A Class A Conditional Use application of Iglesia Cristo Mi Redentor Inc by Cotleur & Hearing Inc., Agent. Request: to allow a Day Care, General General Location: Approximately 0.33 miles south of Gun Club Road on the east side of Haverhill Road (**Iglesia Cristo Mi Redentor**) (Control 2003-00009)

Pages 20 - 56

Conditions of Approval Pages (35 - 44)

Project Manager: Joyce Lawrence

Size: 6.98 acres +

BCC District: 2

Staff Recommendation: Staff recommends approval of an Official Zoning Map Amendment and a Conditional Overlay Zone (COZ) subject to 5 Conditions of Approval as indicated in Exhibit C-1, a Development Order Amendment to allow a Place of Worship subject to 27 Conditions of Approval as indicated in Exhibit C-2, and a Class A Conditional Use to allow a Day Care, General subject to 3 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application:**

Joyce Lawrence – Site Planner II, gave a brief presentation.

Ali Kalfin – Agent, gave a brief presentation.

Janice Kemp – letter was read into record.

Charles Fountain – had concerns regarding an ingress/egress easement that provides access from Sunny Lane to his client’s home. A meeting with Land Development, the agent, and the easement holders was scheduled for the following week.

Michael Foster – object to the request due to noise and feels it is detrimental to neighborhood. Also has concerns with traffic on Haverhill Road, he stated it’s very busy and congested.

The ZC discussed concerns related to the design of the proposed structure and requested that the applicant re-evaluate the design of the building to incorporate additional design elements. The ZC also suggested that the applicant meet with the neighbors to address their concerns.

**MOTION:** To postpone to February 3, 2011. Carried 5-1.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
No	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
	Maker				Secunder			

**DECISION: MOVED TO POSTPONE BY COMMISSIONER CURRIE, seconded by Commissioner Scarborough to February 3, 2011, Carried 5-1 with Commissioner Brumfield descending.**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

6. **ZV/DOA-2010-01728** Title: a Development Order Amendment application of Mizner Trail Golf Club Ltd, Siemens Group Inc. by Urban Design Kilday Studios, Agent. Request: to modify and redesignate uses, and add POD's, units, and access points on the Master Plan.  
General Location: Generally located south of Camino Real; east of Powerline Road; west of Military Trail; and, north of SW 18th Street. More specifically, north and east sides of Canary Palm Drive; the east and west side of Camino Del Mar; and northwest and southwest of Palm D'Oro Drive (**Boca Del Mar PUD**) (Control 1984-00152)

Pages 156 - 276

Conditions of Approval Pages (205 - 210)

Project Manager: Wendy Hernandez

Size: 1,945.96 acres +

BCC District: 4

(affected area 129.88 acres +)

Staff Recommendation: Staff recommends denial of the request to modify and redesignate uses, and add POD's, units, and access points on the Master Plan, for failure to comply with the following standards: Consistency with the Code; Design Minimizes Adverse Impact; Development Patterns; Changed Conditions or Circumstances.

**MOTION:** To postpone 60 days to March 3, 2011. Carried 6-0.

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Kaplan	Caliendo	Beatty
Yes	Yes	Absent	Yes	Yes	Yes	Yes	Absent	Absent
			Seconded			Maker		

**DECISION: Postponed to March 3, 2011.**

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

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