



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AGENDA INDEX**

July 22, 1999

**THURSDAY
9:30 AM**

**COMMISSION
CHAMBERS**

1. CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Remarks of the Chair
- D. Proof of Publication
- E. Swearing In
- F. Motion to Adopt Agenda
- G. Disclosure

2. POSTPONEMENTS AND WITHDRAWALS (Pages 2-3)

3. CONSENT AGENDA (Pages 4-7)

- " Staff
- " Board
- " Public

4. REGULAR AGENDA (Pages 8-9)

5. DIRECTOR COMMENTS (Page 9)

6. COMMISSIONER COMMENTS (Page 9)

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AGENDA

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, JULY 22, 1999

1. CALL TO ORDER.

- A. Roll Call - **9:30 AM**.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Board of County Commissioners has convened to consider the following applications for Future Land Use Map Amendments, Official Zoning Map Amendments, Conditional Uses, Planned Developments, Development Order Amendments, Waiver Requests, Status Reports for Compliance with Time Limitations and Conditions of Approval, and the recommendations of the Land Use Advisory Board and Zoning Commission pursuant to Chapter 163, Florida Statutes; Chapter 125, Florida Statutes; the Palm Beach County Comprehensive Plan; the Palm Beach County Unified Land Development Code; and other authority vested in the Board. This meeting is being held on July 22, 1999, at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication.
- E. Swearing In.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

1. DOA

80-212(H) Development Order Amendment (DOA) petition of Pipers Glen Limited Partnership, by Joe Lelonek, Agent. Request: Modify/delete Conditions in Resolution R-88-1213 and permit a single tenant user in excess of 10,000 square feet (requested use). General Location: NE corner of Pipers Glen Blvd. and Jog Rd. (**PIPERS GLEN COMMERCIAL**).

Page N/A

Size: 5.14 acres ±

BCC District: 5

MOTION: To postpone to August 26, 1999. [Postponement requested by Staff]

2. **DOA 89-041(C)** Development Order Amendment (DOA) petition of St. Patrick Catholic Church, by Kevin McGinley, Agent. Request: Modify/delete conditions in Resolution R-97-2075. General Location: Approx. 0.5 mile south of Donald Ross Rd. on west side of Prosperity Farms Rd. (**ST. PATRICK CHURCH**).

Page 1

Size: 10.96 acres ±

BCC District: 1

MOTION: To postpone to August 26, 1999. [Requested by petitioner within five days]

3. **Z/CA 99-033** Official Zoning Map Amendment (Z) and Class A Conditional Use (CA) petition of Poupore Limited Family Partnership, by Joe Lelonek, Agent. Request: Rezoning from Agricultural Residential (AR) to Residential Transitional Suburban (RTS). Request: Daycare, general. General Location: SW corner Lantana Rd. and Hagen Ranch Rd. (**KIDSTOWN LEARNING CENTER**).

Page 2

Size: 2.09 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Denial (6-0).

MOTION: To postpone to August 26, 1999. [Requested by petitioner within five days]

4. **SR 89-125.6** Status Report for Resolutions R-90-831 and R-90-832 (Petition 89-125). Property owner: Good Shepherd United Methodist Church, Inc. Location: west side of Military Trail, approximately 0.2 of a mile south of Purdy Lane. Current zoning: CG-General Commercial with a Special Exception to permit an auto service station (tire store).

Pages 3-6

Size: 1.0 acre

BCC District:2

Original Petitioner: First Federal Savings and Loan Association of Delray Beach

MOTION: To postpone to March 23, 2000.

5. **CR 79-161C/C1.6** Status Report for Resolution R-97-967 (Petition 79-161C). Property owner: New Pine Glen Ltd. and thirty-one additional owners as provided in the status report. Location: southwest corner of the intersection of Forest Hill Blvd. and Haverhill Rd. Current zoning: RM-Multiple Family Residential (Medium Density) with a Special Exception for a Planned Unit Development (Abbey Park PUD).

Pages 7-12

Size: 23.9 acres

BCC District:2

Original Petitioner: Coronet Development Corp.

MOTION: To postpone to August 26, 1999.

MOTION: To approve all postponements to dates indicated.

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. WARRANT LIST - Administrative matter not subject to public comment.

Warrant List

Page N/A

MOTION: To approve the warrant list.

C. ZONING PETITIONS - CONSENT

6. **Z99-032** Official Zoning Map Amendment (Z) petition of John M. and Adela Ornelas, by Kilday & Associates, Agent. Request: Rezoning from Agricultural Residential (AR) to Public Ownership (PO). General Location: Approx. 255 feet east of Jog Rd. on the south side of Morikami Park Rd. (**MORIKAMI PARK EXPANSION**).

Pages 13-23

Size: 4.25 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved, as advertised, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Public Ownership (PO).

7. **CA99-031** Class A Conditional Use (CA) petition of Kenco Communities at the Ranch, Inc., by Kilday & Associates, Agent. Request: Agricultural excavation. General Location: Approx. 1 mile south of W. Atlantic Ave. on the west side of Lyons Rd. (a.k.a. One Mile Rd.) (**MICCOSUKEE ESTATES**).

Pages 24-34

Size: 81.48 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as advertised, (6-0).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow an agricultural excavation.

8. **Z81-024(A)** Official Zoning Map Amendment (Z) petition of Florida Gardens Land Development Co., by David Carpenter, Agent. Request: Rezoning from Specialized Commercial (CS) to Community Commercial (CC) with a Conditional Overlay Zone (COZ). General Location: SW corner of Lake Worth Rd. and Ohio Rd. (**KEY CENTERS COMMERCIAL**).

Pages 35-51

Size: 2.02 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Specialized Commercial (CS) to Community Commercial (CC) with a Conditional Overlay Zone (COZ).

9. **Z77-077(A)** Official Zoning Map Amendment (Z) petition by Palm Beach County Board of County Commissioners. Request: Rezoning from General Commercial (CG) to Community Commercial (CC). General Location: NW corner of Military Trail and Collier Rd. **(NEEDLE PROPERTY)**

Pages 52-61

Size: 0.85 acre ±

BCC District: 3

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved, as advertised, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from General Commercial (CG) to Community Commercial (CC).

10. **PDD/DOA 98-055(A)** Official Zoning Map Amendment to a Planned Development District (PDD) and a Development Order Amendment (DOA) petition of Cascades Lakes Ltd, by Joe Lelonek, Agent. Request: Rezoning from Agricultural Residential (AR) and Neighborhood Commercial (CN) to Planned Unit Development (PUD). Request: Add land area and units. General Location: NW corner Military Trail and Pipers Glen Blvd. **(LESTER PUD)**.

Pages 62-88

Size: 9.12 (affected) acres ±
150.79 (total) acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To adopt a resolution approving the request for Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) and Neighborhood Commercial (CN) to Planned Unit Development (PUD).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add land area and units.

11. **Z/CA98-090** Official Zoning Map Amendment (Z) and Class A Conditional Use (CA) petition of Iron City Sash & Door Co., by Robert Bentz, Agent. Request: Rezoning from Agricultural Residential (AR) to Residential Transition Urban (RTU). Request: Church or place of worship. General Location: Approx. 800 feet south of Coconut Ln. on the east side of Military Trail. **(7TH DAY ADVENTIST CHURCH)**.

Pages 89-106

Size: 2.58 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transition Urban (RTU).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow a church or place of worship.

- 12. **W99-007** Waiver (W) petition of Nextel, by Leonard A. Tylka, Agent. Request: Waiver to exceed tower height for a single carrier. General Location: Approx. 800 feet east of "F" Rd., on the south side of 6th Ct. North (**WELLINGTON SITE FL-1569**)

Pages 107-128

Size: 15 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request for a Waiver (W) to exceed the tower height for a single carrier.

F. RECEIVE AND FILE ZONING COMMISSION RESOLUTION

- 13. **DOA 97-008(A)** Class B Conditional Use (CB) petition of Rorabeck's Plants & Produce Inc. (**RORABECK'S WHOLESALE NURSERY**)

Pages 129-140

MOTION: To receive and file Zoning Resolution ZR-99-06.

G. STATUS REPORTS - CONSENT

- 14. **SR 85-149.6** Status Report for Resolutions R-86-131 and R-86-132 (Petition 85-149). Property owner: Allen Murray Nursery Inc. Location: east side of Haverhill Rd., approximately 0.8 of a mile south of Hypoluxo Rd. Current zoning: RS-Single Family Residential with a Special Exception to allow a Planned Unit Development (Little River Glen).

Pages 141-144

Size: 13.5 acres

BCC District:3

Original Petitioner: Floriberto Laguna

MOTION: Approve a time extension until June 6, 2001, for Resolutions R-86-131 and R-86-132.

- 15. **SR 86-8C.6** Status Report for Resolution(s) R-90-838 and R-90-839 (Petition 86-8C). Property owner: Vastgoed DIM. Location: southeast corner of the intersection of Lantana Rd. and Jog Rd. Current zoning: CG-General Commercial with a Special Exception to amend the site plan for an existing Planned Commercial Development (PCD) to 1) increase the land area 2) permit an auto service station (tire center)

3) add a financial institution with five (5) drive up teller windows.

Pages 145-148

Size: 28.7 acres

BCC District:3

Original Petitioner: Radnor/Higier Partnership #3

MOTION: Approve a time extension until May 22, 2000, for Resolutions R-90-838 and R-90-839.

16. **SR**
89-132.6

Status Report for Resolutions R-90-858 and R-90-859 (Petition 89-132). Property owner: Sami, Roni and Rozanne Sehayik. Location: northeast corner of the intersection of S.R. A1A and Richard Rd. Current zoning: CS-Specialized Commercial with a Special Exception to permit a Planned Office Business Park, including a restaurant and lounge.

Pages 149-152

Size: 1.9 acres

BCC District:1

Original Petitioner: Sami, Roni, and Rozanne Sehayik

MOTION: Approve a time extension until May 22, 2000, for Resolutions R-90-858 and R-90-859.

17. **CR**
94A-85/B2

Status Report for Resolution R-95-1727 (Petition 94-85). Property owner: Margaret R. Bruschi, Bruschi Farms Inc Tr Hldr. Location: north side of Hypoluxo Rd., approximately 1900 feet west of Military Trail. Current zoning: SA-Special Agriculture.

Pages 153-156

Size: 10.0 acres

BCC District:3

Original Petitioner: Dale and Margaret Bruschi

MOTION: Approve a time extension until June 1, 2000, for condition number B.2. of Resolution R-95-1727

H. CORRECTIVE RESOLUTIONS

18. **PDD98-079**

Corrective Resolution: To correct Conditions E.1 and E.4.A, E.4.B and E.4.C of Resolution R-99-1138. (PALMETTO PARK ROAD MUPD).

Pages 157-159

MOTION: To adopt a resolution to correct Engineering Conditions E.1 and E.4.A, E.4.B and E.4.C of Resolution R-99-1138.

19. **DOA**
89-110(B)

Corrective Resolution: To correct Condition E of Resolution R-99-1143 (HYPOLUXO AUTO CARE CENTER)

Pages 160-162

MOTION: To adopt a resolution to correct Engineering Condition E of Resolution R-99-1143.

20. **DOA**
89-127(C)

Corrective Resolution: To correct Condition E.2.a of Resolution R-99-1153 (WATERFORD CROSSING MUPD)

Pages 163-164

MOTION: To adopt a resolution to correct Engineering Condition E.2.a of Resolution R-99-1153.

MOTION: To approve all items on the Consent Agenda (as amended) and adopt resolutions affirming the applicable actions.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

5. REGULAR AGENDA:

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED GRAND BANK APPEAL

21. CB

90-003(B) Class B Conditional Use (CB) petition of Grand Bank of Florida, by Sara Lockhart, Agent. Request: Financial institution. General Location: SW corner of Lantana Rd. and High Ridge Rd. (**GRAND BANK OF FLORIDA**).

Pages 165-225

Size: 1.19 acres ±

BCC District: 3

Zoning Commission Recommendation: Denial (7-0).

MOTION: To adopt a resolution upholding or overturning the decision of the Zoning Commission’s denial of a Class B Conditional Use (CB) to allow a financial institution.

C. PREVIOUSLY POSTPONED ZONING PETITION

22. DOA

82-040(B) Development Order Amendment (DOA) petition of Melrose Park Joint Venture and Melrose Palm Beach Ltd., by Robert Bentz, Agent. Request: Add units, redesignate housing classifications (detached to attached) and reconfigure preliminary development plan. General Location: Approx. 1 mile south of Hypoluxo Rd. between SR 7/US 441 and Florida Turnpike (**MELROSE PUD**).

Pages 226-275

Size: 19.15 (affected) acres ±
612.24 (total) acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved, as amended, (7-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add units, redesignate housing classifications and reconfigure the preliminary development plan.

D. ZONING PETITION

23. W/DOA

93-035(B) Waiver (W) and a Development Order Amendment (DOA) petition of Delray Palm View Inc., by Kilday & Associates, Agent. Request: Waivers for setback from west property line; setback from south property line; separation from residential structure; and separation from other towers. Request: Convert 400 foot self-support tower to 300 foot guyed tower. General Location: Approx. 2,000 feet south of Boynton Beach Blvd. on the west side of Hagen Ranch Rd. (**BETHESDA HEALTH TOWER**).

Pages 276-314

Size: 0.51 (affected) acres ±
39.51 (overall) acres ±

BCC District: 5

Staff Recommendation: Denial

Zoning Commission Recommendation: Approved, as amended, (6-0).

MOTION: To adopt a resolution denying the request for Waivers (W) from setbacks from the west and south property line, separation from residential structure, and separation from other towers.

MOTION: To adopt a resolution denying the request for a Development Order Amendment (DOA) to convert a 400 foot self-support tower to a 300 foot guyed tower.

6. DIRECTOR COMMENTS.

A. ZONING DIRECTOR.

24. AI-99-07 Thoroughbred Lakes Estates PUD Petition #97-72(A)
Civic Site Cash-out (PREM)

Pages 315-318

7. COMMISSION COMMENTS.

8. ADJOURNMENT.