

Board of County Commissioners

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

JANUARY 4, 2007

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

WITHDRAWALS

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PDD/W/TDR2005-1322 – FAIRWAY VIEW OF THE PALM BEACHES

PULL OFF CONSENT

11.
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PBC FIRE STATION 56 AT BOCA POINTE PUD

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

JANUARY 4, 2007

**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/REMANDS/WITHDRAWALS (Pages 1-4)**

- 3. CONSENT AGENDA (Pages 5-7)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 8-10)**

- 5. DIRECTOR COMMENTS (Page 10)**

- 6. COMMISSIONER COMMENTS (Page 10)**

- 7. ADJOURNMENT (Page 10)**

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**

JANUARY 4, 2007

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/REMANDS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/CA2005-477** Title: Resolution denying an Official Zoning Map Amendment application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution denying a Class A Conditional Use application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: To deny a private school. General Location: Southeast corner of Bates Road and Northlake Boulevard. **(LEVY LEARNING CENTER)** (Control 2005-193)

N/A

Size: 0.98 acres ±

BCC District: 1

MOTION: None required. (Postponed by the Zoning Commission to January 25, 2007)

2. **PDD/DOA/ABN2006-189** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Health Hippocrates, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) and the Residential Transitional (RT) Zoning Districts to the Residential Planned Unit Development (PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Health Hippocrates, by Miller Land Planning, Agent. Request: To add land area, add square footage, add residents, reconfigure the site plan and modify the conditions of approval to the Hippocrates Planned Unit Development. Title: Resolution approving a Development Order Abandonment application of Health Hippocrates, by Miller Land Planning, Agent. Request: To adopt a resolution approving the abandonment of the Special Exception to allow a Congregate Living Facility. General Location: On the west side of Skees Road between Golden River Drive and Palmdale Road. **(HIPPOCRATES PUD/CLF)** (Control 1987-032)

N/A

Size: 30.46 acres ±

BCC District: 2

MOTION: None required. (Postponed by the Zoning Commission to January 25, 2007)

3. **Z/CA2006-936** Title: Resolution approving an Official Zoning Map Amendment application of Joel and Marlene Dalva by William Upthegrove, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Joel and Marlene Dalva by William Upthegrove, Agent. Request: To allow a daycare, general. General Location: Northeast corner of Lyons Road and Dillman Road. **(GODDARD SCHOOL)** (Control 2006-363)

N/A

Size: 1.77 acres ±

BCC District: 6

MOTION: None required. (Postponed by the Zoning Commission to January 25, 2007)

4. **CA/TDR2006-016** Title: Resolution approving a Class A Conditional Use application of Haldick Enterprises, Inc., by Cotleur & Hearing, Inc., Agent. Request: To allow the Transfer of Development Rights for 20 units and to designate this application as the receiving area. General Location: Approximately 300 feet east of Military Trail at the terminus of Boatman Street and Clemens Street. **(BOATMAN HAMMOCK)** (Control 2006-008)

Page 1

Size: 5.13 acres ±

BCC District: 3

MOTION: To postpone to January 25, 2007. (Requested by the Applicant)

5. **SCA 2006-00012** Osprey Isles Office II, by Land Research Management, Inc. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 9.88 acre parcel from Low Residential, 1 unit per acre (LR-1) to Commercial Low-Office, with an underlying 1 unit per acre (CL-O/1). General Location: Approximately 4 mile west of SR 710 on the north side of Northlake Boulevard. **(OSPREY ISLES OFFICE II a.k.a. NORTHLAKE SELF STORAGE)**

Pages 2-23

Size: 9.88 acres ±

BCC District: 1

Staff Recommendation: Denial of the requested future land use change from LR-3 to CH-O/3.

LPA Recommendation: Approval of the requested future land use change from LR-3 to CH-O/3 subject to a condition (7-4 vote) at the June 9, 2006 public hearing. The recommended condition would limit the site to 6,000 square feet of office uses, 70,000 square feet of self-storage uses, 5 work-live units and an overall floor area ratio (FAR) of .25.

MOTION: To postpone 60 days to February 22, 2007.

6. **PDD/R2005-1625** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Four JR Corporation, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and Specialized Commercial (CS) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of Four JR Corporation, by Land Research Management, Inc., Agent. Request: To allow a self-service storage facility. General Location: Approximately 4 mile west of SR 710 on the north side of Northlake Boulevard. **(NORTHLAKE SELF-STORAGE)** (Control 2005-599)

N/A

Size: 9.88 acres ±

BCC District: 1

MOTION: None required. (Postponed by the Zoning Commission to February 22, 2007)

7. **SR 1998-077** Status Report for Resolution R-1999-0527 (Petition 1998-077), the petition of Herbert and Karl Kahlert. Property owner: Herbert F. Kahlert and Pace Petroleum Services, Inc. General Location: Northeast corner of Lake Worth Road and Lyons Road. Zoning District: Multiple Use Planned Development. (**VILLAGE CORNER MUPD**)

Pages 24-30

Size: 12.29 acres ±

BCC District: 6

MOTION: To postpone to January 25, 2007. (Requested by the property owner)

B. REMANDS

C. WITHDRAWALS

8. **DOA/R2005-1321** Title: Resolution approving a Development Order Amendment application of Temple Beth El Of Boca Raton, Inc., by Land Design South, Inc., Agent. Request: To modify the master plan. Title: Resolution approving a Requested Use application of Temple Beth El Of Boca Raton, Inc., by Land Design South, Inc., Agent. Request: To allow a daycare, general and a school, elementary or secondary (private). General Location: Northwest corner of Cobblestone Way and Ponderosa Drive (**TEMPLE BETH EL**). (Control 1975-068)

Page 31

Size: 6 acres ±

BCC District: 5

MOTION: None required.

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. ZONING APPLICATIONS

- 9. **Z2006-941** Title: Resolution approving an Official Zoning Map Amendment application of Reardon Land Holdings, LLC, by Ward, Damon & Posner, PA, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approximately 500 feet west of Pike Road on the north side of Southern Boulevard. **(REARDON LAND HOLDINGS LLC)** (Control 2006-360)

Pages 32-44

Size: 1.23 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Light Industrial Zoning District with a Condition Overlay Zone.

- 10. **PDD/DOA2006-1183** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Lost Tree Club, Inc., by Lucido & Associates, Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Residential Planned Unit Development (PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Lost Tree Club, Inc., by Lucido & Associates, Agent. Request: To add land area to an existing Planned Unit Development. General Location: Approximately 0.25 mile south of US 1 on the east and west side of SR Alternate AIA. **(LOST TREE BEACH CLUB)** (Control 1973-030)

Pages 45-64

Size: 80.14 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

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

MOTION: To adopt a resolution approving a Development Order Amendment to add land area to an existing Planned Unit Development.

11. **DOA2006-1371** Title: Resolution approving a Development Order Amendment application of Palm Beach County FDO by Palm Beach County, Agent. Request: To amend the master plan of Boca Pointe PUD to re-designate a portion of Pod D land use (residential to civic), add two access points to newly created Pod D2, and modify conditions of approval. General Location: South side of SW 18th Street, between Powerline Road and Military Trail. **(PBC FIRE STATION 56 at BOCA POINTE PUD)** (Control 1973-085)

Pages 65-85

Size: 22.98 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to amend the master plan of Boca Pointe PUD to re-designate a portion of Pod D land use (residential to civic), add two access points to newly created Pod D2, and modify conditions of approval.

D. STATUS REPORTS

12. **SR 2001-071** Status Report for Resolution R-2002-1645 (Petition 2001-071), the petition of Tidal Wave Investments. Property owner: Tidal Wave Development Corp. General Location: Approximately 1,700 feet west of Jog Road on the north side of Wallis Road. Zoning District: Light Industrial with a Conditional Overlay Zone. **(TIDAL WAVE REZONING)**

Pages 86-90

Size: 10.76 acres ±

BCC District: 6

MOTION: To 1) adopt a resolution approving a Development Order Amendment to amend conditions of approval (buildout date) in Resolution R-2002-1645, and 2) approve a time extension until September 26, 2008, for Resolution R-2002-1645.

13. **SR 2003-041** Status Report for Resolution R-2003-1761 (Petition 2003-041), the petition of JNR Petroleum, Inc. Property owner: JNR Petroleum, Inc. General Location: Northwest corner of Forest Hill Boulevard and Military Trail. Zoning District: General Commercial with a Class A Conditional Use to allow a convenience store with gas sales. **(FOREST HILL STATION)**

Pages 91-95

Size: 0.41 acres ±

BCC District: 2

MOTION: To adopt a resolution approving the revocation of a Class A Conditional Use approved by Resolution R-2003-1761.

14. **CR 2000-061A** Status Report for Resolution R-2002-1470 (Petition 2000-061A), the petition of Marjorie and Paul Meloche. Property owner: Marjorie A. Meloche, Trust, Paul J. Meloche, Trust, Randy Meloche, Trust, K. Edelman, Trust and Rick J. Meloche, Trust. General Location: Approximately 600 feet west of Haverhill Road on the south side of Nash Road. Zoning District: Residential Transitional Urban with a Conditional Overlay Zone. **(ABLE'S RESIDENCE)**

Pages 96-100

Size: 1.78 acres ±

BCC District: 3

MOTION: To approve a time extension until October 15, 2007, to comply with Condition E.1. of Resolution R-2002-1470.

15. **CR 2005-129** Status Report for Resolution R-2006-0521 (Petition 2005-129 (Z2005-1136)), the petition of Five Partners, Ltd. Property owner: Five Partners, Ltd. General Location: Southwest corner of Bischoff Road and Jog Road. Zoning District: Light Industrial. **(FIVE PARTNERS, LTD.)**

Pages 101-105

Size: 0.94 acres ±

BCC District: 6

MOTION: To adopt a resolution approving a Development Order Amendment to amend conditions of approval (buildout date) in Resolution R-2006-0521, and approve a time extension until November 8, 2007, to comply with Condition Mon 2 of Resolution R-2006-0521

– 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. [ULDC AMENDMENTS](#)

16. ROUND 2006-002

Pages 106-141

MOTION AND TITLE: STAFF RECOMMENDS A MOTION TO APPROVE ON FIRST READING AND ADVERTISE FOR ADOPTION ON JANUARY 25, 2007 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1** - GENERAL PROVISIONS; CHAPTER H - LOT OF RECORD; CHAPTER I - DEFINITIONS AND ACRONYMS; **ARTICLE 2** - DEVELOPMENT REVIEW PROCESS; CHAPTER B - PUBLIC HEARING PROCEDURES; CHAPTER D - ADMINISTRATIVE PROCESS; CHAPTER E - MONITORING; **ARTICLE 3** - OVERLAYS & ZONING DISTRICTS; CHAPTER C - STANDARD DISTRICTS; CHAPTER D - PROPERTY DEVELOPMENT REGULATIONS (PDRS); CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER A - USE CLASSIFICATION; CHAPTER B - SUPPLEMENTARY USE STANDARDS; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER B - ACCESSORY AND TEMPORARY USES; **ARTICLE 6** - PARKING; CHAPTER A - PARKING; CHAPTER B - LOADING STANDARDS; **ARTICLE 7** - LANDSCAPING; CHAPTER B - TYPES OF PLANS; CHAPTER F - PERIMETER BUFFER LANDSCAPE REQUIREMENTS; APPENDIX D - CHECKLIST OF STANDARDS THAT CAN BE ALTERED WITH AN APPROVED ALP; **ARTICLE 8** - SIGNAGE; CHAPTER C - PROHIBITIONS; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

D. PREVIOUSLY POSTPONED STATUS REPORTS

17. **SR 1977-133G.4** Status Report for Resolution R-1998-876 (Petition 1977-133G), the petition of Cross County Associates. Property owner: Cross County Associates Ltd. Partnership. General Location: Southeast corner of Military Trail and Okeechobee Boulevard on the north side of Westgate Avenue. Zoning District: Multiple Use Planned Development. (**CROSS COUNTY MALL**)

Pages 142-148

Size: 43.05 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Development Order Amendment to amend conditions of approval (number of square feet) in Resolution R-1998-876.

E. ZONING APPLICATIONS

18. **PDD/W/TDR2005-1322** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Fairway View of the Palm Beaches, LLC, by Gentile, Holloway, O'Mahoney & Associates, James Hacket, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) Zoning District. Title: A Transfer of Development Rights application of Fairway View of the Palm Beaches, LLC, by Gentile, Holloway, O'Mahoney & Associates, James Hacket, Agent. Request: To allow the transfer of development rights for 36 units and to designate this application as the receiving area. Title: Resolution approving a Waiver application of Fairway View of the Palm Beaches, LLC, by Gentile, Holloway, O'Mahoney & Associates, Agent.. Request: To allow more than 25% of the local streets to terminate in cul-de-sac or dead end. General Location: Northeast corner of Lantana Road and Fearnley Drive. (**FAIRWAY VIEW OF THE PALM BEACHES**) (Control 2005-449)

Pages 149-177

Size: 16.97 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Denial, 7-0.

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

MOTION: To adopt a resolution approving the Transfer of Development Rights to allow the transfer of 36 units and to designate this application as the receiving area.

MOTION: To adopt a resolution approving a Waiver to allow more than 25% of the local streets to terminate in cul-de-sac or dead end.

5. DIRECTOR COMMENTS
 - A. COUNTY ATTORNEY
 - B. ZONING DIRECTOR
 - C. PLANNING DIRECTOR
6. COMMISSIONER COMMENTS
7. ADJOURNMENT