

County Administrator

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AMENDMENTS TO THE AGENDA**

August 4, 2011

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

AMENDMENTS

**6. (82-109) Z/CA-2011-0404 Stunkel Medical Office
(Control 1999-033)**

Add Engineering conditions 1, 5, and 6 to read as follows:

1. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

a. No Building Permits for the site may be issued after December 31, 2015. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Art. 2.E of the Unified Land Development Code. (DATE: MONITORING-Eng)

5. Prior to the issuance of the first building permit, the property owner shall provide a joint-access easement over the proposed driveway connection to Lantana . This access easement shall extend from the west property line to Lantana Road and shall contain an area as necessary to accommodate access to/from the parcels to the west and south, as determined by the County Engineer. The property owner shall not record these required easements or related documents. After final acceptance of the location, legal sketches and dedication documents, Palm Beach County shall record all appropriate deeds and documents. (BLDG PERMIT: MONITORING-Eng)

6. The Property Owner shall extend the west approach right turn lane on Lantana Road at Hagen Ranch Road to the west property line or as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

a. Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING-Eng)

b. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)



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

THURSDAY AUGUST 4, 2011

9:00 A.M.

**Vista Center 1st Floor 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. Proof of Publication
- E. Adoption of the Minutes
- F. Swearing In
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER 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

AUGUST 4, 2011

CALL TO ORDER

- A. Roll Call - 9:00 A.M.
- B. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center 1st Floor 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 may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. 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 9:00 A.M. on Monday, August 29, 2011 to take final action on the applications listed below.

NOTICE

Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners, which occurs outside of the public hearing, must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group. Persons wishing to cross-examine witnesses must reserve that right at the beginning of their presentation.

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.

- D. Proof of Publication - Motion to receive and file.
- E. [Adoption of the Minutes](#)
- F. Swearing In - County Attorney
- G. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

- 1. **ZV-2011-00932** Title: a Type II Zoning Variance application of Pine Trail Square Llc by Seigel Lipman Dunay Shepart & Miskel LLP, Agent. Request: to allow an increase in square footage for wall signage along the north facade and to allow signage on a facade not facing a street
General Location: Generally located on the southwest corner of Military Trail and Okeechobee Boulevard. **(Pine Trail Square)** (Control 1978-00273)

Pages 1 - 1

Project Manager: Douglas Robinson

Size: 22.26 acres ±

BCC District: 2

Staff Recommendation: To postpone to Thursday September 1, 2011.

MOTION: To postpone to Thursday September 1, 2011.

- 2. **ZV/DOA/R-2011-00413** Title: a Type II Variance application of Woolbright Jog LLC by Land Design South Inc., Agent. Request: to allow 24 hour operation within 250 feet of a residential zoning district
Title: a Development Order Amendment application of Woolbright Jog LLC by Land Design South Inc., Agent. Request: to reconfigure the site plan, modify uses and modify Conditions of Approval (Use Limitation)
Title: a Requested Use application of Woolbright Jog LLC by Land Design South Inc., Agent. Request: to allow a Medical Center
General Location: Northwest corner of Woolbright Road and Jog Road **(Valencia Square MUPD)** (Control 1998-00078)

Pages 2 - 2

Project Manager: Joyce Lawrence

Size: 23.54 acres ±

BCC District: 5

Staff Recommendation: To postpone to Thursday September 1, 2011.

MOTION: To postpone to Thursday September 1, 2011.

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**
- E. CORRECTIVE RESOLUTIONS**
- F. SUBDIVISION VARIANCE**

3. [SD-140 American Orchid Society](#), Inc. and Sannlor Properties II, LLC, requesting variance from the requirement that access to a non-residential subdivision lot shall be by a street of suitable right-of-way width as established by the subdivision regulations.

Requirements are set forth in the Unified Land Development Code, Table 11.E.2.A-2 (Chart of Minor Streets).

Location: north side of Morikami Park Road, west of Jog Road, in the RTS Zoning District. (Control 1995-034)

Staff Recommendation: Approval of the request subject to 3 Conditions of Approval.

Pages 3 - 15

MOTION: To adopt a resolution approving a Type II Subdivision Variance to allow access onto a 60 foot road right of way to remain, subject to the conditions of approval in the Staff Report.

END OF CONSENT AGENDA

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT
- B. STATUS REPORTS
- C. PREVIOUSLY POSTPONED ZONING APPLICATIONS
- D. ZONING APPLICATIONS - NEW

4. [ZV/ABN/PDD/R-2009-03943](#) Title: a Type II Zoning Variance application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow an increase in the number of freestanding buildings in an MUPD
- Title: a Development Order Abandonment application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to abandon the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276 and Type II Variance granted under ZR-2010-17
- Title: an Official Zoning Map Amendment to a Planned Development District application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Light Industrial (IL) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) District.
- Title: a Requested Use application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow Gas and Fuel, Wholesale
- General Location: Northwest corner of Benoist Farms Road and Wallis Road **(Kendall Industrial)** (Control 1975-00060)

Pages 16 - 49

Conditions of Approval Pages (34 - 37)

Project Manager: Autumn Sorrow

Size: 11.44 acres ±

Staff Recommendation: Staff recommends denial of the Type II Variance request and approval of the Development Order Abandonments and approval of the rezoning request subject to 17 Conditions of Approval as indicated in Exhibit C-2 and approval of the Request Use subject to 2 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution denying a Type II Variance to allow more than one freestanding structure in an MUPD.

MOTION: To adopt a Resolution abandoning the Type II Variance granted under ZR-2010-17 and to recommend approval of a resolution approving a Development Order Abandonment to abandon the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276.

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District rezoning from the Light Industrial (IL) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District Subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Requested Use to allow Gas and Fuel, Wholesale subject to the Conditions of Approval as indicated in Exhibit C-3.

- 5. **ZV/DOA-2011-00923** Title: a Type II Zoning Variance application of Palm Beach County by Urban Design Kilday Studios, Agent. Request: to allow for a reduction in the setback from the right-of-way for a ground mounted sign and to allow for an additional ground mounted sign
Title: a Development Order Amendment application of Palm Beach County by Urban Design Kilday Studios, Agent. Request: to delete land area; to reconfigure the site plan to add square footage; to modify and delete conditions of approval (Engineering, Landscape, Lighting and Signage); and to add two access points.
General Location: Approximately 0.25 mile South of Orange Blvd., on the west side of 140th Avenue North. (**Acreage Community Park**) (Control 2002-00019)

Pages 50 - 81

Conditions of Approval Pages (66 - 70)

Project Manager: Donna Adelsperger

Size: 28.98 acres ±

BCC District: 6

(affected area 27.76 acres ±)

Staff Recommendation: Staff recommends denial of the Type II Zoning Variance and approval of the Development Order Amendment subject to 13 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution denying a Type II Zoning Variance to allow for a reduction in the setback from the right-of-way for a ground mounted sign and to allow for an additional ground mounted sign.

MOTION: To recommend approval of a Development Order Amendment to delete land area; to reconfigure the site plan; to add square footage; to modify/delete Conditions of Approval (Engineering, Landscape, Lighting and Signage); and to add two access points subject to the Conditions of Approval as indicated in Exhibit C-2.

- 6. **Z/CA-2011-00404** Title: an Official Zoning Map Amendment application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.
Title: a Class A Conditional Use application of AS Hagen Ranch LLC by Cotleur & Hearing Inc., Agent. Request: to allow Medical or Dental Office
General Location: Southwest corner of Lantana Road and Hagen Ranch Road. (**Stunkel Medical Office**) (Control 1999-00033)

Pages 82 - 109

Conditions of Approval Pages (100 - 103)

Project Manager: Carrie Rechenmacher

Size: 2.30 acres ±

BCC District: 3

(affected area 2.09 acres ±)

Staff Recommendation: Staff recommends denial of the requests.

MOTION: To recommend denial of an Official Zoning Map request to rezone from the Residential Transitional Suburban (RTS) District to the Commercial Low-Office (CL-O) Zoning District.

MOTION: To recommend denial of a Class A Conditional Use to allow Medical or Dental Offices in the Commercial Low Office District.

E. SUBDIVISION VARIANCE

END OF REGULAR AGENDA

DIRECTOR COMMENTS

- A. COUNTY ATTORNEY**
- B. ZONING DIRECTOR**
- C. EXECUTIVE DIRECTOR**

COMMISSIONER COMMENTS

ADJOURNMENT