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

JULY 26, 2001

**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. Adoption of Agenda

2. POSTPONEMENTS AND WITHDRAWALS (Pages 1-3)

3. CONSENT AGENDA (Pages 4-11)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 12-14)

5. DIRECTOR COMMENTS (Page 14)

6. COMMISSIONER COMMENTS (Page 14)

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**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

THURSDAY JULY 26, 2001

1. CALL TO ORDER

- A. Roll Call – **9:30 A.M.**
- 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 amendments to the Palm Beach County Unified Land Development Code, and the recommendations of the Land Use Advisory Board, Citizens Task Force, Land Development Regulation Commission, 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 26, 2001 at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication – Motion to receive and file.
- E. Swearing In – County Attorney
- F. Motion to adopt Agenda.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

1. Z/CA1988-072(B)

Official Zoning Map Amendment (Z) from Agricultural Residential (AR) and General Commercial/Planned Commercial Development (CG/PCD) to Community Commercial (CC) and a Class A Conditional Use (CA) to allow a convenience store with gas sales petition of Sohio Oil and Ann Throgmorton, by Sara Lockhart, Agent. General Location: SW corner of Hypoluxo Rd. and Military Trail. **(BP AMOCO)**

N/A

Size: 0.44 acres ± (affected)
1.58 acres ± (overall)

BCC District: 3

MOTION: To postpone 30 days until August 23, 2001. (Requested by petitioner. Staff has no objection.)

2. **EAC1997-086(A)**

Development Order Amendment/Expedited Application Consideration (EAC) to modify a condition of approval, petition of Linton Jog Associates, by Charles Millar, Agent. General Location: SE corner of Linton Blvd. and Jog Rd. (**ADDISON CENTER MUPD**).

Page 1

Size: 9.41 acres "

BCC District: 5

MOTION: To postpone 30 days until August 23, 2001. (Requested by petitioner. Staff has no objection.)

3. **Z/CA1989-069(A)**

Official Zoning Map Amendment (Z) from Specialized Commercial (CS) to General Commercial (CG) and a Class A Conditional Use (CA) to allow a convenience store with gas sales petition of LDR Real Estate LC, by Winston Lee, Agent. General Location: SW corner of Lawrence Rd and Lantana Rd. (**LAWRENCE LANTANA CENTER**)

Page 2

Size: 5.24 acres ±

BCC District: 3

MOTION: To postpone 30 days until August 23, 2001. (Requested by petitioner. Staff has no objection.)

4. **Z2001-006**

Official Zoning Map Amendment (Z) from Residential High Density (RH) to Commercial High Office (CHO) petition of Congress Medical Associates, by Charles Putnam, Agent. General Location: Approximately 0.5 mile south of 6th Ave. on the west side of Congress Ave. (**CONGRESS MEDICAL CENTER**)

Page 3

Size: 3.16 acres ±

BCC District: 3

MOTION: To postpone 90 days until October 25, 2001. (Requested by petitioner. Staff supported.)

5. **SR 92-41.6**

Status Report for Resolution R-93-4 (Petition 92-41), the petition of Land Services Group, Inc. Property owner: Palm Beach Plaza Ltd. General Location: Jog Rd. extension, between Belvedere Rd. and Okeechobee Rd. Current zoning: General Commercial (**PALM BEACH PLAZA**).

Pages 4-7

Size: 2.6 acres ±

BCC District: 2

MOTION: To postpone 90 days until October 25, 2001.

B. WITHDRAWALS

6. CA2001-007

Class A Conditional Use (CA) to allow a wholesale/retail nursery petition of The Estate of Irma Miller and Roselyn Miller his Surviving Spouse, by Beril Kruger, Agent. General Location: SW corner of Heritage Farms Rd. and SR 7/US 441 (**LEGUM NURSERY**)

N/A

Size: 41 ± acres

BCC District: 3

MOTION: None required. (Class A withdrawn. Now a Class B)

7. DOA1981-186(G)

Development Order Amendment(DOA) to allow a self-service storage facility and truck rental (requested uses) petition of Mini Storage Developers, by Mark Bradford, Agent. General Location: NE corner of Jog Rd. and Lantana Rd. (**LEE SQUARE**).

Page 8

Size: 38.19 acres "

BCC District: 3

MOTION: None. (Withdrawn by petitioner.)

8. PDD/DOA/TDR1998-040(A)

Official Zoning Map Amendment (PDD) from Community Commercial (CC) to Planned Unit Development (PUD) and a Development Order Amendment (DOA) to add land area, add units and a Transfer of Development Rights (TDR) for 6 units and designate DOA1998-040(A) as the receiving area petition of Home Devco Inc., by Bradley Miller, Agent. General Location: Approx. 2,000 feet west of Military Trail on the south side of West Atlantic Ave. (**THE ENCLAVE PUD**)

Page 9

Size: 2.0 acres " (affected)
27.98 acres " (overall)

BCC District: 5

MOTION: None. (Withdrawn by petitioner.)

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. **ADOPTION OF RESOLUTION** – Status report approved on June 25, 2001. Administrative matter not subject to public comment.

NOTE: Adoption is mandatory based on prior action by the Board of County Commissioners. Public hearing requirements have been satisfied, therefore, adoption of the resolution is not subject to public comment.

9. **SR 74-175A.5**

Resolution to revoke the Special Exception for a Planned Commercial Development which included 1) an auto service station (no repairs), 2) a car wash, and 3) recreation facilities, amusements, and attractions, and exhibits (petting zoo), and to rezone from the CG-General Commercial zoning district to the CC-Community Commercial zoning district (**SCHOOL BOARD/BURT REYNOLDS RANCH**)

Pages 10-16

MOTION: To adopt one resolution affirming zoning action on June 25, 2001.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

10. **Z2001-001**

Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Public Ownership (PO) petition of Palm Beach County Solid Waste Authority, by Alex Makled, Agent. General Location: NW corner of Lyons Rd. and Lantana Rd. (**LANTANA HILLS GOLF COURSE**)

Pages 17-27

Size: 23 acres ± BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To approve the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Public Ownership (PO) on first hearing and convene the second public hearing on August 23, 2001.

D. ZONING PETITIONS – CONSENT

11. **CA2001-015**

Class A Conditional Use (CA) to allow a private school petition of G&G Enterprises Inc., by Robert Basehart, Agent. General Location: SW corner of Boca Entrada Blvd. and SR7/US441. (**ACADEMY SCHOOL**).

Pages 28-42

Size: 2.76 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 a Class A Conditional Use (CA) to allow a private school.

12. **Z/DOA1984-054(F)**

Official Zoning Map Amendment (Z) from Commercial High Office (CHO) to Institutional and Public Facility (IPF) and a Development Order Amendment (DOA) to modify conditions of approval petition of Palms West Hospital, by Kilday & Associates, Agent. General Location: Approximately 0.1 mile west of Folsom Rd. on the north side of Southern Blvd. (**PALMS WEST HOSPITAL**)

Pages 43-65

Staff Recommendation: Approval, subject to conditions.

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

Size: 74.32 acres ±

BCC District: 6

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Commercial High Office (CHO) to Institutional and Public Facility (IPF).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify conditions of approval.

13. **PDD2001-016**

Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) petition of Sterling Communities, by Kilday & Associates, Agent. General Location: SE corner of Lake Worth Rd. and Lyons Rd. (**CEDAR CREEK PUD**)

Pages 66-86

Staff Recommendation: Approval, subject to conditions.

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

Size: 38.82 acres ±

BCC District: 6

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

14. **Z2000-062**

Resolution approving an Official Zoning Map Amendment (Z) from Residential Single Family (RS) to Residential Medium Density (RM) petition of Fairway Isles Ltd., by Kathi Powell, Agent. General Location: Approx. 2,500 feet east of Congress Ave. on the north side of Donnelly Dr. (**LANAIR PARK TOWNHOMES**).

Pages 87-100

Size: 3.61 acres ±

BCC District: 3

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 Residential Single Family (RS) to Residential Medium Density (RM) with a Conditional Overlay Zone (COZ).

15. **DOA1997-104(A)**

Development Order Amendment (DOA) to reconfigure master plan, re-designate units, add units and add an access point petition of Foxhill Venture L.P., by Kilday & Associates, Agent. General Location: Approx. 600 feet north of Clint Moore Rd. on the east side of SR 7/US 441 (**RAINBOW PUD**)

Pages 101-138

Size: 163 acres ± (affected)
408.54 acres ± (overall)

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 a Development Order Amendment (DOA) to reconfigure master plan, re-designate units, add units and add an access point.

E. STATUS REPORTS – CONSENT

16. **SR 85-150.11**

Status Report for Resolutions R-86-235 and R-86-236 (Petition 85-150), the petition of John T. Christiansen and James D. Lassiter. Property owner: John T. Christiansen, Tr., James D. Lassiter, and R.G. Tronzo. General Location: southwest corner of Congress Ave. and Melaleuca Rd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Office Business Park.

Pages 139-142

Size: 0.7 acres ±

BCC District: 3

MOTION: To adopt a resolution to revoke the Special Exception which allows a Planned Office Business Park and to rezone the property from the CS-Specialized Commercial zoning district to the CLO-Commercial Low Office zoning district.

17. **SR 90-17A**

Status Report for Resolution R-97-1289 (Petition 90-17A), the petition of George T. Kelly IV. Property owner: Lawrence J. Gabriel and Acquiport Amsdell I Ltd Partnership. General Location: Approx. 500 ft. east of Hagen Ranch Rd. on the south side of Boynton Beach Blvd. Current zoning: Multiple Use Planned Development (**BOYNTON SELF STORAGE**).

Pages 143-146

Size: 2.40 acres ± (affected)
6.32 acres ± (overall)

BCC District: 5

MOTION: To approve a time extension until June 28, 2002, for Resolution R-97-1289, and for condition number E.4. of Resolution R-97-1289.

18. **SR 85-149.7**

Status Report for Resolutions R-86-131 and R-86-132 (Petition 85-149), the petition of Floriberto Laguna. Property owner: K & M Group, Inc.. General Location: Approx. 0.8 mile south of Hypoluxo Rd. on the east side of Haverhill Rd. Current zoning: RS-Single Family Residential with a Special Exception to allow a Planned Unit Development (**LITTLE RIVER GLEN**).

Pages 147-150

Size: 13.5 acres ±

BCC District: 3

MOTION: To approve a time extension until June 6, 2002, for Resolutions R-86-131 and R-86-132.

19. **SR 88-65.9**

Status Report for Resolutions R-89-1069 and R-89-1070 (Petition 88-65), the petition of Howard Dardashti. Property owner: Howard Dardashti, Trustee. General Location: Approx. 0.1 mile south of Lake Worth Rd. on the west side of Congress Ave. Current zoning: CG-General Commercial with a Special Exception to permit a Planned Commercial Development (**DARDASHTI PCD**).

Pages 151-154

Size: 0.96 acre ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-89-1070, and approve a time extension until June 6, 2003, to commence development.

20. **SR 89-53.7**

Status Report for Resolutions R-90-62 and R-90-63 (Petition 89-53), the petition of Interchange Partners. Property owner: Lake Worth Turnpike Assoc. Inc. General Location: northwest corner of Lake Worth Rd. and the Florida Turnpike. Current zoning: GC-General Commercial with a Special Exception for a Planned Commercial Development to include 1) an auto service station (no repairs); and 2) a car wash.

Pages 155-158

Size: 1.0 acres ±

BCC District: 6

MOTION: To approve a time extension until June 30, 2003 to commence development and for condition 2, for Resolution R-90-63.

21. **SR 89-54.7**

Status Report for Resolutions R-90-64 and R-90-65 (Petition 89-54), the petition of Lake Worth Turnpike Associates. Property owner: Lake Worth Turnpike Assoc. Inc. General Location: northwest corner of Lake Worth Rd. and the Florida Turnpike. Current zoning: CG-General Commercial with a Special Exception for 1) a hotel, and 2) an existing public and private utility service (telephone exchange building and substation).

Size: 4.5 acres ±

BCC District: 6

Pages 159-162

MOTION: To approve a time extension until June 30, 2003 and for condition number 2, for Resolution R-90-65.

22. **SR 92-47.2**

Status Report for Resolution R-93-646 (Petition 92-47), the petition of Ropico Inc. Property owner: National Museum of Polo & Hall of Fame, Inc. General Location: northwest corner of the intersection of Lake Worth Rd. and Lyons Rd. Current zoning: AR-Agricultural Residential with a Class A Conditional Use allowing an assembly, non-profit (**POLO MUSEUM**).

Pages 163-166

Size: 9.79 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (architecture) in Resolution R-93-646, and approve a time extension until May 27, 2003, to commence development.

23. **SR 96-31.2**

Status Report for Resolution R-96-994 (Petition 96-31), the petition of Z.E. Taheri & MDL Realty Co. Property owner: MDL Realty Co. et al. General Location: Approx. 0.1 mile south of Belvedere Rd. on the east side of Jog Rd. Current zoning: Planned Unit Development (**TAHERI PUD**).

Pages 167-170

Size: 91.75 acres ±

BCC District: 6

MOTION: To approve a time extension until July 25, 2002, for Resolution R-96-994.

24. **SR 96-115A**

Status Report for Resolution R-98-735 (Petition 96-115A), the petition of L G Ventures Inc. Property owner: L & G Enterprises Inc. General Location: Approx. 2500 ft. south of Hypoluxo Rd. on the east side of Jog Rd. Current zoning: Residential Planned Unit Development (L & G PUD) with a requested use for a Congregate Living Facility Type 3 (**CLF TYPE 3**).

Pages 171-173

Size: 4.8 acres ±

BCC District: 3

MOTION: To approve a time extension until May 28, 2003, for Resolution R-98-735.

25. **SR 97-34**

Status Report for Resolution R-97-772 (Petition 97-34), the petition of Richard Moroso. Property owner: Richard B. Moroso and Susan Moroso Strecker. General Location: Approx .3 miles south of Indiantown Rd. on the east side of Beeline Hwy. Current zoning: MUPD-Multiple Use Planned Development with an Arena (race track 3/8 mile) (**MOROSO CIRCLE TRACK**).

Pages 174-176

Size: 40 acres ±

BCC District: 1

MOTION: To approve a time extension until June 23, 2003, for Resolution R-97-772.

26. **CR 81-10/2**

Status Report for Resolution R-99-984 (Petition 81-10), the petition of Tarra-Mar Development Corp. Property owner: Francalby Corporation. General Location: Approx. 400 feet west of I-95 on the north side of Hypoluxo Rd. Current zoning: CG-General Commercial with a Special Exception to allow a Gasoline Service Station (**FRANCALBY**).

Pages 177-179

Size: 1.6 acres ±

BCC District: 3

MOTION: To direct staff of the Code Enforcement Division to cite the property owner for failure to comply with condition number 2 of Resolution No. R-99-984.

27. **CR 99-18A/E2**

Status Report for Resolution R-2000-0890 (Petition 99-018A). Property owner: Town & Country Builders Inc. General Location: Approx. 1/5 mile west of Military Trail on the north side of Hypoluxo Rd,. Current zoning: Residential Planned Unit Development (**LANTERN KEY PUD**).

Pages 180-183

Size: 35.15 acres ±

BCC District: 3

MOTION: To approve a time extension until June 1, 2002, for condition number E.2. of Resolution No. R-2000-0890.

F. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS

28. **CB2001-001**

Resolution for Palm Beach County Solid Waste Authority (**LANTANA HILLS GOLF COURSE**)

Pages 184-192

MOTION: To receive and file Zoning Resolution ZR-2001-001.

29. **CB2001-011**

Resolution for Education Development Center Inc. (**DAYCARE/
VETERINARY CLINIC**)

Pages 193-200

MOTION: To receive and file Zoning Resolution ZR-2001-002.

G. CORRECTIVE RESOLUTION

30. **CA2000-114**

Corrective Resolution: To correct Engineering Condition E.3 of Exhibit C of Resolution R-2001-0978. (**CRYSTAL LAKES**)

Page 201

MOTION: To adopt a resolution to correct Engineering Condition E.3 of Exhibit C of Resolution R-2001-0978.

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 -**4. REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. MGTS CODE REVISION UPDATE – DESIGN PROTOTYPES AND AG RESERVE CHANGES**

Pages 202-214

(see additional backup under separate cover)

C. PREVIOUSLY POSTPONED CONCURRENT SMALL SCALE LAND USE AMENDMENT AND ZONING PETITION**31. 00-SCA 83 COM 2**

Let It Ride, L.C., by Robert Bentz, Land design South of Florida, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 3 units per acre (LR-3) to Commercial Low (CL). General Location: On the east side of High Ridge Rd., approximately 300 feet south of Lantana Rd. (**LANTANA/HIGH RIDGE**)

Pages 215-254

Size: 1.67 acre ±

BCC District: 3

Staff Recommendation: **Denial** of the requested future land use change from LR-3 to CL, with an alternative recommendation for Commercial Low with cross-hatching.

LPA Recommendation: **Denial** of the requested future land use change from LR-3 to CL, and approval of staff's recommendation for Commercial Low with cross-hatching, with additional modifications.

MOTION: To **deny** the applicant's request and to adopt an ordinance approving staff's recommendation for a future land use change from LR-3 to CL with cross-hatching.

32. PDD2000-044(A)

Official Zoning Map Amendment (PDD) from Residential Single Family (RS) to Multiple Use Planned Development (MUPD) petition of Let It Ride L.C., by Land Design South, Agent. General Location: Southeast corner of Lantana Rd. and High Ridge Rd. (**LANTANA HIGH RIDGE MUPD**).

Pages 255-278

Size: 3.68 acres "

BCC District: 3

Staff Recommendation: **Denial**.

Zoning Commission Recommendation: Denied, (7-0).

MOTION: To adopt a resolution **denying** the request for an Official Zoning Map Amendment (PDD) from Residential Single Family (RS) to Multiple Use Planned Development (MUPD).

D. PREVIOUSLY POSTPONED ZONING PETITIONS**33. PDD/DOA1976-007(D)**

Official Zoning Map Amendment (PDD) from Planned Unit Development (PUD) to Multiple Use Planned Development (MUPD) and a Development Order Amendment (DOA) to add land area, reconfigure site plan, modify/delete conditions of approval, add square footage, to allow vehicle sales and rental and to allow a congregate living facility type III (requested uses) petition of Bluegreen Enterprises, by Sara Lockhart, Agent. General Location: Approx. 200 feet west of Skees Rd. on the south side of Okeechobee Blvd. (**OKEECHOBEE BLVD MUPD**).

(under separate cover)

Size: 17.44 acres " (existing)
24.53 (+7.09) acres " (overall)

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 (PDD) from Planned Unit Development (PUD) to Multiple Use Planned Development (MUPD).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add land area, reconfigure site plan, modify/delete conditions of approval, add square footage, allow vehicle sales and rental and to allow a congregate living facility type III.

34. DOA1991-005(B)

Development Order Amendment (DOA) to modify conditions of approval petition of Atlas-Lox Road Inc., by Scott Mosolf, Agent. General Location: Approx. 5.4 miles west of SR7/US441 on the south side of Lox Rd. (**WASTE MAGIC**)

Pages 279-301

Size: 51.36 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 a Development Order Amendment (DOA) to modify conditions of approval.

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

35. Permission to Advertise the TPS Changes Ordinance

Page 302

(see additional backup under separate cover)

B. PLANNING DIRECTOR

6. COMMISSIONER COMMENTS

7. ADJOURMENT