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

DECEMBER 9, 2002

**MONDAY
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 1-2)**

- 3. CONSENT AGENDA (Pages 3-6)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 7-8)**

- 5. DIRECTOR COMMENTS (Page 8)**

- 6. COMMISSIONER COMMENTS (Page 8)**

- 7. ADJOURNMENT (Page 8)**

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

MONDAY DECEMBER 9, 2002

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 December 9, 2002 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. Adoption of Agenda

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **PDD/TDR2001-066A** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of James Shillinglaw, Franceska Malck, Raja Malek by Press Tompkins Jr, P.E., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of James Shillinglaw, Franceska Malek, Raja Malek by Press Tompkins Jr, P.E., Agent. Request: To allow the Transfer of Development Rights for 22 units and to designate this petition as the receiving area. General Location: Southeast corner of Palomino Place and SR 7/US 441 (**PALOMINO PLACE PUD**).

N/A

Size: 39.3 acres ±

BCC District: 6

MOTION: To postpone to January 9, 2003. (Zoning Commission postponed for 30 days.)

2. **PDD2002-020** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of George & Dorothy Haas by Robert Bentz, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approx. 0.25 mile south of Lake Worth Rd. on the east side of Lyons Rd. (**BERNARD HAAS PUD**).

N/A

Size: 47.96 acres ±

BCC District: 6

MOTION: None required. Postponed to January 9, 2003. (Zoning Commission postponed for 30 days.)

3. **EAC2001-017A** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of BP Products North America Inc. by Timothy Bauer, Agent. Request: To modify/delete a condition of approval. General Location: SW corner of 10th Ave. North and Boutwell Rd. (**10TH & BOUTWELL BP**).

Page 1

Size: 1.0 acres ±

BCC District: 3

MOTION: None required. Postponement by right to January 9, 2003. (Petitioner requested 30 days.)

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 4. **DOA1979-148C** Title: Resolution approving a Development Order Amendment petition of The Craig Collection Inc. by Kieran J. Kilday, Agent. Request: To modify/delete conditions of approval, add square footage, reconfigure site plan and to allow an automotive paint and body facility (requested use). General Location: Approx. 500 feet west of Jog Rd. on the south side of Okeechobee Blvd. (**PALM BEACH ACURA**).

Pages 2-26

Size: 10.44 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 to modify/delete conditions of approval, add square footage, reconfigure site plan and to allow an automotive paint and body facility.

- 5. **DOA1983-078B** Title: Resolution approving a Development Order Amendment petition of West Boca Presbyterian Church by Jill Lanigan, Agent. Request: To reconfigure site plan, add square footage and modify/delete conditions of approval. General Location: Approx. 0.25 mile south of Palmetto Park Rd. on the east side of Hammock St. (**WEST BOCA PRESBYTERIAN CHURCH**).

Pages 27-50

Size: 6.08 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to reconfigure site plan, add square footage and modify/delete conditions of approval.

6. **Z/CA2002-024** Title: Resolution approving an Official Zoning Map Amendment petition of Boynton Beach Community Church by Kevin McGinley, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional Suburban (RTS) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Boynton Beach Community Church by Kevin McGinley, Agent. Request: To allow a church or place of worship and a daycare, general. General Location: Approx. 0.8 mile south of Hypoluxo Rd. on the west side of Military Trail (**BOYNTON BEACH COMMUNITY CHURCH**).

Pages 51-69

Size: 4.98 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 rezoning from the Agricultural Residential Zoning District to the Residential Transitional Suburban Zoning District.

MOTION: To adopt a resolution approving the request to allow a church or place of worship and a daycare, general.

7. **DOA1977-048E** Title: Resolution approving a Development Order Amendment petition of Wal-Mart Stores by Kevin Workman, Agent. Request: To modify the site plan and building square footage. General Location: SE corner of SR 7/US 441 and Southern Blvd. (**WESTERN PLAZA (HOME DEPOT)**).

Pages 70-94

Size: 27.36 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to modify the site plan and building square footage.

C. PREVIOUSLY POSTPONED STATUS REPORT

- 8. **SR 1996-087.2** Status Report for Resolution R-97-964 (Petition 1996-087), the petition of New Pine Glen. Property owner: Aurora Investments IV, Inc. General Location: southwest corner of Forest Hill Blvd. and Haverhill Rd. Current zoning: Multiple Use Planned Development District with self-service storage facility and truck rental (requested uses) (**ABBEY PARK COMMERCIAL**).

Pages 95-98

Size: 11.39 acres ±

BCC District: 2

MOTION: To approve the notification of the property owner of the second public hearing on January 9, 2003, at which time the staff recommendation will continue to be the rezoning from the Multiple Use Planned Development zoning district (MUPD) with self-service storage facility and truck rental (requested uses), to the RM-Multiple Family Residential (Medium Density) zoning district.

D. STATUS REPORTS – CONSENT

- 9. **SR NPN-13** Status Report for Resolutions R-1998-1108 and R-1998-1109 (Petition NPN-13A), the petition of Oriole Homes. Property owner: Via Palma Delray, Inc. General Location: northeast corner of Flavor Pict Rd. and LWDD E-3 Canal. Current zoning: Planned Unit Development (**CORAL LAKES PUD**).

Pages 99-101

Size: 34.18 acres ±

BCC District: 5

MOTION: To approve a time extension until May 10, 2002, for Resolutions R-1998-1108 and R-1998-1109).

- 10. **SR 1983-120A.4** Status Report for Resolution R-94-1308 (Petition 83-120A), the petition of Richard Mercede. Property owner: Sun Enterprises Holding, Inc. General Location: Approx. 0.1 mile north of the Broward County line on the west side of S.R. 7. Current zoning : General Commercial with a Development Order Amendment to increase square footage and Class A Conditional Use allowing automotive paint and body shop and vehicle sales and rental (**MERCEDE CENTER**).

Pages 102-105

Size: 1.02 acres ±

BCC District: 5

MOTION: To approve a time extension until May 10, 2003, for Resolution R-94-1308.

- 11. **SR 1993-30.4** Status Report for Resolution R-93-1200 (Petition 1993-030), the petition of Jim & Elsie Higgins. Property owner: Lori Podray. General Location: Approx. 0.8 mile east of Jog Rd. on the south side of Melaleuca Ln. Current zoning: Residential Transitional (**HIGGINS SUBDIVISION**).

Pages 106-108

Size: 4.7 acres ±

BCC District: 3

MOTION: To approve a time extension until May 10, 2003, for Resolution R-93-1200.

- 12. **SR 96-41.3** Status Report for Resolution R-96-1357 (Petition 1996-041), the petition of Town of Palm Beach. Property owner: Town of Palm Beach. General Location: Approx. 0.25 mile south of Belvedere Rd. on the east side of Pike Rd. Current zoning: Light Industrial (**PALM BEACH REZONING**).

Pages 109-112

Size: 14.85 acres ±

BCC District: 6

MOTION: To exempt Resolution R-96-1357 from Unified Land Development Code Section 5.8 review.

- 13. **SR 1985-084C** Status Report for Resolution R-97-958 (Petition 1985-84C), the petition of Berean Baptist Church of West Palm Beach. Property owner: Berean Baptist Church of West Palm Beach. General Location: Approx. 0.4 mile west of Benoist Farms Rd. on the south side of Okeechobee Blvd. Current zoning: Residential Single Family (**BEREAN BAPTIST TEMPLE**).

Pages 113-116

Size: 18.79 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (TPS and architectural guidelines) in Resolution R-97-958.

E. ABANDONMENT RESOLUTION

- 14. **ABN 1979-165** Abandonment Resolution: To abandon a special exception to allow the parking of one (1) mobile home as a temporary residence granted by Resolution R-79-1237.

Pages 117-119

MOTION: To adopt a resolution approving the abandonment of a special exception to allow the parking of one (1) mobile home as a temporary residence granted by Resolution R-79-1237.

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. PREVIOUSLY POSTPONED ZONING PETITIONS**

15. **PDD/DOA1997-104C** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of The Oaks at Boca Raton by Kieran Kilday, Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD). Title: Resolution approving a Development Order Amendment petition of The Oaks at Boca Raton, by Kieran Kilday, Agent. Request: To reconfigure site plan, add land area and units. General Location of Developable Area: Approx. 600 feet north of Clint Moore Rd., bound on the east by Lyons Rd. and the west by SR 7/US441 (**THE OAKS AT BOCA RATON (AKA RAINBOW PUD)**).

Pages 120-174

Size: 410.29 acres ± (existing)
713.23 acres ± (proposed)

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 rezoning from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to reconfigure site plan, add land area and units.

C. ZONING PETITIONS

16. **DOA1976-007E** Title: Resolution approving a Development Order Amendment petition of Principal Properties LLC by Robert Bentz, Agent. Request: To reconfigure master plan, add square footage, modify/delete conditions of approval and to allow a general repair and maintenance facility (requested use). General Location: SE corner of Golden Lakes Blvd. and Okeechobee Blvd. (**OKEECHOBEE BLVD MUPD**).

Pages 175-215

Size: acres 29.33 ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to reconfigure master plan, add square footage, modify/delete conditions of approval and to allow a general repair and maintenance facility.

17. **PDD2002-015** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of The Morton Group by Robert Bentz, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: SE corner of Boynton Beach Blvd. & approx. 0.5 miles east of Hagen Ranch Rd. (**EXCELSIOR PARC II, aka Tivoli PUD**).

Page 216-249

Size: 118.05 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

18. Permission to advertise Northlake Boulevard Corridor Overlay

N/A

B. PLANNING DIRECTOR

19. TDR Annual Report

(under separate cover)

6. COMMISSIONER COMMENTS

7. ADJOURNMENT