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

MAY 27, 2004

**THURSDAY
9:30 AM**

**COMMISSION
CHAMBERS**

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

- 2. POSTPONEMENTS/WITHDRAWALS (Pages 1-2)**

- 3. CONSENT AGENDA (Pages 3-9)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 10-11)**

- 5. DIRECTOR COMMENTS (Pages 10-11)**

- 6. COMMISSIONER COMMENTS (Page 11)**

- 7. ADJOURNMENT (Page 11)**

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

THURSDAY, MAY 27, 2004

1. 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

2. POSTPONEMENTS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **CA/DOA1986-064B** Title: Resolution approving a Class A Conditional Use petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To allow a private school. Title: Resolution approving a Development Order Amendment petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To reconfigure site plan and add square footage. General Location: Approx. 0.6 mile south of Donald Ross Rd. on the west side of Ellison Wilson Rd. (**HOLY SPIRIT LUTHERAN CHURCH**).

Page 1

Size: 5.25 acres ±

BCC District: 1

MOTION: None required. (By right postponement to June 16, 2004).

- 2. **CA/VDB2003-093** Title: Resolution approving a Class A Conditional Use and a Voluntary Density Bonus petition of Haverhill Palms LLC, by Land Design South, Agent. Request: To allow a Voluntary Density Bonus of 19 units. General Location: Approx. 250 feet north of Purdy Ln. on the west side of Haverhill Rd. (**HAVERHILL PALMS**).

Pages 2-3

Size: 3.28 acres ±

BCC District: 2

MOTION: To postpone sixty (60) days to July 22, 2004. (Postponed by the petitioner).

3. **SR 1984-163A.6** Status Report for Resolution R-94-358 (Petition 1984-163A), the petition of Arcadia Properties. Property owner: Alweiss Enterprises. General Location: Approx. 2 miles north of West Atlantic Ave. on the west side of Military Trail, south of Steiner Road. Current zoning: Community Commercial with a Conditional Overlay Zone (**ARCADIA PROPERTIES**).

Pages 4-7

Size: 4.04 acres

BCC District: 5

MOTION: To postpone sixty (60) days to July 22, 2004.

B. WITHDRAWALS: NONE

– END OF POSTPONEMENTS/WITHDRAWALS –

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 4. **Z2004-003** Title: Resolution approving an Official Zoning Map Amendment petition of Home Dynamics Corporation, by Ruden McClosky and Sun-Tech Engineering, Agents. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approx. 375 feet east of Benoist Farms Rd. on the south side of Southern Blvd. (**MOUNTS REZONING**).

Pages 8-22

Size: 2.99 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved as amended, 4-0.

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

- 5. **PDD2003-078** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lantana Farm Associates, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District with a veterinary clinic (requested use). General Location: SEC of Lantana Rd. and Florida's Turnpike (**LANTANA FARMS MUPD**).

Pages 23-45

Size: 3.01 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District with a veterinary clinic.

6. **PDD2003-034** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lantana Farm Associates, Inc., and Lantana Farm Consultants, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and Residential Transitional (RT) Zoning Districts to the Residential Planned Unit Development (PUD) District. General Location: Approx. 380 feet east of Florida's Turnpike on the south side of Lantana Rd. (**LANTANA FARMS PUD**).

Pages 46-76

Size: 36.2 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 and Residential Transitional Zoning Districts to the Residential Planned Unit Development District.

C. ZONING PETITIONS

7. **Z2004-007** Title: Resolution approving an Official Zoning Map Amendment petition of PBC Facilities Development & Operations, by Melanie Borkowski, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approx. 1/8 mile north of the future extension of Persimmon Blvd. on the west side of Seminole Pratt Whitney Rd. (**ACREAGE COMMUNITY FACILITIES**).

Pages 77-92

Size: 12.04 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to voluntary commitments.

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

Board of County Commissioners Recommendation: Approved at the first hearing, as amended, 5-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Public Ownership Zoning District.

8. **Z2004-013** Title: Resolution approving an Official Zoning Map Amendment petition of Jose Ramirez, by Urban Design Studio, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approx. 0.7 mile north of Donald Ross Rd. on the east side of Palmwood Rd. (**PALMWOOD RAMIREZ REZONING**).

Pages 93-106

Size: .50 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 4-0.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

9. **DOA1999-004A** Title: Resolution approving a Development Order Amendment petition of Lake Worth Road Assoc., by Kilday & Associates, Inc., Agent. Request: To modify a condition of approval, add square footage, and reconfigure the site plan. General Location: SEC of Lake Worth Rd. and SR 7/US 441 (**LAKE WORTH & SR 7 MUPD**).

Pages 107-131

Size: 11.35 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

10. **DOA/EAC1979-148D** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of Craig Collection, Inc., by Kilday & Associates, Inc., Agent. Request: To modify/delete a condition of approval. General Location: Approx. 500 feet west of Jog Rd. on the south side of Okeechobee Blvd. (**PALM BEACH ACURA**).

Pages 132-154

Size: 10.44 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request to modify/delete a condition of approval.

11. **DOA1998-010B** Title: Resolution approving a Development Order Amendment petition of Ronald C. & Joann Turner, by Barretta & Associates and Basehart Consulting, Inc., Agents. Request: To delete land area and reconfigure site plan. General Location: SWC of Boynton Beach Blvd. and El Clair Ranch Rd. (**TURNER MUPD**).

Pages 155-185

Size: 6.15 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to delete land area and reconfigure site plan.

12. **Z/CA2003-088** Title: Resolution approving an Official Zoning Map Amendment petition of Ronald C. & Joann Turner, by Basehart Consulting, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Single Family (RS) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Ronald C. & Joann Turner, by Basehart Consulting, Inc., Agent. Request: To allow zero lot line homes. General Location: Approx. 435 feet south of Boynton Beach Blvd. on the west side of El Clair Ranch Rd. (**WYNDSONG NORTH**).

Pages 186-211

Size: 11.81 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Multiple Use Planned Development District to the Residential Single Family Zoning District.

MOTION: To adopt a resolution approving the request to allow zero lot line homes.

13. **Z2004-004** Title: Resolution approving an Official Zoning Map Amendment petition of Oceanside Development, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approx. 0.5 mile west of Jog Rd. on the south side of Linton Blvd. (**OCEANSIDE HOMES**).

Pages 212-228

Size: 4.6 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

D. PREVIOUSLY POSTPONED STATUS REPORTS – CONSENT

14. **SR 1981-170A.2** Status report for Resolution R-99-323 (Petition 1981-170A), the petition of RCS Boca Grove, Inc. Property owner: RCS Boca Grove, Inc. General Location: Approx. 0.5 mile south of Glades Rd. on the west side of Powerline Rd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Office Business Park (**GROVE CENTER**).

Pages 229-232

Size: 3.46 acres ±

BCC District: 5

MOTION: To adopt a resolution to revoke Resolution No. R-99-323, a Development Order Amendment adding building square footage and reconfigure the site plan for a Planned Office Business Park.

15. **SR 1986-114B.3** Status Report for Resolution R-97-148 (Petition 1986-114B), the petition of Summit Christian School. Property owner: Summit Christian School of Palm Beach County. General Location: SEC of Haverhill Rd. and Summit Blvd. Current zoning: Multiple Family Residential (Medium Density) with a Development Order Amendment (DOA) to: 1) add land area 2) add square footage (90,760); 3) add access (2) to a previously approved Special Exception which allows a private educational institution including a day care facility (**SUMMIT CHRISTIAN SCHOOL**).

Pages 233-236

Size: 18.16 acres ±

BCC District: 6

MOTION: To approve a time extension until August 10, 2005, for Resolution R-97-148, and to revoke the concurrency reservation (93-03-03-001-C) for the unbuilt portion of the project.

16. **SR 1987-136.10** Status Report for Resolutions R-89-357 and R-89-358 (Petition 1987-136), the petition of Patricia Marshall. Property owner: Enrique Casarrubias. General Location: Approx. 300 feet east of Davis Rd. on the north side of Lake Worth Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development .

Pages 237-241

Size: 1.0 acre ±

BCC District: 3

MOTION: To 1) adopt a resolution to revoke Resolution No. R-89-358, the Special Exception for a Planned Commercial Development; 2) adopt a resolution to revoke Resolution No. R-2002-0838, which amended conditions of approval, and 3) exempt Resolution No. R-89-357, the resolution which rezoned property to the CG-General Commercial Zoning District, from further Unified Land Development Code Article 2.E. review.

17. **CR 1999-084/B1** Status Report for Resolution R-2000-0581 (Petition 1999-084), the petition of Apostolic Ministries International. Property owner: Apostolic International Ministries, Inc. General Location: Approx. 900 feet east of "E" Rd. on the north side of Okeechobee Blvd. Current zoning: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship (**JESUS OUR SAVIOR CHURCH**).

Pages 242-248

Size: 4.87 acres ±

BCC District: 6

MOTION: To approve a time extension until April 27, 2006, to commence development.

E. STATUS REPORTS – CONSENT

18. **SR 1975-069G** Status Report for Resolution R-2001-0430 (Petition 1975-069G), the petition of Wal-Mart Stores, Inc. Property owner: Walmart Stores #8140. General Location: SEC of Seacrest Blvd. and Hypoluxo Rd. Current zoning: General Commercial with a Special Exception to allow a large scale Planned Community Commercial and Shopping Complex including a motel, gasoline station and financial institution (**SAM'S WHOLESALE CLUB**).

Pages 249-252

Size: 14.80 acres ±

BCC District: 7

MOTION: To adopt a resolution to amend conditions of approval (ULDC) in Resolution R-2001-0430, and approve a time extension until March 22, 2006, to commence development.

19. **SR 1994-13.5** Status Report for Resolution R-95-0435 (Petition 1994-013), the petition of Chimu, Inc. Property owner: Chimu, Inc. General Location: Approx. 0.25 mile west of Military Tr. on the north side of Hypoluxo Rd. Current zoning: Multiple Use Planned Development District including a fast food restaurant (requested use) (**CHIMU SHOPPING CENTER**).

Pages 253-255

Size: 8.55 acres ±?

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-95-0435, and approve a time extension until March 30, 2006, for Resolution R-95-0435.

20. **SR 1998-051** Status Report for Resolution R-98-1512 (Petition 1998-051), the petition of Loxahatchee Baptist Mission Church. Property owner: Loxahatchee Baptist Mission Church. General Location: NEC of Orange Blvd. and 140th Ave. N. Current zoning: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship (**LOXAHATCHEE BAPTIST MISSION CHURCH**).

Pages 256-258

Size: 6.12 acres ±?

BCC District: 6

MOTION: To approve a time extension until March 22, 2006, for Resolution R-98-1512.

21. **SR 2000-099** Status Report for Resolution R-2001-0445 (Petition 2000-099), the petition of Whitworth Farms. Property owner: Whitworth Farms Ltd. General Location: NWC of Hagen Ranch Rd. and Flavor Pict Rd. Current zoning: Multiple Use Planned Development with a financial institution (**WHITWORTH FARMS**).

Pages 259-262

Size: 15.46 acres ~~±~~?

BCC District: 5

MOTION: To approve on first reading and advertise for a second public hearing on July 22, 2004 for a resolution to rezone from the Multiple Use Planned Development district to the RT-Residential Transitional zoning district, and to revoke the requested use for a financial institution.

F. ABANDONMENT RESOLUTION

22. **ABN1984-049** To abandon a Special Exception to allow a trucking terminal granted under Resolution R-84-1166 (**ALTERMAN TRANSPORT**)

Pages 263-265

BCC District : 1

MOTION: To adopt a resolution approving the abandonment of a Special Exception to allow a trucking terminal granted under Resolution R-84-1166.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING PETITIONS

23. [DOA1974-081F](#) Title: Resolution approving a Development Order Amendment petition of Target Corporation, by Greenberg Traurig, Agent. Request: To modify a DRI condition of approval. Request: Substantial Deviation Determination. General Location: NWC of Okeechobee Blvd. and SR 7/US 441 (**FOX DRI - NORTH MUPD**).

Pages 266-286

Size: 28.06 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: The request is not a Substantial Deviation.

MOTION: To adopt a resolution approving the request to modify a DRI condition of approval.

5. DIRECTOR COMMENTS

A. PLANNING DIRECTOR

B. ERM DIRECTOR

24. AI-2004-02 Palm Beach Park of Commerce

(under separate cover)

C. ZONING DIRECTOR

25. [Flood Damage Protection Ordinance, Request for Permission to Advertise](#)

Pages 287-317

Motion: To approve on preliminary reading and to advertise for public hearing on June 16, 2004, at 9:30 A.M. at the Jane M. Thompson Memorial Chambers, Sixth Floor, Governmental Center, 301 North Olive Avenue, West Palm Beach, Florida: An ordinance of the Board of County Commissioners of Palm Beach County, Florida, titled Palm Beach County Flood Damage Prevention Ordinance; repealing Ordinance 88-3; providing findings of fact; providing for a statement of objectives; providing for methods of reducing flood losses; providing for definitions; providing for general provisions; providing for administration; providing for provisions for flood damage prevention; providing for grading and earth fill restrictions; providing for appeal and variance procedures; providing for applicability; providing for a savings clause; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the ULDC; and providing for an effective date.

26. Presentation by Staff - Interactive Code/A New Zoning Web Page

N/A

6. COMMISSIONER COMMENTS

7. ADJOURNMENT