

Warren H. Newell, Chairman
Carol A. Roberts, Vice Chair
Karen T. Marcus
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Burt Aaronson
Tony Masilotti
Addie L. Greene



Robert Weisman
Department of Planning, Zoning & Building
100 Australian Ave
West Palm Beach, FL 33406
Phone: 561-233-5200
Fax: 561-233-5165

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

JANUARY 3, 2002

**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 1-2)

3. CONSENT AGENDA (Pages 3-7)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 8-10)

5. COMMISSIONER COMMENTS (Page 10)

6. DIRECTOR COMMENTS (Page 10)

7. ADJOURNMENT (Page 10)

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

THURSDAY JANUARY 3, 2002

1. CALL TO ORDER

A. Roll Call – **9:30 A.M.**

B. 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 January 3, 2002 at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

C. Proof of Publication – Motion to receive and file.

D. Swearing In – County Attorney

E. Motion to adopt Agenda.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

1. **01-SCA 26 COM 1** Christopher S. Doyle, by Joseph J. Verdone, Carlton Fields Ward Et. Al. Small Scale Land Use Amendment (SCA): Amend land use from High Residential, 12 units per acre (HR-12) to Commercial High, with an underlying 12 units per acre (CH/12). General Location: 186 feet south of PGA Blvd. on the west side of Ellison Wilson Rd. (**PGA/ELLISON WILSON A.K.A HATTIES LANDING**)

Pages 1-27

Size: 2.22 acre ±

BCC District: 1

Staff Recommendation: Approval of the requested future land use change from HR-12 to CH/12, subject to a condition.

LPA Recommendation: Approval of staff's recommendation for a future land use change from HR-12 to CH/12, subject to two conditions. (8-1 vote)

MOTION: To postpone to January 31, 2002.

2. **PDD/DOA1984-159(B)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD1984-159(B) petition of Chris Doyle, by Joe Verdone, Agent. Request: Rezoning from Residential Medium Density (RM) to Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment DOA1984-159(B) petition of Chris Doyle, by Joe Verdone, Agent. Request: to add land area and square footage. General Location: SW corner Ellison Wilson Rd. and PGA Blvd. (**HATTIES LANDING**).

Page 28

Size: 3.97 acres ±

BCC District: 1

MOTION: None. Postponement by right to January 31, 2002. (Petitioner requested 30 days.)

3. **Z/CA2001-017** Title: Resolution approving an Official Zoning Map Amendment Z2001-017 petition of BP Amoco, by Nick Nichols, Agent. Request: Rezoning from Residential High Density (RH) to General Commercial (CG) Zoning District. Title: Resolution approving a Class A Conditional Use CA2001-017 petition of BP Amoco, by Nick Nichols, Agent. Request: to allow a convenience store with gas sales. General Location: Southwest corner of Boutwell Avenue and 10th Avenue North (**10TH AVENUE/BOUTWELL AMOCO**).

Page N/A

Size: 1.14 acres ±

BCC District: 3

MOTION: To postpone to January 31, 2002. [Postponed by the Zoning Commission]

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 4. **DOA1989-115(D)** Title: Resolution approving a Development Order Amendment DOA1989-115(D) petition of Crowne Investments L.P. by Jean Lindsey or Rebecca Travis, Agent. Request: to reconfigure site plan, modify/delete conditions of approval and increase outdoor storage area. General Location: Approx. 0.25 mile south of Hypoluxo Rd. on the west side of Military Tr. (**MILITARY 10 MUPD**).

Pages 29-52

Size: 10.13 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (5-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment DOA1989-115(D) to reconfigure site plan, modify/delete conditions of approval and increase outdoor storage area.

- 5. **PDD/DOA1982-022(A)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD1982-022(A) petition of Mallards Landing LLC, by Robert Basehart, Agent. Request: Rezoning from Residential High Density (RH) to Residential Planned Unit Development (PUD) Zoning District. Title: Resolution approving a Development Order Amendment DOA1982-022(A) petition of Mallards Landing LLC, by Robert Basehart, Agent. Request: to add land area and units. General Location: Approx. 500 feet south of Westgate Ave. on the east side of Quail Dr. (**MALLARDS LANDING**).

Pages 53-71

Size: 10.33 acres ± (existing)
11.26 (+0.93) acres ± (proposed)

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (5-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment to a Planned Development District PDD1982-022(A) rezoning from Residential High Density to Residential Planned Unit Development Zoning District.

MOTION: To adopt a resolution approving the request for a Development Order Amendment DOA1982-022(A) to add land area and units.

C. STATUS REPORTS – CONSENT

- 6. **SR 1980-174A** Status Report for Resolution R-2001-1862 (Petition 80-174C), the petition of Tenet Health Care Corp. Property owner: Tenet Healthcare Corp. General Location: Approx. 900 feet west of Military Trail on the south side of Linton Blvd. Current zoning: Institutional Public Facility (**DELRAY COMMUNITY HOSPITAL**).

Pages 72-75

Size: 36.18 acres ±

BCC District: 5

MOTION: To approve a time extension until October 22, 2003, for Resolution R-2001-1862.

- 7. **SR 85-89.5** Status Report for Resolutions R-90-1440 and R-90-1441 (Petition 85-89A), the petition of William Boose, III, Trustee. Property owner: Robert W. McDonald. General Location: south side of Okeechobee Blvd. and north side of Belvedere Rd. on the east and west sides of Golden Lakes Blvd. Current zoning: Single Family Residential with a Special Exception for a Planned Unit Development (**GOLDEN LAKES**).

Pages 76-79

Size: 21.5 acres ±

BCC District: 2

MOTION: To approve a time extension until October 23, 2003, for Resolutions R-90-1440 and R-90-1441.

- 8. **SR 88-99.7** Status Report for Resolutions R-89-1233 and R-89-1234 (Petition 88-99), and R-96-7 (Petition 88-99A), the petitions of H.A.S. Land Development Inc. Property owner: Salick Health Care, Inc. General Location: Approx. 0.2 mile north of 212th Street on the east side of U.S. 441 (S.R. 7). Current zoning: Specialized Commercial with a Special Exception to amend and expand the site plan for a Planned Office Park to 1) redesign the site, 2) increase the building square footage, and 3) increase the acreage, and to allow medical/dental offices and a funeral home. (**SALICK HEALTH CARE**).

Pages 80-83

Size: 5.22 acres±

BCC District: 5

MOTION: To 1) revoke concurrency for the unbuilt portion of Resolution Nos. R-89-1233, R-89-1234, and R-96-7; 2) exempt Resolution Nos. R-89-1233, R-89-1234, and R-96-7 from further Section 5.8 review; and 3) adopt a resolution to amend conditions of approval (architectural).

9. **SR 91-30.3** Status Report for Resolution R-91-1186 (Petition 91-30), the petition of Central Baptist Church. Property owner: Central Baptist Church of Jupiter Florida, Inc. General Location: southwest corner of the intersection of Loxahatchee River Rd. and Roebuck Rd. Current zoning: Single Family Residential with a Special Exception to allow a church/sanctuary and accessory buildings (**CENTRAL BAPTIST CHURCH**).

Pages 84-87

Size: 4.5 acres±

BCC District: 1

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-91-1186, and approve a time extension until November 9, 2003, to commence development.

10. **SR 91-42.5** Status Report for Resolution R-92-364 (Petition 91-42), the petition of Methodist Church Board of Missions and Church Extension, Inc. Property owner: Faith United Methodist Church of Boynton Beach of Florida, Inc. General Location: Approx. 600 feet east of Jog Rd. on the south side of Boynton Beach Blvd. Current zoning: Agricultural Residential with a Special Exception to permit a church, accessory buildings and structures, and day care center (max 60 children) (**FAITH UNITED METHODIST CHURCH**)

Pages 88-91

Size: 10.17 acres±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-92-364, and approve a time extension until November 2, 2003, to commence development.

11. **SR 1997-063** Status Report for Resolution R-98-569 (Petition 97-63), the petition of Julie Wiesner. Property owner: Rosa A. Marron et al. General Location: Approx. 500 feet east of "F" Rd. on the north side of Southern Blvd. Current zoning: Agricultural Residential with a Conditional Use A (CA) to allow a Nursery, retail (**FARMERS DAUGHTER RETAIL NURSERY**).

Pages 92-95

Size: 6.12 acres ±

BCC District: 6

MOTION: To direct Code Enforcement to continue with ongoing Code Enforcement Board action and to add an additional citation for failure to comply with condition number E.3.B. (median landscaping), of Resolution R-98-569.

12. **SR 1998-021** Status Report for Resolutions R-98-1806 and R-98-1807 (Petition 98-21), the petition of Robert Whitaker, Trustee. Property owner: Robert J. Whitaker Tr. General Location: Approx. 0.1 mile west of Congress Ave. on the south side of 6th Ave. S. Current zoning: Commercial Low Office with a Class A Conditional Use to allow a Professional/medical office (**CONGRESS PARK II MEDICAL CENTER**).

Pages 96-99

Size: 2.98 acres±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-98-1807, and approve a time extension until October 22, 2003, to commence development.

13. **SR 1998-022** Status Report for Resolutions R-98-1808 and R-98-1809 (Petition 1998-022), the petition of Jerry D. McCoy Trust. Property owner : Jerry D. McCoy TR. General Location: Approx. 0.2 mile west of Congress Ave. on the south side of 6th Ave., S. Current zoning: Commercial Low Office with Conditional Use A to allow a professional/medical office (**CONGRESS PARK I MEDICAL CENTER**).

Pages 100-103

Size: 3.3 acres±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-98-1809, and approve a time extension until October 22, 2003, to commence development.

14. **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: General Commercial with a Special Exception to allow a Gasoline Service Station.

Pages 104-107

Size: 1.6 acres ±

BCC District: 3

MOTION: To direct Code Enforcement to cite property owner for failure to comply with condition number 2, of Resolution R-99-984.

D. RECEIVE AND FILE CORRECTIVE RESOLUTION FOR STATUS REPORT

15. [SR96-20.2](#)

Corrective Resolution for Pamela Crawford (COLOR GARDEN NURSERY)

Page 108

MOTION: To receive and file Corrective Resolution ZR-2001-009 for Status Report.

E. ABANDONMENT RESOLUTION

16. [ABN1987-128](#)

Request: To abandon the Special Exception to permit a Planned Industrial Park Development (PIPD) as granted under Resolution R-89-600.

Pages109-110

MOTION: To adopt a resolution to abandon the Special Exception to permit a Planned Industrial Park Development (PIPD) as granted under Resolution R-89-600.

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. SMALL SCALE AMENDMENT AND ZONING PETITION

17. **02-SCA 71 COM 2** George F. and Cheryl Cassell, Neil and Andrea Stringer, Southern Development, by Kieran Kilday, Kilday and Associates, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Medium Residential, 5 units per acre (MR-5) to Commercial High (CH) with cross-hatching with a condition. General Location: Approx. 240 feet west of Military Trail on the Northwest corner of Military Trail and Purdy Lane. **(MILITARY TRAIL/PURDY LANE)**

Pages 111-140

Size: 0.78 acre ±

BCC District: 2

Staff Recommendation: Denial of the applicants request

LPA Recommendation: Approval of the applicant's request for a future land use change from MR-5 to CH with crosshatching with a condition. (12-1 vote).

MOTION: To deny the request for a land use change from MR-5 to CH with cross-hatching.

18. **Z/COZ2001-051** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone Z/COZ2001-051 petition of Southern Development Services by Kilday & Associates, Agent. Request: Rezoning from Residential Medium Density (RM) to General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approx 100 feet north of Purdy Ln. on the west side of Military Tr. **(MILITARY PURDY REZONING)**.

Pages 141-161

Size: 2.97 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions of approval.

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

MOTION: To adopt a resolution approving/denying the request for an Official Zoning Map Amendment with a Conditional Overlay Zone Z/COZ2001-051 rezoning from Residential Medium Density (RM) to General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ).

C. ZONING PETITIONS

19. **PDD1999-036** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD1999-036 petition of Joe Fearnley, Trustee by Richard Carlson, Agent. Request: Rezoning from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with financial institution (requested use). General Location: SE corner of Military Tr. and Coconut Ln. (**COCONUT PLAZA MUPD**).

Pages 162-188

Staff Recommendation: Approval, subject to conditions.

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

Size: 3.83 acres ±

BCC District: 4

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment to a Planned Development District PDD1999-036 rezoning from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with financial institution (requested use).

20. **PDD1980-119(A)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD1980-119(A) petition of Parkwood Estates Inc. by Joseph Gilberti, Agent. Request: Rezoning from Residential Single Family (RS) to Residential Planned Unit Development (PUD) Zoning District. General Location: Approx. 1,400 feet west of Sansbury Way on the south side of Okeechobee Blvd. (**PARKWOOD ESTATES PUD**).

Pages 189-209

Size: 30.08 acres ±

BCC District: 6

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 to a Planned Development District PDD1980-119(A) rezoning from Residential Single Family (RS) to Residential Planned Unit Development (PUD) Zoning District.

- 21. **DOA1989-052(C)** Title: Resolution approving a Development Order Amendment DOA1989-052(C) petition of Palm Beach Aggregates, Inc. by Gary Brandenburg, Joseph J. Verdone and Kieran Kilday, Agents. Request: to add an access point, modify conditions of approval and add Electrical power facility (requested use). General Location: Approx. 3 miles west of Seminole Pratt-Whitney Rd. on the north side of Southern Blvd. (**PALM BEACH AGGREGATES HYDRO STORAGE**).

Pages under separate cover

Size: 3,044 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (5-0).

MOTION: This request meets Comprehensive Plan and ULDC criteria to permit this non-residential use in a residential area.

MOTION: To adopt a resolution approving the request for a Development Order Amendment DOA1989-052(C) to add an access point, modify conditions of approval and add Electrical power facility (requested use).

5. COMMISSIONER COMMENTS

6. DIRECTOR COMMENTS

A. ZONING DIRECTOR

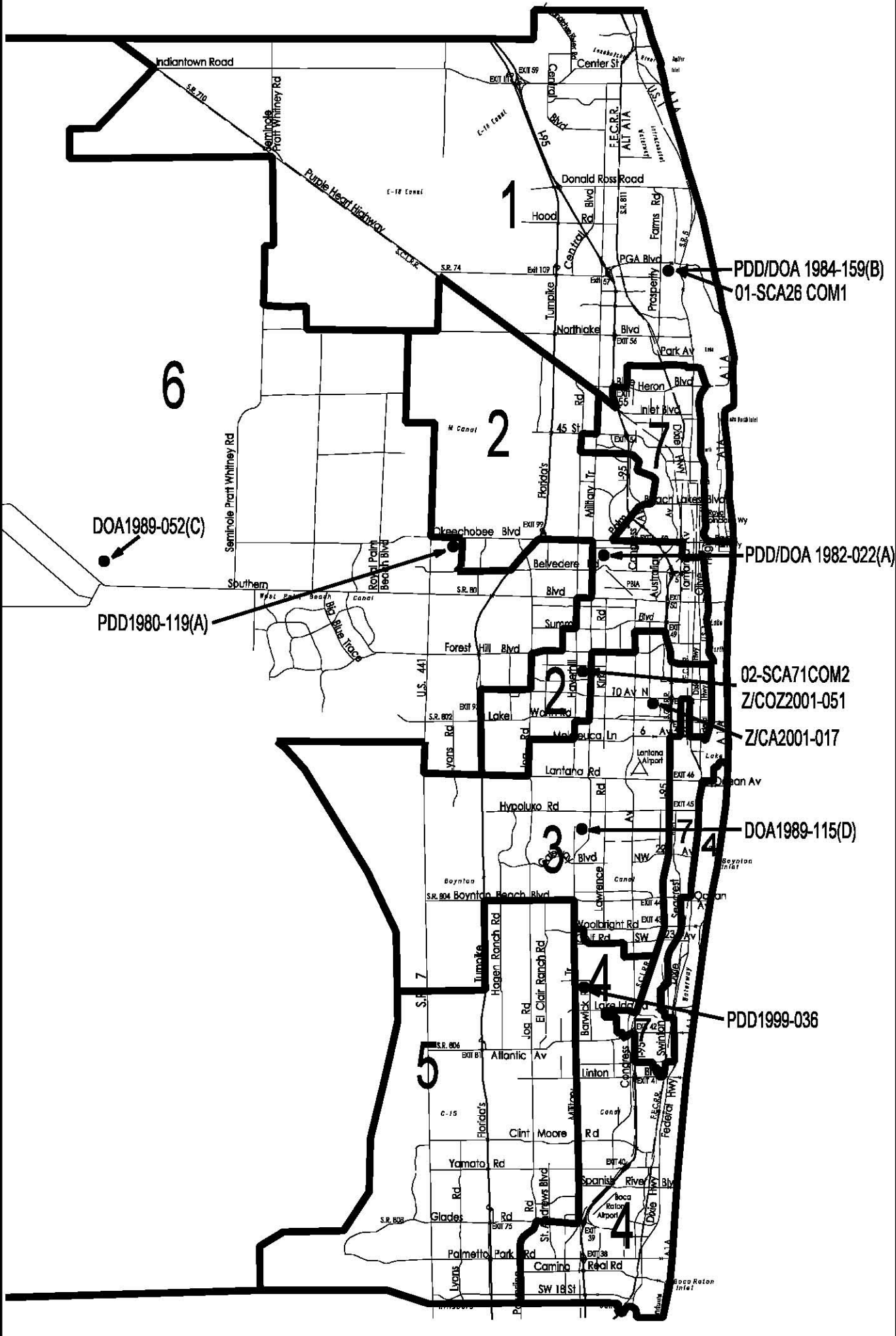
- 22. Memo regarding [January 24, 2002](#) Zoning Hearing change to January 31, 2002.

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B. PLANNING DIRECTOR

7. ADJOURMENT

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING



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NOTE: MAP IS NOT OFFICIAL. FOR PRESENTATION PURPOSES ONLY

THURSDAY, JANUARY 03, 2002

9:30 A.M. IN THE JANE M. THOMPSON
MEMORIAL CHAMBERS
301 N. OLIVE AVE.
WEST PALM BEACH, FL.

In accordance with the ADA, this document may be requested in an alternative format.
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**Planning
Zoning
&
Building**

100 Australian Avenue
West Palm Beach, FL 33409
Phone: (561) 238-6300