

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**THURSDAY, SEPTEMBER 6, 2012**

9:00 A.M. Vista Center 1st Floor Hearing Room, VC-1W-47  
2300 N. Jog Road, West Palm Beach FL 33411

**CALL TO ORDER**

**A. Roll Call 9:00 A.M.**

Commissioner Sheri Scarborough, Chair	<b>Present</b>
Commissioner Alex Brumfield, Vice Chair	<i>Arrived 9:05</i>
Commissioner William F. Anderson	<b>Present</b>
Commissioner Sherry Hyman	<b>Present</b>
Commissioner Joanne Davis	<i>Arrived 9:05</i>
Commissioner Sam Caliendo	<b>Present</b>
Commissioner Mark Beatty	<b>Present</b>
Commissioner Robert Currie	<b>Present</b>
Commissioner Jennifer Bakcsi	<b>Absent</b>

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

**C. Remarks of the Chair**

**D. Proof of Publication** – Motion to receive and file carried 8-0,

**E. Adoption of the Minutes** – Motion carried 8-0

**F. Swearing In**

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

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
None	None	None	None	3	None	Absent	None	None

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

**B. REMANDS**

1. **DOA-2012-00116** Title: a Development Order Amendment application of Ansca Acquisition LLC by CMS Engineering LLC, Agent. Request: to reconfigure the Master and Subdivision Plans and to amend Conditions of Approval (Arch Review, Engineering, Planning, PUD, School Board). General Location: Northwest corner of Hagen Ranch Road and Atlantic Ave. (**Villaggio Isles PUD**) (Control 2004-00456)

Pages 1 - 1

Project Manager: David McGuire

Size: 92.07 acres +

BCC District: 5

Staff Recommendation: Staff recommends to remand to the Wednesday, September 12, 2012 DRO Meeting.

**MOTION:** To remand to Wednesday, September 12, 2012 DRO Meeting.

Motion carried

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes
			Seconded	Moved				

**Decision: APPROVED TO REMAND TO SEPTEMBER DRO**

**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**

**E. CORRECTIVE RESOLUTIONS**

**D. ZONING APPLICATIONS – NEW**

2. **DOAR-2012-01263** Title: a Development Order Amendment application of Weingarten Nostat Inc by Jon E Schmidt & Associates, Agent. Request: to reconfigure the site plan, add square footage and add a Requested Use Title: a Requested Use application of Weingarten Nostat Inc by Jon E Schmidt & Associates, Agent. Request: to allow a Type I Restaurant General Location: Southwest corner of Glades Road and Lyons Road (**Wendys at Boca Lyons**) (Control 1978-00220)

Pages 2 - 24

Conditions of Approval Pages (18 - 20)

Project Manager: Carrie Rechenmacher

Size: 12.05 acres +

(affected area 1.19 acres +)

BCC District: 5

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:**

Chris Barry, agent – In agreement with Conditions of Approval.

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

Motion carried 8-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes
		Seconded		Moved				

**MOTION:** To recommend approval to allow a Requested Use for a Type I Restaurant.

Motion carried 8-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes
Seconded				Moved				

**DECISION: APPROVED AS ADVERTISED**

3. **ZV-2012-01834** Title: a Type II Variance application of Estates Of Pennock Point Llc by Urban Design Kilday Studios, Agent. Request: to allow an increase in building coverage General Location: Approximately 0.6 mile north of Donald Ross Road on the east side of Palmwood Road (**Harbor Place**) (Control 2002-00063)

Pages 25 - 44

Conditions of Approval Pages (35 - 35)

Project Manager: Donna Adelsperger

Size: 6.25 acres +

BCC District: 1

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:**

Donna Adelsperger, Site Planner I – gave brief presentation  
 Colleen Walter, agent – gave brief presentation.

Cari Podesta spoke on the merits of the variance and Glen Goldstein spoke on issues regarding the settlement agreement and also spoke about when they plan to develop the site.

**MOTION:** To adopt a resolution approving a Type II Variance to allow an increase in building coverage for the units of the Harbor Place Subdivision subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 8-0

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Yes	Yes	Yes	Yes	Yes	Absent	Yes	Yes
				Moved				Seconded

**DECISION: APPROVED AS ADVERTISED**

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS – NEW**

- 4. ZV-2012-01574** Title: a Type II Variance application of Miller Investments Of Miami LLC by Creech Engineers Inc., Agent. Request: to allow a reduction in the required number of parking spaces General Location: Southeast corner of SR7/441 and Southern Boulevard (**Western Plaza**) (Control 1977-00048)

Pages 45 - 70

Conditions of Approval Pages (54 - 54)

Project Manager: Donna Adelsperger

Size: 32.86 acres +

BCC District: 6

Staff Recommendation: Staff recommends denial of the request.

**People who spoke on this application:**

Donna Adelsperger, Site Planner I – gave brief presentation

Bill Pfeffer, agent – gave brief presentation.

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

Motion carried 7-1

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
Yes	Nay	Yes	Yes	Yes	Yes	Absent	Yes	Yes
				Moved			Seconded	

**DECISION: DENIED 7-1**

**E. SUBDIVISION VARIANCE**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT 10:10 AM**

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