



**PALM BEACH COUNTY ZONING COMMISSION**

**OCTOBER 4, 2018**  
**MINUTES**

**CALL TO ORDER**

A. Roll Call- 9:10 A.M

Commissioner Mark Beatty, Chair	Present
Commissioner Alex Brumfield III, Vice Chair	Absent
Commissioner Sam Caliendo	Absent
Commissioner Sheri Scarborough	Present
Commissioner Amir Kanel	Present
Commissioner John Kern	Present
Commissioner Marcelle Griffith Burk	Present
Commissioner Barbara Katz	Present
Commissioner Robert Currie	Present

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 Rd, West Palm Beach, 33411, 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 public hearings in the 6th Floor, Jane Thompson Memorial Chambers, 301 N Olive Ave, West Palm Beach, 33401, at 9:30 A.M. on Thursday, October 25, 2018 (Agenda Items 2-10 and 16), and Wednesday, October 31, 2018 (Agenda Items 11-15), 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

E. Proof of Publication

Motion to receive and file 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
	Second				Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

F. Adoption of the Minutes

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

G. Swearing In

County Attorney swearing in of new County Commissioners- Marcelle Griffith Burk and John Kern.

H. Disclosures

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
11, 12,13 & 16	No	7	8,11,12,13 & 16	Absent	8,11,12,13,14 & 15	Absent	7, 11,12,13 & 16	No

**POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**A. POSTPONEMENTS**

1. **Z/CA-2017-01996** Title: an Official Zoning Map Amendment application of Andrew Podray by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District and Multifamily Residential High Density (RH) Zoning District, to the Multifamily Residential (RM) Zoning District.

General Location: On the east side of Barwick Road, approximately 0.55 miles north of Lake Ida Road. **(Banyan Cove)** (Control 2014-00078)

Pages 1 - 1

Project Manager: Lorraine Fuster

Size: 6.68 acres ±

BCC District: 4

Staff Recommendation: Staff recommends a postponement to Thursday, February 7, 2019.

**MOTION:** To postpone to Thursday, February 7, 2019.

Motion Carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Postponed to February 7, 2019 by vote of 7-0-0.**

**B. REMANDS**

**C. WITHDRAWALS**

**END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA**

**CONSENT AGENDA**

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

**2. DOA-2018-00609- Acreage Community Park South Expansion**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**3. DOA-2018-01148- King Jesus Church**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**6. ABN/DOA-2018-00739 – Green Cay Village Senior Housing**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**A.1 MOVE FROM REGULAR AGENDA TO CONSENT**

**9. ZV-2018-01343 - Avalon Trails at Villages of Oriole PUD**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**10. PDD/DOA-2018-00389 - Monticello AGR-PUD**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**11. PDD/CA-2017-01626- Resort Lifestyles Communities**

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

**D. ZONING APPLICATIONS - NEW**

- 4. **ZV-2018-00835** Title: a Type 2 Variance application of SFD Lyons, LLC by WGINC, Agent. Request: to modify a Right of Way (R-O-W) Buffer to allow an increase of easement overlap; reduce medium shrubs; and, eliminate groundcover and large shrubs. General Location: Southeast corner of Atlantic Avenue and Lyons Road. **(Feurring Commercial MUPD)** (Control 2013-00213)

Pages 47 - 69

Conditions of Approval Pages (52 - 52)

Project Manager: Carolina Valera

Size: 4.90 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to 8 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Doug Murray, Agent – In agreement with conditions of approval.

**MOTION:** To adopt a resolution approving Type 2 Variances to modify a Right of Way (R-O-W) Buffer to allow an increase of easement overlap; reduce medium shrubs; and, eliminate groundcover and large shrubs subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from ZV-2018-00835 (Feurring Commercial MUP)

**Decision: Approved a Type 2 Variance (with conditions) by a vote of 6-0-1.**

- 5. **Z/CA-2018-00549** Title: an Official Zoning Map Amendment application of Claude Upthegrove, Lam Kim Van Tr by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

Title: a Class A Conditional Use application of Claude Upthegrove, Lam Kim Van Tr by Gentile Glas Holloway O'Mahoney & Assoc Inc., Agent. Request: to allow Zero Lot Line Home.

General Location: approximately 300 feet north of the intersection of Jog Road and Wallis road, on the East side of Jog Road. **(Symphony Place)** (Control 2013-00313)

Pages 70 - 88

Conditions of Approval Pages (77 - 79)

Project Manager: Diego Penalzoza

Size: 9.53 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the requests subject to 1

Condition of Approval as indicated in Exhibit C-1; and, 12 Conditions of Approval as indicated in Exhibit C-2.

**People who spoke on this application**

George Gentile, Agent– In agreement with conditions of approval.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow Zero Lot Line home subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Class A Conditional Use by a vote of 7-0-0.**

- 9. **ZV-2018-01343** Title: a Type II Variance application of 13FH Avalon LP by Urban Design Kilday Studios, Agent. Request: to allow an increase in building coverage for one-story Zero Lot Line units; and, to reduce the rear setback for Townhouse units.

General Location: North of Atlantic Avenue between Hagen Ranch Road and Jog Road.

**(Avalon Trails at Villages of Oriole PUD)** (Control 1981-00139)

Pages 213 - 235

Conditions of Approval Pages (219 - 219)

Project Manager: Meredith Leigh

Size: 448.13 acres ±

BCC District: 5

(affected area 107.55 acres ±)

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

**People who spoke on this application**

Ken Tuma, Agent- In agreement with conditions of approval.

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow an increase in building coverage for one-story Zero Lot Line units; and, to reduce the rear setback for Townhouse units subject to the Conditions of Approval as indicated in Exhibit C.

Motion Carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
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			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Approved a Type II Variance (with conditions) by a vote of 7-0-0.**

10. **PDD/DOA-2018-00389** Title: an Official Zoning Map Amendment application of Boynton Beach Associates Xxvi Lllp by G.L. Homes, Agent. Request: to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District.

Title: a Development Order Amendment application of Boynton Beach Associates Xxvi Lllp by G.L. Homes, Agent. Request: to add land area and reconfigure the Master Plan; to modify and delete Conditions of Approval (Engineering, ERM, Landscaping, Planned Development, Planning, PREM, School Board); and, to restart the commencement of development clock.

General Location: Southwest corner of Lyons Road and Flavor Pict Road. **(Monticello AGR-PUD)** (Control 2005-00014)

Pages 236 - 384

Conditions of Approval Pages (244 - 261)

Project Manager: Carrie Rechenmacher

Size: 658.41 acres ±

BCC District: 5,6

Staff Recommendation: Staff recommends approval of the requests to 1 Condition of Approval as indicated in Exhibit C-1; and 60 Conditions of Approval as indicated in Exhibit C-2.

**People who spoke on this application**

Kevin Ratterree, Agent- In agreement with conditions of approval as amended.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District subject to the Condition of Approval as indicated in Exhibit C-1.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to modify and delete Conditions of Approval (Engineering, ERM, Landscaping, Planned Development, Planning, PREM, School Board) to reconfigure the Master Plan; to add land area, and to restart the commencement of development clock subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.**

11. **PDD/CA-2017-01626** Title: an Official Zoning Map Amendment application of Eric Aanonsen by Dunay Miskel and Backman LLP, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Class A Conditional Use application of Eric Aanonsen by DunayMiskel and Backman LLP, Agent. Request: to allow a Type 3 Congregate Living Facility.

General Location: North side of Palomino Drive approximately 0.15 miles east of State Road 7. (Resort Lifestyle Communities) (Control 2017-00029)

Pages 385 - 418

Conditions of Approval Pages (393 - 395)

Project Manager: Carlos Torres

Size: 10.02 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 12 Conditions of Approval as indicated in Exhibit C-1; and, 6 Conditions of Approval as indicated in Exhibit C-2.

**People who spoke on this application**

Ele Zachariades, Agent- In agreement with conditions of approval.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion Carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 3 Congregate Living Facility subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion Carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Class A Conditional Use by a vote of 7-0-0.**



6. **CORRECTIVE RESOLUTIONS**

7. **ABANDONMENTS**

**END OF CONSENT AGENDA**

**REGULAR AGENDA**

**A. ITEMS PULLED FROM CONSENT**

2. **DOA-2018-00609** Title: a Development Order Amendment application of Indian Trails Improvement District, Palm Beach County by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan and modify Conditions of Approval (Engineering).  
General Location: West side of 140th Avenue North, approximately 0.4 miles south of Orange Boulevard. **(Acreage Community Park South Expansion)** (Control 2002-00019)

Pages 2 - 18

Conditions of Approval Pages (7 - 9)

Project Manager: Meredith Leigh

Size: 27.76 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 14 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Daniel Sorrow, Agent and staff provided a brief presentation. Agent is in agreement with conditions of approval. One comment card submitted in support to the request.

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan and modify Conditions of Approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.**

3. **DOA-2018-01148** Title: a Development Order Amendment application of King Jesus Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to modify the Master Plan to re-designate a Recreational Pod to Civic Pod.  
General Location: East side of Camino Del Mar, approximately 980 feet north of SW 18th Street. **( King Jesus Church)** (Control 1984-00152)

Pages 19 - 46

Conditions of Approval Pages (25 - 33)

Project Manager: Carolina Valera

Size: 1,945.96 acres ±

BCC District: 4

(affected area 1.25 acres ±)

Staff Recommendation: Staff recommends approval of the request, subject to 50 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Lauren McClellan, Agent- Provided a brief presentation and is agreement with conditions of approval. Stanley Fishbein, from the public spoke in opposition to the request with 2 cards submitted.

**MOTION:** To recommend approval of a Development Order Amendment to modify the Master Plan to re-designate a Recreational Pod to Civic Pod subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from DOA-2018-01148 (King Jesus Church)

**Decision: Recommended Approval of a Development Order Amendment by a vote of 6-0-1.**

6. **ABN/DOA-2018-00739** Title: a Development Order Abandonment application of Theodore Winsberg, Gertrude Winsberg, BRP Senior Housing, LLC by Miller Land Planning, Agent Request: to abandon the Requested Uses for a General Day Care; Medical Office; and, a Type II Restaurant

Title: a Development Order Amendment application of Theodore Winsberg, Gertrude Winsberg, BRP Senior Housing, LLC by Miller Land Planning, Agent. Request: to reconfigure the Site Plan; add residents/beds; and, modify Conditions of Approval (All Petitions, Use Limitations, Architectural Review, Landscape-General, Engineering).

General Location: Northwest corner of Jog Road and Flavor Pict Road. **(Green Cay Village Senior Housing)** (Control 1997-00096)

Pages 89 - 120

Conditions of Approval Pages (95 - 99)

Project Manager: Diego Penaloza

Size: 14.99 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 29 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Stephen Oseroff, from the public spoke in support. Bradley Miller, Agent is in agreement with conditions of approval.

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Requested Use to allow a General Daycare; Medical Office; and, a Type II Restaurant.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order Abandonment by a vote of 7-0-0.**

**MOTION:** To recommend approval of a Development Order Amendment to reconfigure the Site Plan; add residents/beds; and, modify Conditions of Approval (All Petitions, Use Limitations, Architectural Review, Landscape-General, Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order Amendment by a vote of 7-0-0.**

**B. STATUS REPORTS**

**C. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

7. **DOA-2018-00800** Title: a Development Order Amendment application of Childrens Place at Home Safe Inc. by Urban Design Kilday Studios, Agent. Request: to modify Conditions of Approval (Property and Real Estate Management, Planned Unit Development).

General Location: On the east and west sides of Lyons Road, approximately 0.75 miles south of Southern Boulevard. **(Agradex/Lyons Road PUD)** (Control 2002-00052)

Pages 121 - 149

Conditions of Approval Pages (127 - 136)

Project Manager: Lorraine Fuster

Size: 157.55 acres ±

BCC District: 2

(affected area 3.18 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 59 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Marty Perry and Joni Brinkman, Agents- Provided a brief presentation. Staff also provided a brief presentation. Email correspondence between agent and HOA submitted into the record. HOA representative submitted copies of exhibits along with over 675 petitions filed by neighbors expressing their concern and opposition of the application. Many members of the public spoke in opposition, with 58 comment cards submitted in opposition and 3 comment cards submitted in support.

**MOTION:** To recommend approval of a Development Order Amendment to modify Conditions of Approval (Property and Real Estate Management, Planned Unit Development) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	No	Yes

**Decision: Recommended Approval of a Development Order Amendment by a vote of 6-1-0.**

8. **ABN/ZV/Z/CA-2017-02003** Title: a Development Order Abandonment application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent . Request: to abandon a Special Exception to allow the expansion of an existing Private Club, Sewage Treatment Plant and On-Site Water Treatment Facility.

Title: a Type 2 Variance application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow for an increase in easement overlap within a Compatibility Buffer; to modify a Right-of-Way (R-O-W) Buffer, to include: width reduction, to eliminate small and medium shrubs, to eliminate trees; eliminate or reduce minimum wall or fence setback, and eliminate or reduce 75 percent planting on the exterior side of a fence or wall; to allow for Drive Aisle width reduction; and, to eliminate a Divider Median within the parking area.

Title: an Official Zoning Map Amendment application of American German Club Inc. by

JMorton Planning & Landscape Architecture, Agent. Request: to allow a rezoning from the Agriculture Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) the Zoning District.

Title: a Class A Conditional Use application of American German Club Inc. by JMorton Planning & Landscape Architecture, Agent. Request: to allow an Assembly Membership Nonprofit.

General Location: Northeast corner of Lantana Road and Myers Road, approximately 870 feet west of Haverhill Road. **(American German Club)** (Control 1981-00148)

Pages 150 - 212

Conditions of Approval Pages (164 - 169)

Project Manager: Carlos Torres

Size: 10.27 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 8 Conditions of Approval as indicated in Exhibit C-1; 1 Condition of Approval as indicated in Exhibit C-2; and, 18 Conditions of Approval as indicated Exhibit C-3.

**People who spoke on this application**

Jennifer Morton, Agent and staff provided a brief presentation. Dagmar Brahs, from the public spoke in support. One comment submitted in support and 1 in opposition.

**MOTION:** To recommend a Development Order Abandonment to abandon a Special Exception to allow the expansion of an existing Private Club, Sewage Treatment Plant, and On-Site Water Treatment Facility.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from ABN-ZV-Z/CA-2017-02003 (American German Club)

**Decision: Recommended Approval of a Development Order Abandonment by a vote of 6-0-1.**

**MOTION:** To adopt a resolution approving a Type 2 Variance to allow for an increase in easement overlap within a Compatibility Buffer; to modify a Right-of-Way (R-O-W) Buffer, to include: width reduction, to eliminate small and medium shrubs, to eliminate trees; eliminate or reduce minimum wall or fence setback, and eliminate or reduce 75 percent planting on the exterior side of a fence or wall; to allow for Drive Aisle width reduction; and, to eliminate a Divider Median within the parking area subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from ABN-ZV-Z/CA-2017-02003 (American German Club)

**Decision: Approved a Type 2 Variance (with conditions) by a vote of 6-0-1.**

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Institutional and Public Facilities (IPF) Zoning District subject to the Condition of Approval as indicated in Exhibit C-2.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from ABN-ZV-Z/CA-2017-02003 (American German Club)

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-1.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow an Assembly Membership Nonprofit subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved		*Recused	
Yes	Yes	Yes	Yes	Absent	Yes	Absent	N/A	Yes

\*Commission Chair Mark Beatty Recused himself from ABN-ZV-Z/CA-2017-02003 (American German Club)

**Decision: Recommended Approval of a Class A Conditional Use by a vote of 6-0-1.**

**ZONING APPLICATIONS – NEW**

- 12. **PDD/CA-2018-00146** Title: an Official Zoning Map Amendment application of State of Florida DOT, TLH-82 DOT, LLC by Evans Land Consulting, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District.

General Location: Southwest corner of Florida's Turnpike and Lake Worth Road. (**Lake Worth Royale**) (Control 2017-00194)

Pages 419 - 441

Conditions of Approval Pages (426 - 429)

Project Manager: Carlos Torres

Size: 30.35 acres ±

BCC District: 6

(affected area 27.35 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 24 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Brian Terry, Agent and staff provided a brief presentation. Members of the public spoke, with 3 comment cards submitted in opposition.

**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.

Motion carried 4-3

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	No	No	Absent	Yes	Absent	Yes	No

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 4-3-0.**

13. **Z/CA-2018-00148** Title: an Official Zoning Map Amendment application of TLH-82 DOT LLC, Florida State Of DOT by Evans Landing Consulting, Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Commercial General (CG) Zoning District.

Title: a Class A Conditional Use application of TLH-82 DOT LLC, Florida State Of DOT by Evans Landing Consulting, Agent. Request: to allow a Type 1 Restaurant with a Drive-thru, and a Day Care General.

General Location: Southwest corner of Florida's Turnpike and Lake Worth Road. **(Allie Polo Estates)** (Control 2017-00194)

Pages 442 - 468

Conditions of Approval Pages (452 - 456)

Project Manager: Carlos Torres

Size: 30.35 acres ±

BCC District: 6

(affected area 3.00 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject a Conditional Overlay Zone (COZ) and 5 Conditions of Approval as indicated in Exhibit C-1; 14 Conditions of Approval as indicated in Exhibit C-2; and, 14 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application**

Brian Terry, Agent and staff provided a brief presentation. Members of the public spoke, with 3 comment cards submitted in opposition.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Commercial General (CG) Zoning District with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 4-3

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	No	No	Absent	Yes	Absent	Yes	No

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 4-3-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Type 1 Restaurant with a Drive-thru subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 4-3

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	No	No	Absent	Yes	Absent	Yes	No

**Decision: Recommended Approval of a Class A Conditional Use by a vote of 4-3-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a General Day Care subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 4-3

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	No	No	Absent	Yes	Absent	Yes	No

**Decision: Recommended Approval of a Class A Conditional Use by a vote of 4-3-0.**

14. **ABN/ZV/PDD/W-2018-00775** Title: a Development Order Abandonment application of G.L. Acquisitions Corporation, City of Boca Raton by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Agent. Request: to abandon a Special Exception (SE) to allow a Public Golf Course and Recreation Facilities and to abandon a SE to amend the Site Plan for a Public Golf Course and Recreation Facilities, to include a Commercial Radio, Television, Microwave, Transmission and Relay Station, and Tower.

Title: a Type 2 Variance application of G.L. Acquisitions Corporation, City of Boca Raton by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Agent. Request: to modify a Compatibility Buffer to allow width reduction, and reduce number of trees and medium shrubs.

Title: an Official Zoning Map Amendment application of G.L. Acquisitions Corporation, City of Boca Raton by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District.

Title: a Type II Waiver application of G.L. Acquisitions Corporation, City of Boca Raton by G.L. Acquisitions Corporation, Urban Design Kilday Studios, Agent. Request: to allow a reduction of the required frontage.

General Location: North of Golf Course Road approximatel 1,220 feet north of Glades Road, and on the west side of Florida's Turnpike. **(Boca Raton Golf Course)** (Control 1981-00019)

Pages 469 - 504

Conditions of Approval Pages (477 - 484)

Project Manager: Carlos Torres

Size: 196.06 acres ±

BCC District: 5

(affected area 192.79 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 7 Conditions of Approval as indicated in Exhibit C-1; 26 Conditions of Approval as indicted in Exhibit C-2; and, 4 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application**

Collen Walter, Agent and staff provided a brief presentation. Agent is in agreement to conditions of approval. Opposition letter from Norman Silverstein entered into the record. Members of the public spoke with 6 comment cards submitted in opposition.

**MOTION:** To recommend approval of a Development Order Abandonment to abandon a Special Exception (SE) to allow a Public Golf Course and Recreation Facilities and to abandon a SE to amend the Site Plan for a Public Golf Course and Recreation Facilities previously approved under Zoning Petition 1982-19 to include a Commercial Radio, Television, Microwave, Transmission and Relay Station, and Tower.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order 7-0-0**



Abandonment by a vote of 7-0-0.

**MOTION:** To adopt a resolution approving a Type 2 Variance to modify a Compatibility Buffer to allow width reduction, and reduce number of trees and medium shrubs subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Approved a Type 2 Variance (with conditions) by a vote of 7-0-0.**

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Planned Unit Development (PUD) Zoning District subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-1

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	No	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-1-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to allow a reduction of the required frontage subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of a Type II Waiver by a vote of 7-0-0.**

- ABN/Z/CA/W-2018-00930** Title: a Development Order Abandonment application of City of Boca Raton by Miller Land Planning, Agent. Request: to abandon a Special Exception to include a commercial radio, television, microwave, transmission and relay stations and tower.

Title: an Official Zoning Map Amendment application of City of Boca Raton by Miller Land Planning, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District.

Title: a Class A Conditional Use application of City of Boca Raton by Miller Land Planning, Agent. Request: to allow a Self Support/Lattice Tower.

Title: a Type 2 Waiver application of City of Boca Raton by Miller Land Planning, Agent. Request: to allow a reduction of the required setback.

General Location: Approximately 2,200 feet north of Glades Road on west side of Florida's Turnpike. (**Boca Raton Cell Tower**) (Control 1981-00019)

Pages 505 - 543

Conditions of Approval Pages (513 - 515)

Project Manager: Carlos Torres

Size: 196.06 acres ±

(affected area 3.27 acres ±)

BCC District: 5

Staff Recommendation: Staff recommends approval of the requests subject to a Conditional Overlay Zone and 5 Conditions of Approval as indicated in Exhibit C-1; 5 Conditions of Approval as indicated in Exhibit C-2; and, 4 Conditions of Approval as indicated in Exhibit C-3.

**People who spoke on this application**

Bradley Miller, Agent provided a brief presentation. Agent is in agreement to conditions of approval.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District, with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C-1.

Motion carried 6-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second			Moved					
Yes	Yes	Yes	Yes	Absent	Absent	Absent	Yes	Yes

**Decision: Recommended Approval of a Development Order Abandonment by a vote of 6-0-0.**

**MOTION:** To recommend approval of a Class A Conditional Use to allow a Self Support/Lattice Tower subject to the Conditions of Approval as indicated in Exhibit C-2.

Motion carried 6-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second			Moved					
Yes	Yes	Yes	Yes	Absent	Absent	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 6-0-0.**

**MOTION:** To recommend approval of a Type 2 Waiver to allow a reduction of the required setback subject to the Conditions of Approval as indicated in Exhibit C-3.

Motion carried 6-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
Second			Moved					
Yes	Yes	Yes	Yes	Absent	Absent	Absent	Yes	Yes

**Decision: Recommended Approval of a Type 2 Waiver by a vote of 6-0-0.**

- 16. **Z-2018-00613** Title: an Official Zoning Map Amendment application of Place Of Hope Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District.

General Location: Southeast corner of Northlake Boulevard and North Elizabeth Avenue .  
**(Place of Hope Commercial West)** (Control 2018-00030)

Pages 544 - 559  
 Conditions of Approval Pages (550 - 552)  
 Project Manager: Carrie Rechenmacher

Size: 1.07 acres ±

Staff Recommendation: Staff recommends approval of the request subject to a Conditional Overlay Zone and 16 Conditions of Approval as indicated in Exhibit C.

**People who spoke on this application**

Don Hearing, Agent provided a brief presentation. Agent is in agreement to Conditions of Approval as amended.

**MOTION:** To recommend approval of an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to the Commercial Low Office (CLO) Zoning District, with a Conditional Overlay Zone (COZ) subject to the Conditions of Approval as indicated in Exhibit C.

Motion carried 7-0

Kanel	Kern	Burk	Katz	Caliendo	Scarborough	Brumfield	Beatty	Currie
			Second		Moved			
Yes	Yes	Yes	Yes	Absent	Yes	Absent	Yes	Yes

**Decision: Recommended Approval of an Official Zoning Map Amendment by a vote of 7-0-0.**

**D. SUBDIVISION VARIANCE**

**E. OTHER ITEMS**

**END OF REGULAR AGENDA**

**COMMENTS**

**A. COUNTY ATTORNEY**

**B. ZONING DIRECTOR**

17. Title: 2019 Zoning Commission Hearing dates.

Pages: Under Separate Cover.

18. Title: Commissioner Snider has resigned.

19. Title: Reappointment for February 2019.

-Amir Kanel - 02/05/2019

-Barbara Katz - 02/05/2019

-Alexander Brumfield - 02/05/2019

**C. PLANNING DIRECTOR**

**D. EXECUTIVE DIRECTOR**

**E. COMMISSIONERS**

**ADJOURNMENT 2:57 P.M.**



**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, MARK STEVEN BEATTY, hereby disclose that on OCTOBER 04, 20 18 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of THE WANTMAN GROUP INC., which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

THE WANTMAN GROUP INC. PURCHASED THE STRUCTURAL ENGINEERING FIRM OF BRIDGE DESIGN. MY FIRM, ARCHITECTURE GREEN LLC. HAD PROFESSIONAL SERVICE CONTRACTS WITH BRIDGE DESIGN. THESE CONTRACTS HAVE BEEN TRANSFERED TO THE WANTMAN GROUP INC.

Agenda OCTOBER 04, 2018

Item #4 ZV-2018-00835

OCTOBER 04 / 04 / 2018  
Date Filed

[Handwritten Signature]  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.





**APPOINTED OFFICERS (continued)**

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
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**DISCLOSURE OF LOCAL OFFICER'S INTEREST**

I, MARK STEVEN BEATTY, hereby disclose that on OCTOBER 04, 20 18;

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, \_\_\_\_\_;
- inured to the special gain or loss of my relative, \_\_\_\_\_;
- inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or
- inured to the special gain or loss of THE WANTMAN GROUP INC., which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

THE WANTMAN GROUP INC. PURCHASED THE STRUCTURAL ENGINEERING FIRM OF BRIDGE DESIGN. MY FIRM, ARCHITECTURE GREEN LLC. HAD PROFESSIONAL SERVICE CONTRACTS WITH BRIDGE DESIGN. THESE CONTRACTS HAVE BEEN TRANSFERED TO THE WANTMAN GROUP INC.

Agenda OCTOBER 04, 2018

Item #4 ZV-2018-00835

OCTOBER 04 / 2018  
Date Filed

[Signature]  
Signature

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