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

NOVEMBER 27, 2006

**MONDAY
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 1-2)

3. CONSENT AGENDA (Pages 3-6)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 7-9)

5. DIRECTOR COMMENTS (Page 9)

6. COMMISSIONER COMMENTS (Page 9)

7. ADJOURNMENT (Page 9)

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**

NOVEMBER 27, 2006

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. **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. General Location: Approximately 300 feet east of Military Trail at the terminus of Boatman Street and Clemens Street. (**BOATMAN HAMMOCK**) (Control 2006-008)

N/A

Size: 5.13 acres ±

BCC District: 3

MOTION: None required. (Postponed by the Zoning Commission to January 4, 2007)

- 2. **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 4, 2007)

3. **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 1-6

Size: 12.29 acres ±

BCC District: 6

MOTION: To postpone to January 4, 2007. (Requested by the property owner)

4. **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 7-12

Size: 43.05 acres ±

BCC District: 2

MOTION: To postpone to January 4, 2007. (Requested by the property owner).

B. REMANDS

C. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. ZONING APPLICATIONS

5. **Z2006-511** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 1,100 feet north of Yamato Road on the west side of State Road 7/US441. **(WEST BOCA LIBRARY)** (Control 2006-174)

Pages 13-26

Size: 21.34 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to voluntary commitments.

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

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

6. **DOA2006-726** Title: Resolution approving a Development Order Amendment application of Pishon, II, Pike Road LLC, by Smiley & Associates, Inc., Agent. Request: To reconfigure the site plan and add square footage. General Location: Southeast corner of the Florida's Turnpike and Pike Road. **(SOUTHERN PARK OF COMMERCE)** (Control 2003-067)

Pages 27-43

Size: 6.81 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

7. **PDD2006-748** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Jog Commerce Park, LLC, by Miller Land Planning, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 1/2 mile south of Okeechobee Boulevard on the west side of Jog Road. **(JOG COMMERCE PARK)** (Control 2005-460)

Pages 44-63

Size: 12.0 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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

8. **DOA/W2006-1175** Title: Resolution approving a Development Order Amendment application of Boynton Beach Associates, XXI, LLLP, and School Board of Palm Beach County, by Kilday & Associates, Inc., Agent. Request: To modify conditions of approval, reconfigure master plan and re-classify unit type (townhouse to zero lot lines). Title: Resolution approving a Waiver application of Boynton Beach Associates XXI, LLLP, School Board of Palm Beach County, by Kilday & Associates, Inc., Agent. Request: To allow deviation from the cul-de-sac or dead-end restrictions. General Location: Northwest corner of Hagen Ranch Road and Woolbright Road. **(MINI-ASSEMBLAGE PUD)** (Control 2005-008)

Pages 64-94

Size: 157.88 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to modify conditions of approval, reconfigure master plan and re-classify unit type (townhouse to zero lot lines).

MOTION: To adopt a resolution approving a Waiver to allow deviation from the cul-de-sac or dead-end restrictions.

9. **CA2006-959** Title: Resolution approving a Class A Conditional Use application of Balmoral at Delray Lakes Estates, LLC, by Land Design South, Inc., Agent. Request: To allow an Agricultural Reserve (AGR) Subdivision. General Location: Approximately 0.8 miles west of The Florida's Turnpike, bound on the north by Persimmon Avenue and the south by 155th Road South. **(BALMORAL AT DELRAY LAKE ESTATES)** (Control 2006-362)

Pages 95-114

Size: 20.0 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an Agricultural Reserve Subdivision.

10. **Z/COZ2005-1123** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone application of Beatrice Riley, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District with a Conditional Overlay Zone (COZ). General Location: Northwest Corner of Tall Pines Road and Southern Boulevard **(RILEY REZONING)**. (Control 2005-375)

Pages 115-131

Size: 0.78 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

D. PREVIOUSLY POSTPONED STATUS REPORTS

11. **SR 1995-22.2** Status Report for Resolutions R-95-1724 , R- 98-410, and R-2005-0382 (Petition 1995-022), the petitions of Metrodrama Joint Venture, Auto Nation USA Corp., and Arrigo Enterprises. Property owner: Arrigo Enterprises, Inc. General Location: Southwest corner of Okeechobee Boulevard and the Florida Turnpike. Zoning District: Multiple Use Planned Development with a Development Order Amendment to reconfigure site plan and add vehicle sales and rental (requested use). **(METRODRAMA JOINT VENTURE)**

Pages 132-137

Size: 29.85 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Development Order Amendment to amend conditions of approval (square feet) in Resolution R-2005-0382.

12. **SR 2003-015** Status Report for Resolution R-2003-1281 (Petition 2003-015), the petition of Strata Development Corp. Property owner: Hussein Haitham. General Location: Approximately 2,200 feet south of Lake Worth Road on the east side of SR 7/US 441. Zoning District: Residential Transitional with a Conditional Overlay Zone. **(9 ACRE STATE ROAD 7 PROPERTY)**

Pages 138-142

Size: 9.22 acres ±

BCC District: 6

MOTION: To 1) revoke the concurrency reservation for Resolution R-2003-1281 (9 single-family dwelling units), and 2) exempt Resolution 2003-1281 from further Unified Land Development Code Article 2.E. review.

– 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.13. RIVIERA BEACH TCEA MODIFICATION

This proposed amendment will amend the Transportation Element and Map Series by modifying the Riviera Beach Traffic Concurrency Exception Area (TCEA).

Pages 143-215

Planning: Approval

LPA: Approval w/ modification (7-3)

BCC: Motion to transmit (3-2 with Commissioner Greene & Commissioner McCarty dissenting and Commissioner Aaronson & Commissioner Masilotti absent) at the July 19, 2006 Public Hearing.

D. PREVIOUSLY POSTPONED STATUS REPORTS

14. **SR 1981-024A.3** Status Report for Resolution R-1999-1215 (Petition 1981-024A), the petition of Florida Gardens Land Development Co. Property owner: MD Lake Worth LLC. General Location: Southwest corner of Lake Worth Road and Ohio Road. Zoning District: Community Commercial with a Conditional Overlay Zone. (**KEY CENTERS COMMERCIAL**)

Pages 216-221

Size: 1.7 acres ±

BCC District: 2

MOTION: To 1) adopt a resolution approving a Development Order Amendment to amend conditions of approval (square feet) in Resolution R-1999-1215, and 2) approve a time extension until July 22, 2008 for Resolution R-1999-1215.

15. **SR 81-233.7** Status Report for Resolutions R-82-151 and R-82-152 (Petition 1981-233), the petition of Crouch-Palermo Florida Inc. Property owner: Vietnamese Catholic Association of Palm Beach, Inc. and Lantana Charter, LLC. General Location: Southwest corner of Florida's Turnpike and Lantana Road. Zoning District: Residential Transitional with a Special Exception to allow a Planned Unit Development, including an on-site water and sewage treatment facility and excavation. (**BALMORAL PUD**)

Pages 222-227

Size: 5.24 acres ± of a 271 acre PUD

BCC District: 3

MOTION: To approve a time extension until June 13, 2008 for Resolutions R-82-151 and R-82-152.

E. STATUS REPORTS

16. **SR 1991-030.6** Status Report for Resolution R-91-1186 (Petition 1991-030), the petition of Central Baptist Church. Property owner: Central Baptist Church of Jupiter Florida, Inc. General Location: Southwest corner of Loxahatchee River Road and Roebuck Road. Zoning District: Single Family Residential with a Special Exception to allow a church/sanctuary and accessory buildings. (**CENTRAL BAPTIST CHURCH**)

Pages 228-233

Size: 4.5 acres \pm

BCC District: 1

MOTION: To approve a time extension until August 23, 2008 for Resolution R-91-1186.

17. **SR 1994-098.9** Status Report for Resolution R-95-1124 (Petition 1994-098), the petition of Francalby Corporation, Inc. Property owner: Green Capital, LLC. General Location: Approximately 200 feet east of High Ridge Road on the north side of Hypoluxo Road. Zoning District: Community Commercial. (**HYPOLUXO CENTER**)

Page 234-238

Size: 2.7 acres \pm

BCC District: 3

MOTION: To approve a time extension until August 24, 2008 for Resolution R-95-1124.

18. **SR 1998-015.3** Status Report for Resolution R-98-1296 (Petition 1998-015), the petition of West Side Baptist Church. Property owner: Horizon Baptist Church, Inc. General Location: Northeast corner of Orange Boulevard and 130th Avenue. Zoning District: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship. (**WEST SIDE BAPTIST CHURCH**)

Page 239-244

Size: 2.66 acres \pm

BCC District: 6

MOTION: To approve a time extension until August 27, 2008 for Resolution R-98-1296.

F. PREVIOUSLY POSTPONED ZONING APPLICATIONS

19. **PDD/DOA2006-505** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development (PDD) District application of American Equities, Ltd., No 6, International Trade Center, LLC, by Broad and Cassel, Agent. Request: Rezoning from the Light Industrial (IL) Zoning District to the Planned Industrial Park Development (PIPD) District. Title: Resolution approving a Development Order Amendment application of American Equities, Ltd., No 6, International Trade Center, LLC, by Broad and Cassel, Agent. Request: To add land area (80 acres), reconfigure master plan, re-designate land uses, and add access. Title: Resolution approving an amendment to a Development of Regional Impact. Request: To extend build out date and add land area (80 acres). Title: Substantial Deviation Determination. Request: Substantial Deviation Determination. General Location: Located on the north side of Beeline Highway and the east side of Seminole Pratt Whitney Road. **(FLORIDA RESEARCH PARK aka PALM BEACH PARK OF COMMERCE)**. (Control 1981-190)

Pages 245-311

Size: 1,323.00 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

DISCLOSURE

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Light Industrial Zoning District to the Planned Industrial Park Development District.

MOTION: To adopt a resolution approving a Development Order Amendment to add land area (80 acres), reconfigure master plan, re-designate land uses and add access.

MOTION: To adopt a resolution approving a Development of Regional Impact amendment to extend build out date and add land area (80 acres).

MOTION: This is not a substantial deviation.

5. DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

C. PLANNING DIRECTOR

6. COMMISSIONER COMMENTS

7. ADJOURNMENT