

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
Jess R. Santamaria



Robert Weisman
Department of Planning, Zoning & Building
2300 N. Jog Road.
West Palm Beach, FL 33411
Phone: 561-233-5200
Fax: 561-233-5165

**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AGENDA INDEX

APRIL 24, 2008

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/REMANDS (Pages 1-3)

3. CONSENT AGENDA (Pages 4-9)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 10)

5. DIRECTOR COMMENTS (Page 15)

6. COMMISSIONER COMMENTS (Page 15)

7. ADJOURNMENT (Page 15)

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

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

APRIL 24, 2008

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

A. POSTPONEMENTS

- 1. [Z/DOA/CA2007-1185](#) Title: Resolution approving an Official Zoning Map Amendment application of Winners Church International, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District. Title: Resolution approving a Development Order Amendment application of Winners Church International, by Land Research Management, Inc., Agent. Request: To reconfigure site plan, add land area and add building square footage. Title: Resolution approving a Class A Conditional Use application of Winners Church International, by Land Research Management, Inc., Agent. Request: To allow a daycare, general. General Location: Southwest corner of Jog Road and Pioneer Road. **(Winners Church)** (Control 1985-072)

Page 1
Project Manager- Ora Owensby

Size: 16.04 acres ±

BCC District: 6

MOTION: None required. Postponed to June 30, 2008.

2. **ZV/DOA2007-845** Title: Resolution approving a Type II Zoning Variance application of Covenant Centre, Inc., by Land Design South, Inc., Agent. Request: To allow less than the required 30% pervious area. Title: Resolution approving a Development Order Amendment application of Covenant Centre, Inc., by Land Design South, Inc., Agent. Request: To delete land area. General Location: Northwest corner of Roan Lane and Northlake Boulevard. (**Palm Beach Cathedral**) (Control 1974-083)

Page 2

Project Manager- Douglas Robinson

Size: 3.48 acres ±

BCC District: 1

MOTION: To postpone to May 22, 2008.

3. **SCA 2007-041** Northlake Roan Commercial, by Jeffrey Brophy, Land Design South Covenant Center, LLC and Cherry Road Plaza, LLC. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 3.06 acres parcel from High Residential, 12 units per acre (HR-12) to Commercial High (CH). General Location: Approximately 200 feet north of the northwest corner of Northlake Boulevard and Roan Lane. (**Northlake Roan Commercial a.k.a. Northlake Value Place Hotel**)

Pages 3-61

Project Manger: Stephanie Gregory

Size: 3.06 acres ±

BCC District: 1

MOTION: To postpone to May 22, 2008.

4. **Z/CB2007-846** Title: Resolution approving an Official Zoning Map Amendment application of Value Place Hotels - Butch Nuss, by Land Design South, Inc., Agent. Request: Rezoning from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District. General Location: Approximately 200 feet north of the northwest corner of Northlake Boulevard and Roan Lane. (**Northlake Value Place Hotel**) (Control 2007-259)

Page 62

Project Manager- Sandra Gonzalez

Size: 3.06 acres ±

BCC District: 1

MOTION: To postpone to May 22, 2008.

5. **SR 2001-005.2** Status Report for Resolution R-2001-2067 (Control # 2001-005), the application of Flamboyant Enterprises and Paul Okean. Property owner: Morningstar Nursery, Inc. General Location: approximately 600 feet north of Hypoluxo Road on the east side of Military Trail. Zoning District: Multiple Use Planned Development (MUPD) with two (2) daycares, general and congregate living facility, type III. (**Okean Office MUPD**) (Control 2001-005).

Page N/A

Project Manager-John Pancoast

Size: 19.18 acres

BCC District: 3

MOTION: To postpone to May 22, 2008 (Requested by owner)

B. WITHDRAWALS

6. **Z/CA/TDR2006-1914** Title: Resolution approving an Official Zoning Map Amendment application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the transfer of development rights for 10 units and to allow the 10 units to be purchased at a reduced cost of \$1.00 per TDR unit. General Location: Approximately 1300 feet north of Belvedere Road on the west side of Haverhill Road. (**The Residences at Haverhill**) (Control 2006-551)

Page 63

Project Manager Douglas Robinson

Size: 2.70 acres ±

BCC District: 2

MOTION: None Required.

7. **SR 1991-042A** Status Report for Resolution R-2004-1373 and R-2004-1374 (Control # 1991-042A), the application of Faith United Methodist Church of Boynton Beach, FL. Property owner: Faith United Methodist Church of Boynton Beach of Florida, Inc. General Location: approximately 0.25 mile east of Jog Road on the south side of Boynton Beach Blvd. Zoning District: Residential Single Family with a Development Order Amendment to add square footage and reconfigure site plan to previous Special Exception to allow a church, accessory buildings and structures and day care center. (**Faith United Methodist Church**) (Control 1991-042).

Page N/A

Project Manager-John Pancoast

Size: 10.18 acres

BCC District: 5

MOTION: None required. (development meets alternative definition of commencement)

C. REMANDS

-END OF POSTPONEMENTS/WITHDRAWALS/REMANDS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS

- 8. **SR 2003-099** Status Report for Resolution R-2004-2426 (Control # 2003-099), the application of Charles Poston. Property owner: Lantana Plaza Development, LLC and EMM Enterprises Two, LLC. General Location: northeast corner of Lantana Road and Haverhill Road. Zoning District: Multiple Use Planned Development (MUPD) (Lantana Plaza).

Pages 64-68
 Project Manager: John Pancoast

Size: 10.00 acres . BCC District: 3

MOTION: To approve time extensions until December 31, 2008, for Condition E.1 within Resolution R-2004-2426.

D. ZONING APPLICATIONS

- 9. **DOA2007-1417** Title: Resolution approving Development Order Amendment application of Realty Duke, by Miller Land Planning, Agent. Request: To reduce square footage, modify/delete conditions of approval, reconfigure site plan, and change uses. General Location: Approximately 1 mile south of Okeechobee Boulevard 800 feet west of Jog Road. (**Jog Commerce Park**) (Control 2005-460)

Pages 69-94
 Conditions of Approval (35) Pages 84-90
 Project Manager- Carrie Rechenmacher

Size: 12.02 acres ± BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reduce square footage, modify/delete conditions of approval, reconfigure site plan, and change uses.

10. **PDD/DOA2007-883** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of New Country Motor Cars Of Palm Beach, LLC, by Gary M. Brandenburg and Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of New Country Motor Cars Of Palm Beach, LLC, by Gary M. Brandenburg and Associates, Agent. Request: To add land area, add building square footage, to allow vehicle sales and rental and to restart the commencement clock. General Location: Approximately 0.2 miles west of Palm Beach Lakes Boulevard on the south side of Okeechobee Boulevard. (**Mercedes Maserati Dealership**) (Control 1983-161)

Pages 95-126

Conditions of Approval (79) Pages 111-122

Project Manager: Douglas Robinson

Size: 13.92 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval

Zoning Commission Recommendation: Approved as amended, 7-0 on both requests.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To adopt a resolution approving a Development Order Amendment to add land area, add building square footage, to allow vehicle sales and rental and to restart the commencement clock.

11. **Z2007-1380** Title: Resolution approving an Official Zoning Map Amendment application of Atlantis Reserve, by Land Design South, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Community Commercial (CC) Zoning District. General Location: Southwest corner of Collier Road and Military Trail. (**Atlantis Reserve**) (Control 1991-027)

Pages 127-153

Conditions of Approval (21) Pages 142-145

Project Manager Autumn Sorrow

Size: 1.30 acres ±

BCC District: 3

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval, as advertised. 7-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial (CG) Zoning District to the Community Commercial (CC) Zoning District with a Conditional Overlay Zone (COZ).

12. **DOA2007-1803** Title: Resolution approving a Development Order Amendment application of Shadowwood Square, Ltd, by Jon E Schmidt & Associates, Agent. Request: To reconfigure the site plan and add square footage. General Location: Northeast corner of Glades Road and State Road 7/US441. (**National Gymnastics at Shadowwood Square**) (Control 1973-043)

Pages 154-176
Conditions of Approval (36) Pages 167-173
Project Manager Ora Owensby

Size: 34.93 acres ±

BCC District: 5

Staff Recommendation: Approval subject to conditions of approval

Zoning Commission Recommendation: Approval, as advertised 7-0.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan and add square footage.

13. **Z2007-1809** Title: Resolution approving an Official Zoning Map Amendment application of Latham Road Commerce Ctr., Inc., by David L. Carpenter & Associates, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Light Industrial (IL) Zoning District. General Location: Southeast corner of Latham Road and Old Okeechobee Road. (**Old Okeechobee Industrial**) (Control 1973-008)

Pages 177-199
Conditions of Approval (4) Pages 189-190
Project Manager Autumn Sorrow

Size: 6.68 acres ±

BCC District: 2

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone (COZ).

14. **Z/CA2006-1180** Title: Resolution approving an Official Zoning Map Amendment application of Boynton National Chapel, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District. Title: Resolution approving a Class A Conditional Use application of Boynton National Chapel, LLC, by Miller Land Planning, Agent. Request: To allow a Funeral Home. General Location: Northwest corner of State Road 7/US441 and Heritage Farms Road. (**Boynton National Chapel**) (Control 2005-515)

Pages 200-226
Conditions of Approval (17) Pages 214-217
Project Manager Ron Sullivan

Size: 5.23 acres ±

BCC District: 3

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0 on both requests.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Community Commercial Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Funeral Home.

15. **ABN2006-1181** Abandonment Resolution: To abandon the Special Exception granted under R-1980-227 to allow a commercial enterprise, consisting of a Farm Credit Service Office. (**Farm Credit Service Office**) (Control 1980-012)

Pages 227-230

BCC District: 3

MOTION: To adopt a resolution abandoning the Special Exception granted under R-1980-227 to allow a commercial enterprise, consisting of a Farm Credit Service Office.

D. CORRECTIVE RESOLUTIONS

E. TDR CONTRACT AND DEED

- 15. **Z/CA2006-022** Execution of a Contract for Sale and Purchase of Development Rights. Request: Execute a contract between Palm Beach County and Colonial Lakes LLC, for the sale and purchase of 35 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$1.00 per unit as approved by the Palm Beach County Board of County Commissioners on November 29, 2007 by Resolution No. R-2007-1417. (**Colonial Lakes**) (Control 2006-010)

Pages 231-234

LOCATION: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road

MOTION: To approve a contract for the sale and purchase of 35 development rights at a purchase price of \$1.00 per unit for a total price of \$35.00.

- 16. **Z/CA2006-022** Execute a deed conveying 35 Development Rights units to Colonial Lakes LLC as authorized in Resolution No. R-2007-1417 which approved the purchase of 35 Development Rights from the County's TDR Bank at a cost of \$1.00 per unit and the designation of the Colonial Lakes as a TDR Receiving Area for those units. (**Colonial Lakes**) (Control 2006-010)

Pages 235-236

BCC District: 3

LOCATION: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road.

MOTION: To execute a deed conveying 35 Development Rights units to Colonial Lakes LLC as authorized in Resolution No. R-2007-1417.

- 17. **CA/TDR 2007-509** Execution of a Contract for Sale and Purchase of Development Rights. Request: Execute a contract between Palm Beach County and Situ Group LLC, for the sale and purchase of 3 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$1.00 per unit as approved by the Palm Beach County Board of County Commissioners on January 24, 2008 by Resolution No. R-2008-0122. (**Gulfstream Villas**) (Control 2007-053)

Pages 237-240

BCC District: 3

LOCATION: Approximately 950 feet south of Lake Worth Road on the west side of Gulfstream Road

MOTION: To approve a contract for the sale and purchase of 3 development rights at a purchase price of \$1.00 per unit for a total price of \$3.00.

18. **CA/TDR
2007-509** Execute a deed conveying 35 Development Rights units to Situ Group LLC as authorized in Resolution No. R-2008-0122 which approved the purchase of 3 Development Rights from the County's TDR Bank at a cost of \$1.00 per unit and the designation of the Gulfstream Villas as a TDR Receiving Area for those units. (**Gulfstream Villas**) (Control 2007-053)

Pages 241-242

BCC District: 3

LOCATION: Approximately 950 feet south of Lake Worth Road on the west side of Gulfstream Road.

MOTION: To execute a deed conveying 3 Development Rights units to Situ Group LLC as authorized in Resolution No. R-2008-0122.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. STATUS REPORTS

19. **SR NPN-13.4** Status Report for Resolution R-1994-1469 (1998-1108, 1998-1109) (Control # NPN-13), the application of Oriole Homes. Property owner: Via Palma Delray, Inc. General Location: south side of Via Delray, on the east side of the LWDD E-3 Canal. Zoning District: Planned Unit Development with a Development Order Amendment to add land area (34.18 acres) and transfer units (82) and redesignate unit types (82 MFR to 82 SFR)) (**Coral Lakes PUD**). (Control NPN-13)

Pages 243-248

Project Manager: John Pancoast

Size: 1.23 acres of 682.2 acre PUD

BCC District: 5

MOTION: To approve a time extension until February 22, 2009, for Resolution R-1994-1469 (1998-1108, 1998-1109).

20. **SR 1998-058.3** Status Report for Resolution R-1999-0706 (Control # 1998-058), the application of Hovsons, Inc. Property owner: F.P. Dino & Associates. General Location: east side of Florida Turnpike and the LWDD L-20 Canal, approximately one (1) mile south of Hypoluxo Road. Zoning District: Residential Transitional Suburban (RTS). (**Melrose East Rezoning**) (Control 1998-058)

Pages 279-254

Project Manager: John Pancoast

Size: 12.73 acres

BCC District: 3

MOTION: To approve a time extension until January 22, 2011, for Resolution R-1999-0706.

21. **SR 2001-025.2** Status Report for Resolution R-2002-0142 (Control # 2001-025), the application of Azinta Thompson. Property owner: Austin P. Wiggan and Norma A. Wiggan. General Location: approximately 150 feet east of Haverhill Road on the north side of Vilma Lane. Zoning District: Residential High Density (RH) with a Class A Conditional Use (CA) to allow a church or place of worship (**Church of God of Prophecy**) (Control 2001-025)

Pages 255-259

Project Manager: John Pancoast

Size: 0.92 acres

BCC District: 2

MOTION: To approve a time extension until January 31, 2010, for Resolution R-2002-0142.

D. PREVIOUSLY POSTPONED ZONING APPLICATION

22. **PDD/DOA/W2007-884** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: To add land area, reconfigure the master plan, add units, and to allow a model row. Title: Resolution approving a Waiver application of Boynton Beach Associates, XIX, LLLP, by Kilday & Associates, Inc., Agent. Request: To allow more than 40% of the local streets to terminate in dead-ends or cul-de-sacs. General Location: Development Area - Southwest corner of Boynton Beach Boulevard and Lyons Road. (**Lyons West AGR-PUD**) (Control 2005-003)

Pages 260-335

Conditions of Approval (58) Pages 289-308

Project Manager- Ora Owensby

Size: 1080.49 acres ±

BCC District: 3 & 5

Staff Recommendation: Approval in part and denial in part subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended, 7-0 on all requests.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Reserve Zoning District to the Agricultural Reserve Residential Planned Unit Development Zoning District.

MOTION: To adopt a resolution approving a Development Order Amendment to add land area, reconfigure the master plan, add units, and to allow a model row.

MOTION: To adopt a resolution denying a Waiver to allow more than 40% of the local streets to terminate in dead-ends or cul-de-sacs.

23. **PDD/R2007-1592** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District (PDD) application of Paul Thomas, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to Recreational Vehicle Planned Development (RVPD) District. Title: Resolution approving a Requested Use application of Paul Thomas, by Kilday & Associates, Inc., Agent. Request: To allow a Water Treatment Plant. General Location: Approximately one mile west of Jupiter Farms Road on the North side of Indiantown Road. (**Jupiter RV Resort RVPD**) (Control 2006-185)

Pages 336-371

Conditions of Approval (23) Pages 356-360

Project Manager-Ora Owensby

Size: 17.91 acres ±

BCC District: 1

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval, as amended 6-1 on both requests.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to Recreational Vehicle Planned Development District.

MOTION: To adopt a resolution approving a Requested Use to allow a Water Treatment Plant.

24. **Z/CA2006-1912** Title: Resolution approving an Official Zoning Map Amendment application of No Big Deal, LLC, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Agricultural Residential (AR) Zoning District. Title: Resolution approving a Class A Conditional Use application of No Big Deal, LLC, by Jon E Schmidt & Associates, Agent. Request: To allow a daycare, general. General Location: Southwest corner of Indiantown Road and 130th Avenue North. (**Planet Kids XVI**) (Control 1979-256)

Pages 372-418

Conditions of Approval (34) Pages 391-397

Project Manager- Anthony Wint

Size: 9.18 acres ±

BCC District: 1

Staff Recommendation: Approval subject to conditions of approval

Zoning Commission Recommendation: Approval for rezoning 4-2 and denial of the daycare 5-1.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential Estate Zoning District to the Agricultural Residential Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a daycare, general.

25. **CA2007-1199** Title: Resolution approving a Class A Conditional Use application of Bergeron Sand, Rock & Aggregates, Inc., by Jon E Schmidt & Associates, Agent. Request: To allow an expansion of a Type IIIB excavation. General Location: Approximately 6.56 miles south of CR-827 on the west side of US Highway 27. (**Bergeron Sand Rock And Aggregate Expansion**) (Control 1978-099)

Pages 419-454
 Conditions of Approval (45) Pages 439-446
 Project Manager-Douglas Robinson

Size: 552.97 acres ± BCC District: 6

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval as advertised, 7-0

MOTION: To adopt a resolution approving a Class A Conditional to allow an expansion of a Type IIIB excavation.

26. **CA2006-1930** Title: Resolution approving a Class A Conditional Use application of King Ranch, Inc., by Greenberg Traurig, PA, Agent. Request: To allow a Type III B Excavation. General Location: Approximately 10 miles south of Belle Glade on the east side of SR827. (**South Bay Quarry**) (Control 2006-554)

Pages 455-504
 Conditions of Approval (42) Pages 479-486
 Project Manager – Carrie Rechenmacher

Size: 3773.42 acres ± BCC District: 6

Staff Recommendation: Approval subject to conditions of approval.

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Type III B Excavation.

27. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. (**Lake Harbor Quarry**) (Control 2007-054)

Pages 505-536
 Conditions of Approval (42) Pages 523-530
 Project Manager- Douglas Robinson

Size: 7351.24 acres ± BCC District: 6
 Affected area 640.0 acres ±

Staff Recommendation: Approval, subject to conditions of approval.

Zoning Commission Recommendation: Approval, as advertised, 7-0

MOTION: To adopt a resolution approving of a Class A Conditional to allow a Type IIIB Excavation.

- 28. **DOA2007-1590** Title: Resolution approving a Development Order Amendment application of Square Lake North Dev Company, Inc., by Gentile, Holloway, O'Mahoney & Assoc, Agent. Request: To modify a condition of approval (use limitation). General Location: Northeast corner of Square Lake and Military Trail. (**Square Lake North**) (Control 2001-043)

Pages 537-560
 Conditions of Approval (36) Pages 550-556
 Project Manager- Autumn Sorrow

Size: 2.92 acres ±

BCC District: 1

Staff Recommendation: Approval subject to conditions of approval.

Zoning Commission Recommendation: Approval, as amended 7-0

MOTION: To adopt a resolution approving a Development Order Amendment to modify a condition of approval (use limitation).

E. REGULAR AGENDA

- 29. **Z/CA2007-991** Title: Resolution approving an Official Zoning Map Amendment application of Levy Ventures, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Levy Ventures, by Jon E Schmidt & Associates, Agent. Request: To allow a School elementary or secondary (private). General Location: Southeast corner of Northlake Boulevard and Bates Road. (**Levy Learning Center**) (Control 2005-193)

Pages 561-584
 Conditions of Approval (21) Pages 576-580
 Project Manager Ora Owensby

Size: 0.98 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions of approval.

Zoning Commission Recommendation: Approval as amended 7-0, for both requests.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential Estate Zoning District to the Residential Transitional Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a School elementary or secondary (private).

30. **DOA/TDR2007-1202** Title: Resolution approving a Development Order Amendment application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD). Title: Resolution approving a Transfer of Development Right application of Colony at Lake Worth, LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 28 additional TDR units. General Location: Northwest corner of Myers Road and Lantana Road. (**Colony at Lake Worth PUD**) (Control 2003-011)

Pages 585-629

Conditions of Approval (Exh C 44/Exh C-1 12) Pages 607-624

Project Manager Joyce Lawrence

Size: 22.29 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions of approval.

Zoning Commission Recommendation: Approval, as amended 3-2 for both requests.

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, add units, and modify/delete conditions of approval (Landscaping, Engineering and PUD).

MOTION: To adopt a resolution approving the Transfer of Development Rights for an additional 28 units in a PUD Zoning District, designate the subject property as the receiving area and to approve the reduced cost of \$1.00 per unit (28) for the Transfer of Development Rights units.

5. DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

31. TDR Annual Report 2006-2007

C. PLANNING DIRECTOR

6. COMMISSIONER COMMENTS

7. ADJOURNMENT