



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

THURSDAY FEBRUARY 4, 2016

9:00 A.M.

**Vista Center, Ken Rogers 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. Notice
- E. Proof of Publication
- F. Adoption of the Minutes
- G. Swearing In
- H. Disclosures

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

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

FEBRUARY 4, 2016

CALL TO ORDER

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

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Vista Center, Ken Rogers 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 takes final action regarding Class B Conditional Uses, Subdivision Variances, and Type II Variances and issues advisory recommendations on accepting, rejecting, or modifying the recommendations of staff regarding other requests. 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 9:30 A.M. on Thursday, February 25, 2016 to take final action on the applications listed below regarding Official Zoning Map Amendments (rezoning), Class A Conditional Uses, Requested Uses, Planned Developments, Development Order Amendments, Waiver Requests and Administrative Inquiries.

- D. Notice:

Zoning hearings are quasi-judicial in nature and must be conducted to afford all parties due process. The Board of County Commissioners has adopted Procedures for conduct of Quasi-Judicial Hearings to govern the conduct of such proceedings. The Procedures include the following requirements:

Any communication with commissioners, which occurs outside the public hearing, must be fully disclosed at the hearing.

Applicants and persons attending the hearing may question commissioners regarding their disclosures. Such questions shall be limited solely to the disclosures made at the hearing or the written communications made a part of the record at the hearing.

Any person representing a group or organization must provide documentation that the person representing the group has the actual authority to do so regarding the matter before the Commission.

Any person who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

The Applicant and County staff may cross-examine witnesses. Any other persons attending the hearing may submit cross-examination questions, including follow up questions, to the Chair, who will conduct the examination. The scope of cross-examination is limited to the facts alleged by the witness in relation to the application.

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.

- E. Proof of Publication - Motion to receive and file.
- F. Adoption of the Minutes
- G. Swearing In - County Attorney
- H. Disclosures

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

D. ZONING APPLICATIONS - NEW

1. [ZV/DOA-2015-02172](#) Title: a Type II Variance application of Manheim Remarketing Inc, JMC IV Real Estate Company by Urban Design Kilday Studios, Agent. Request: to eliminate terminal and interior islands, divider medians and interior trees and shrubs; and to allow parking spaces beyond the 600 feet of a public entrance of the building which it is intended to serve.

Title: a Development Order Amendment application of Manheim Remarketing Inc, JMC IV Real Estate Company by Urban Design Kilday Studios, Agent. Request: to reconfigure the Site Plan, reduce square footage; relocate access points; eliminate public access to Benoist Farms Road; modify/delete Conditions of Approval (Signs, Architectural Review, Engineering, Landscape, Site Design, and Utilities); and to restart the date of commencement of the development.

General Location: North of Southern Boulevard on the east side of Sansbury's Way. **(Manheim Auto Auction)** (Control 2005-00641)

Pages 1 - 52

Conditions of Approval Pages (13 - 21)

Project Manager: Joyce Lawrence

Size: 91.59 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request, subject to 8 Conditions of Approval as indicated in Exhibit C-1 and 34 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Type II Variance to eliminate terminal and interior islands, divider medians and interior trees and shrubs; and to allow parking spaces beyond the 600 feet of a public entrance of the building which it is intended to serve subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To recommend approval of a Development Order Amendment to reconfigure the Site Plan, reduce square footage; relocate access points; eliminate public access to Benoist Farms Road; modify/delete Conditions of Approval (Signs, Architectural Review, Engineering, Landscape, Site Design, and Utilities); and to restart the date of commencement of the development subject to the Conditions of Approval as indicated in Exhibit C-2.

2. [DOA/CB-2015-02154](#) Title: a Development Order Amendment application of Boynton Beach Community Church Inc by Wantman Group Inc., Agent. Request: to modify Conditions of Approval (Engineering).
Title: a Class B Conditional Use application of Boynton Beach Community Church Inc by Wantman Group Inc., Agent. Request: to allow a General Day Care.
General Location: Approximately 0.5 mile east of State Road 7 on the north side of Boynton Beach Boulevard. **(Boynton Beach Community Church)** (Control 2007-00010)

Pages 53 - 77

Conditions of Approval Pages (58 - 64)

Project Manager: Diego Penaloza

Size: 9.22 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 28 Conditions of Approval as indicated in Exhibit C-1 and 9 Conditions of Approval as indicated in Exhibit C-2.

MOTION: To recommend approval of a Development Order Amendment to modify Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class B Conditional Use to allow a General Day Care subject to the Conditions of Approval as indicated in Exhibit C-2.

E. CORRECTIVE RESOLUTIONS

F. SUBDIVISION VARIANCE

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORTS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

D. ZONING APPLICATIONS - NEW

3. [ZV/DOA/CA-2015-01038](#) Title: a Type II Variance application of Dolphin Stations LLC by Infinity Engineering Group LLC, Agent. Request: to allow extended hours of operation for a commercial use within 250-feet of a residential use; to allow an easement overlap in a right-of-way buffer.

Title: a Development Order Amendment application of Dolphin Stations LLC by Infinity Engineering Group LLC, Agent. Request: to reconfigure the Site Plan; add a Conditional Use; to reconfigure the Site Plan; add a Conditional Use; modify Conditions of Approval(Engineering and Landscaping, Health and Use Limitations).

Title: a Class A Conditional Use application of Dolphin Stations LLC by Infinity Engineering Group LLC, Agent. Request: to allow a Type I Restaurant with a drive-through.

General Location: Southwest corner of Haverhill Road and Wallis Road. **(APEC-Haverhill)**
(Control 2006-00522)

Pages 78 - 124

Conditions of Approval Pages (91 - 101)

Project Manager: Carrie Rechenmacher

Size: 2.20 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the Development Order Amendment subject to 23 Conditions of Approval as indicated in Exhibit C-2 and 12 Conditions of Approval as indicated in Exhibit C-3.

Staff recommends denial of the Type II Variance and denial of the Class A Conditional use for a Type I Restaurant with a drive-through.

MOTION: To adopt a resolution denying a Type II Variance to allow extended hours of operation for a commercial use within 250-feet of a residential use and to allow an easement overlap in a right-of-way buffer.

MOTION: To recommend approval of a Development Order Amendment to reconfigure Site Plan and to modify Conditions of Approval (Engineering and Landscaping, Health and Use Limitations) subject to 23 Conditions of Approval as indicated in Exhibit C-2; and 12 Conditions of Approval as indicated in Exhibit C-3.

MOTION: To recommend denial of a Class A Conditional Use to allow a Type I Restaurant with drive-through.

- 4. [ZV-2015-01919](#) Title: a Type II Variance application of Hypoluxo & I 95 Holdings LLC by Atlantic Land Management, Agent. Request: to allow a reduction in acreage, and lot depth.

General Location: Northeast corner of Hypoluxo Road and High Ridge Road. **(Hypoluxo Shoppes)** (Control 2008-00243)

Pages 125 - 156

Conditions of Approval Pages (130 - 130)

Project Manager: Joyce Lawrence

Size: 4.20 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request, subject to 7 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Type II Variance to allow a reduction in acreage, and lot depth subject to the Conditions of Approval as indicated in Exhibit C.

E. SUBDIVISION VARIANCE

F. OTHER ITEMS

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. COMMISSIONERS

ADJOURNMENT