

**PRELIMINARY MINUTES  
ZONING COMMISSION  
ZONING MEETING**

**THURSDAY, OCTOBER 4, 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 9:09</i>
Commissioner William F. Anderson	<b>Present</b>
Commissioner Sherry Hyman	<b>Present</b>
Commissioner Joanne Davis	<b>Present</b>
Commissioner Sam Caliendo	<i>Arrived 9:14</i>
Commissioner Mark Beatty	<b>Present</b>
Commissioner Robert Currie	<b>Present</b>
Commissioner Jennifer Bakcsi	<b>Present</b>

**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** – Motion carried 6-0

**F. Swearing In**

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

Brumfield	Currie	Davis	Anderson	Hyman	Scarborough	Bakcsi	Caliendo	Beatty
None	Absent	None	None	1	None	None	Absent	None

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

**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**

**E. CORRECTIVE RESOLUTIONS**

**D. ZONING APPLICATIONS – NEW**

2. **ZV-2012-02098** Title: a Type II Variance application of KRG/Atlantic Delray Beach LLC by Urban Design Kilday Studios, Agent. Request: to allow an increase in wall signage on the south facade of Building A1 General Location: Northwest corner of Lyons Road and West Atlantic Avenue (**Delray Marketplace**) (Control 2004-00616)

Pages 41 – 57  
 Conditions of Approval Pages (50 - 50)  
 Project Manager: Carol Glasser  
 Size: 34.00 acres + BCC

District: 5

Staff Recommendation: Staff recommends approval subject to 4 Conditions of Approval as indicated in Exhibit C.

**MOTION**: To adopt a resolution approving a Type II Variance to allow an increase in wall signage on the south facade of Building A1 subject to the Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

Wendy Tuma, agent – In agreement with Conditions of Approval.

Motion carried 7-0

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

**DECISION: APPROVED AS ADVERTISED**

3. **ZV/DOA-2012-01249** Title: a Type II Variance application of Packer Family Ltd by Johnston Group Land Development Consultants Inc., Agent. Request: to allow a reduction of the Right of Way buffer width and to increase the maximum tree spacing Title: a Development Order Amendment application of Packer Family Ltd by Johnston Group Land Development Consultants Inc., Agent. Request: to reconfigure the site plan and to add square footage

General Location: Approximately 700 feet south of the intersection of Military Trail and Westgate Avenue. (**Al Packer Ford**) (Control 1973-00098)

Pages 58 – 94  
 Conditions of Approval Pages (82 - 84)  
 Project Manager: David McGuire  
 Size: 9.18 acres +

BCC District: 7

Staff Recommendation: Staff recommends approval of the request subject to 6 Conditions of Approval as indicated in Exhibit C-2.

**MOTION**: To adopt a resolution approving two Type II Variances to allow a reduction of the Right of Way buffer width and to increase the maximum tree spacing subject to the Conditions of Approval as indicated in Exhibit C-1.

**People who spoke on this application:**

Mike Sanchez, agent – In agreement with Conditions of Approval.

Motion carried 7-0

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

**DECISION: APPROVED AS AMENDED**

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

Motion carried 7-0

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

**DECISION: APPROVED AS AMENDED**

**E. CORRECTIVE RESOLUTIONS**

**F. SUBDIVISION VARIANCE**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

- PDD-2012-01257** Title: an Official Zoning Map Amendment to a Planned Development District application of Jules Romfh, Elizabeth Romfh by Land Design South Inc., Atlantic Land Management, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District  
General Location: South of Lake Worth Road on the east side of Lyons Road (**Gulfstream PUD**) (Control 2008-00297)

Pages 1-40

Conditions of Approval Pages (20 - 23)

Project Manager: Carol Glasser

Size: 58.25 acres +

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 17 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application:**

Carol Glasser – gave a brief presentation

Bob Bentz, agent – gave a brief presentation

Florence Hessen – attorney representing Liehann Fisher, Laure Hristov, Ruben Graceida, Julia Shirley, Patrick Wilson, Mike Musto, and Onita Ruszczyk spoke in opposition; expressing concerns about potentially increased drainage issues; removal of the cypress hedge/wetland; need for a wider buffer with a berm adjacent to existing agricultural (equestrian) uses to the south; closing of access via 45th Street and alternative access points; complaints from new residents regarding livestock smell and noise; diminished property values; negative impact to commercial equestrian operations; possible harm to horses (lawn equipment noise, BB guns); proposed 2-story buildings; and, on-site workforce housing units.

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

Motion carried 7-1

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

**DECISION: APPROVED AS AMENDED**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS – NEW**

**END OF REGULAR AGENDA**

**DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

**C. EXECUTIVE DIRECTOR**

**COMMISSIONER COMMENTS**

**ADJOURNMENT 10:43 A.M.**