



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

**AMENDMENTS TO THE AGENDA
MAY 23, 2013**

**AGENDA ITEM #
(PAGE #)**

APPLICATION/CHANGE

POSTPONEMENTS/REMANDS/WITHDRAWALS

CONSENT AGENDA

REGULAR AGENDA

AMENDMENTS AND ADDITIONS

- | | | | |
|----|-----------|--|--------------------------|
| 9. | (156-190) | SV/ABN/Z/CA-2012-03116
(Control 1975-00168) | Els Center of Excellence |
|----|-----------|--|--------------------------|

AMEND ALL PETITIONS Conditiona 1 to read as follows:

1. The Preliminary Site Plan is dated February 20, 2012~~2~~3

DELETE LANDSCAPE - GENERAL Condition 2 and re-number accordingly.

ADD USE LIMITATION Condition 2 to read as follows:

2. The Property Owner shall provide opportunities for the residents of the Limestone Creek Community and the West Jupiter Tutorial Center to utilize the public areas of the Charter School including but not limited to the gymnasium, cafeteria and the recreation amenities. (ONGOING: CODE ENF - Zoning)



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY MAY 23, 2013

9:30 A.M. 6TH FLOOR

JANE M. THOMPSON MEMORIAL CHAMBERS

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

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
BOARD OF COUNTY COMMISSIONERS**

MAY 23, 2013

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In - County Attorney
- E. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **ABN/Z/CA-2012-03377** Title: a Development Order Abandonment application of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to abandon the Class B Conditional Use for a Veterinary clinic approved via Resolution ZR-2006-003 and R-2006-1547

Title: an Official Zoning Map Amendment of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a rezoning from the Commercial High Office (CHO) Zoning District to the Community Commercial (CC) Zoning District

Title: a Class A Conditional Use of Barkley International Inc. - Jay Wallshein by Miller Land Planning, Agent. Request: to allow a Car Wash

General Location: Approximately 1,000 feet west of Military Trail on the south side of Hypoluxo Road (**Barkley Place**) (Control 2003-00040)

Pages: 1 - 1

Project Manager: David McGuire

Size: 3.04 acres ±

BCC District: 3

Staff Recommendation: Staff recommends a postponement to June 24, 2013.

MOTION: To postpone to June 24, 2013.

2. **DOA/R-2012-01264** Title: a Development Order Amendment application of Rreef America Reit li Corp J by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan, modify Conditions of Approval (Parking) and add square footage

General Location: Southeast corner of Glades Road and SR 7 (**Festival Shoppes of Boca PCD**) (Control 1990-00024)

Pages: 2 - 2

Project Manager: David McGuire

Size: 36.96 acres ±

BCC District: 5

(affected area 2.63 acres ±)

Staff Recommendation: Staff recommends a postponment to June 24, 2013.

MOTION: To postpone to June 24, 2013.

3. **ZV/DOA-2012-03106** Title: a Type II Variance application of G & I VII Polo Club Llc by Land Design South Inc., Agent. Request: to allow an utility easement encroachment of a right-of-way buffer, to reduce the width and the number of shrubs, to eliminate the wall and to allow a 100% utility easement overlap of a type III incompatibility buffer and parking

Title: a Development Order Amendment of G & I VII Polo Club Llc by Land Design South Inc., Agent. Request: to reconfigure the site plan, add new uses and add square footage

General Location: Southwest corner of Military Trail and Champion Boulevard (**Polo Club Shoppes**) (Control 1986-00090)

Pages: 3 - 3

Project Manager: David McGuire

Size: 13.64 acres ±

BCC District: 5

(affected area 1.83 acres ±)

Staff Recommendation: Staff recommends a postponment to June 24, 2013.

MOTION: To postpone to June 24, 2013

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 4. [ABN/CA-2012-02097](#) Title: a Development Order Abandonment application of Bedner Farm Inc - Charles Bedner by Land Design South Inc., Agent. Request: to abandon a Class A Conditional Use for a Produce Stand approved via Resolution R-2008-917

Title: a Class A Conditional Use of Bedner Farm Inc - Charles Bedner by Land Design South Inc., Agent. Request: to allow an Agriculture Marketplace

General Location: Southwest corner of Lee Road and SR 7/US 441 (**Bedner Oaks**) (Control 2007-00357)

Pages: 4 - 23

Conditions of Approval (10 - 11)

Project Manager: Joyce Lawrence

Size: 81.88 acres ±

BCC District: 5

(affected area 7.00 acres ±)

Staff Recommendation: Staff recommends approval of the requests subject to 10 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon Resolution R-2008-917.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Agriculture Marketplace subject to Conditions of Approval as indicated in Exhibit C.

- 5. **DOA/CA-2012-03113** Title: a Development Order Amendment application of Wellington Preparatory School, LLC by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure the Site Plan, add square footage, add a new use, and modify Conditions of Approval (Building and Site Design, Daycare, Use Limitation)

Title: a Class A Conditional Use of Wellington Preparatory School, LLC by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a School, Elementary or Secondary

General Location: North side of Lake Worth Road west of Lyons Road (**Wellington Preparatory School**) (Control 1998-00012)

Pages: 24 - 49

Conditions of Approval (30 - 36)

Project Manager: Carol Glasser

Size: 3.19 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the requests subject to 41 Conditions of Approval as indicated in Exhibit C-1 and 4 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan, add square footage, add a new use, and modify Conditions of Approval (Building and Site Design, Daycare, Use Limitation) subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a School, Elementary or Secondary subject to the Conditions of Approval as indicated in Exhibit C-2.

E. ZONING APPLICATIONS - NEW

- 6. **DOA-2013-00152** Title: a Development Order Amendment application of Rab Group Jupiter Llc, Calvary Chapel Of Jupiter Inc by Cotleur & Hearing Inc., Agent. Request: to reconfigure the Site Plan to expand a Place of Worship into a former Medical Office

General Location: Southwest corner of Jupiter Farms Road and Indiantown Road (**Jupiter Farms Shopping Center**) (Control 1992-00017)

Pages: 50 - 89

Conditions of Approval (55 - 72)

Project Manager: David McGuire

Size: 37.89 acres ±

BCC District: 1

(affected area 0.89 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 106 Conditions of Approval as indicated in Exhibit C-1.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan and expand a Place of Worship into and existing approved building subject to the Conditions of Approval as indicated in Exhibit C.

7. **ZV/DOA/CA-2012-03115** Title: a Development Order Amendment application of 6201 Plaza II Llc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to reconfigure site plan, add a Conditional Use and modify a Condition of Approval (Signage)

Title: a Class A Conditional Use of 6201 Plaza II Llc by Dunay Miskel Backman and Blattner LLP, Agent. Request: to allow a Type I Restaurant

General Location: Approximately 0.18 mile south of Lantana Road on the west side of Jog Road (**Lantana Square Plaza Two**) (Control 2002-00034)

Pages: 90 - 116

Conditions of Approval (96 - 101)

Project Manager: Carrie Rechenmacher

Size: 2.41 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, add a Conditional Use and modify Conditions of Approval (Signage) subject to Conditions of Approval as indicated in Exhibit C-3.

MOTION: To adopt a resolution approving a Class A Conditional Use for a Type I Restaurant.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

8. [ZV/DOA/R-2012-00979](#) Title: a Development Order Amendment application of SE Petro One LLC by Core States Group, Agent. Request: to reconfigure the Site Plan; add square footage and pumps; and, modify Condition of Approval (Site Design)

Title: a Requested Use Request of SE Petro One LLC by Core States Group, Agent. Request: to allow a Convenience Store with Gas Sales

General Location: South side of Glades Road east of Florida's Turnpike (**Arvida Parkway Center**) (Control 1980-00161)

Pages: 117 - 155

Conditions of Approval (127 - 133)

Project Manager: Carol Glasser

Size: 23.84 acres \pm

BCC District: 5

(affected area 1.46 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends denial of both requests.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution denying a Development Order Amendment to reconfigure the Site Plan; add square footage and pumps; and, modify Condition of Approval (Site Design).

MOTION: To adopt a resolution denying a Requested Use to allow a Convenience Store with Gas Sales.

9. **SV/ABN/Z/CA-2012-03116** Title: a Development Order Abandonment application of Glenn Mestellar, Cheryl Justus by Cotleur & Hearing Inc., Agent. Request: to abandon the Special Exception for an Interim Sewage Treatment Plant approved via Resolution R-1975-957

Title: an Official Zoning Map Amendment of Glenn Mestellar, Cheryl Justus by Cotleur & Hearing Inc., Agent. Request: to allow a Rezoning from the Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District

Title: a Class A Conditional Use of Glenn Mestellar, Cheryl Justus by Cotleur & Hearing Inc., Agent. Request: to allow an Elementary or Secondary School (Charter)

General Location: Approximately 0.3 mile north of Church Road on the east side of Limestone Creek Road (**Els Center of Excellence**) (Control 1975-00168)

Pages: 156 - 190

Conditions of Approval (163 - 165)

Project Manager: Joyce Lawrence

Size: 25.83 acres ±

BCC District: 1

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 18 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Abandonment to abandon the Special Exception for an Interim Sewage Treatment Plant approved via Resolution R-1975-957.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Elementary or Secondary School (Charter) subject to the Conditions of Approval as indicated in Exhibit C-3.

I. ZONING APPLICATIONS - NEW

10. **DOA/R-2012-01578** Title: a Development Order Amendment application of Loxahatchee Venture 34, LLC by Land Design South Inc., Agent. Request: to reconfigure the Site Plan

Title: a Requested Use of Loxahatchee Venture 34, LLC by Land Design South Inc., Agent. Request: to allow a Type I Restaurant

General Location: Southeast corner of Seminole Pratt Whitney Road and Orange Boulevard (**Seminole Orange Plaza**) (Control 2006-00012)

Pages: 191 - 250

Conditions of Approval (197 - 204)

Project Manager: Carol Glasser

Size: 9.87 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the requests subject to 34 Conditions of Approval as indicated in Exhibit C-1 and 5 Conditions of Approval as indicated in Exhibit C-2

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Site Plan subject to the Conditions of Approval as indicated in Exhibit C-1.

MOTION: To adopt a resolution approving a Requested Use to allow a Type I Restaurant subject to the Conditions of Approval as indicated in Exhibit C-2.

J. ULDC AMENDMENTS

11. **Phase I Privately Initiated Amendment** (PIA), PIA2013-005. Recreational Vehicle Park Development (RVPD) Detached Accessory Structures.

Title: A Phase I Privately Initiated Amendment application of L.A. Vander Putten by Urban Design Kilday Studios, Agent. Request: to allow for detached accessory structures, a maximum of 200 square feet in size, on individual Recreational Vehicle Park Development (RVPD) lots.

Staff Recommendation: Staff recommends initiating a Phase II PIA for a ULDC Amendment to allow for detached accessory structures on individual RVPD lots, to be included in ULDC Amendment Round 2013-02.

Project Manager: William Cross, AICP, Principal Site Planner.

Countywide

Pages: 251 - 254

MOTION:

The BCC can chose one of the following:

1) To deny the initiation of a Phase II PIA for a ULDC Amendment to allow for detached accessory structures on individual RVPD lots;

OR

2) To approve the initiation of a Phase II PIA for a ULDC Amendment to allow for detached accessory structures on individual RVPD lots, to be included in ULDC Amendment Round 2013-02 for adoption in January 2014;

OR

3) To approve the initiation of a Phase II PIA for a ULDC Amendment to allow for detached accessory structures on individual RVPD lots, to be processed as a separate Ordinance, schedule for adoption in the Fall 2013.

12. REQUEST FOR PERMISSION TO ADVERTISE

UNIFIED LAND DEVELOPMENT CODE (ULDC) AMENDMENT

[Phase II Privately Initiated Amendment](#) (PIA 2012-003): Electrified Fences.

Title: A Phase II Privately Initiated Amendment application of Electric Guard Dog by Jon C. Schmidt and Associates, Inc., Agent. Request: To amend standards for fences and walls, emphasis on prohibitions of dangerous materials and, to allow for the use of electrified fences for specific uses, to allow for a two foot increase in maximum fence height permitted, providing for safety fencing and warning signage.

Staff Recommendation: Staff recommends a motion to approve on preliminary reading and advertise for Adoption on June 24, 2013.

Pages: 255 - 261

MOTION: To approve on preliminary reading and advertise for Adoption Hearing on June 24, 2013: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, TO ESTABLISH STANDARDS TO ALLOW FOR THE USE OF ELECTRIFIED FENCES FOR SPECIFIED USES, BY AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B, ACCESSORY AND TEMPORARY USES; ARTICLE 7- LANDSCAPING; CHAPTER F, PERIMETER BUFFER LANDSCAPE REQUIREMENTS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

Project Manager: William Cross, AICP, Principal Site Planner.

Countywide

K. COMPREHENSIVE PLAN TEXT AMENDMENTS**L. OTHER ITEMS**

COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

D. EXECUTIVE DIRECTOR

E. DEPUTY COUNTY ADMINISTRATOR

F. COMMISSIONERS

ADJOURNMENT