

Warren H. Newell, Chairman
Carol A. Roberts, Vice Chair
Karen T. Marcus
Mary McCarty
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

**ORDER OF BUSINESS
ZONING COMMISSION
PALM BEACH COUNTY, FLORIDA**

June 6, 2002

**THURSDAY
9:00 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. Disclosures

2. POSTPONEMENTS/WITHDRAWALS (Page 1)

3. CONSENT AGENDA (Pages 2-4)

4. REGULAR AGENDA (Pages 5-7)

5. DIRECTOR COMMENTS (Page 7)

6. COMMISSIONER COMMENTS (Page 7)

7. ADJOURMENT (Page 7)

Web address: www.pbcgov.com/pzb/

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

THURSDAY, JUNE 6, 2002

1. CALL TO ORDER

- A. Roll Call – 9:00 A.M.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Jane M. Thompson Memorial Chambers, 301 N. Olive Avenue, West Palm Beach, FL, to consider application for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. The Board of County Commissioners of Palm Beach County will conduct a public hearing in this room at 9:30 A. M. on **Wednesday, June 19, 2002**, to take final action on the applications listed below.

- D. Proof of Publication – Motion to receive and file.
- E. Swearing In – County Attorney.
- F. Disclosures.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **DOA1987-006(D)** Title: Resolution approving a Development Order Amendment, petition of Auto Nation Imports Palm Beach Inc. and Taurus Assoc. Inc., by Kim Juran, Agent. Request: To add land area and display spaces. General Location: SW corner of Okeechobee Blvd. and Congress Ave. (**LEXUS OF PALM BEACH**).

Page 1

Size: 4.04 acres ± (overall)

BCC District: 2

MOTION: To recommend approval of the request to add land area and display spaces.

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 2. **Z/CA2001-064** Title: Resolution approving an Official Zoning Map Amendment petition of Palm Beach Atlantic College, by Paul Adams, Agent. Request: Rezoning from the Agricultural Residential (AR) to the Institutional and Public Facility (IPF) Zoning District. Title: Resolution approving a Class A Conditional Use petition of petition of Palm Beach Atlantic College, by Paul Adams, Agent. Request: To allow a college or university (recreational facility). General Location: Approx. 0.5 mile east of Jog Rd. on the north side of Southern Blvd. (**PALM BEACH ATLANTIC COLLEGE**)

Pages 2-19

Size: 60.22 acres ±

BCC District: 6

MOTION: To recommend approval of the request for a rezoning from the Agricultural Residential to the Institutional and Public Facility Zoning District.

MOTION: To recommend approval of the request to allow a college or university (recreational facility).

- 3. **DOA1984-152(I)** Title: Resolution approving a Development Order Amendment petition of YMCA of South Palm Beach County, Inc. by Young Song, Agent. Request: To add an access point, add square footage and reconfigure site plan. General Location: Northwest corner of Toledo Rd and Palmetto Circle South (**YMCA OF BOCA RATON**).

Pages 20-38

Size: 15 acres ±

BCC District: 4

MOTION: To recommend approval of the request for a Development Order Amendment to add an access point, add square footage and reconfigure site plan.

4. **Z/COZ/DOA1983-118(B)** Title: Resolution approving an Official Zoning Map Amendment petition of 1310 Congress Partners LLC by David Carpenter, Agent. Request: Rezoning from Residential Medium Density and Neighborhood Commercial to General Commercial with a Conditional Overlay Zone Zoning District for an accessory parking lot. Title: Resolution approving a Development Order Amendment petition of 1310 Congress Partners LLC by David Carpenter, Agent. Request: To expand an existing Charter School from 200 to 400 students. General Location: Approx. 1,400 feet north of Belvedere Rd. on the east side of Congress Ave. (**THE OFFICE PARK**).

Pages 39-60

Size: 5.22 acres ±

BCC District: 2

MOTION: To recommend approval of the request for a rezoning from the Residential Medium Density and the Neighborhood Commercial to General Commercial Zoning District with a Conditional Overlay Zone for an accessory parking lot.

MOTION: To recommend approval of the request for a development Order Amendment to expand an existing Charter School from 200 to 400 students.

5. **PDD/TDR1986-087(B)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Centex Homes by Robert Bentz, Agent. Request: Rezoning from the Residential Transitional Urban (RTS) to the Residential Planned Unit Development District. Title: Resolution approving a Transfer of Development Rights Use petition of Centex Homes by Robert Bentz, Agent. Request: To allow the Transfer of Development Rights for 11 units and to designate this petition as the receiving area. General Location: Approx. 3,650 feet east of Jog Rd. on the south side of Linton Blvd. (**SIERRA PALMS (aka BOYSTOWN)**)

Pages 61-82

Size: 9.56 acres ±

BCC District: 5

MOTION: To recommend approval of the request for a rezoning from the Residential Transitional Urban to the Residential Planned Unit Development District.

MOTION: To recommend approval of the request to allow the Transfer of Development Rights for 11 units and to designate this petition as the receiving area.

6. **Z/DOA1989-066(A)** Title: Resolution approving an Official Zoning Map Amendment petition of Professional Learning Center of Jupiter, by Mark Astor, Agent. Request: Rezoning from Residential Transitional Suburban (RTS) to Residential Transitional Urban (RTU) Zoning District. Title: Resolution approving a Development Order Amendment petition of Professional Learning Center of Jupiter, by Mark Astor, Agent. Request: To allow a Development Order Amendment to reconfigure site plan and modify condition of approval. General Location: Approx. 0.2 mile east of Limestone Creek Rd. on the north side of Church St. (**PROFESSIONAL LEARNING CENTER**)

Pages 83-100

Size: 1.5 acres ±

BCC District: 1

MOTION: To recommend approval of the request for a rezoning from the Residential Transitional Suburban to the Residential Transitional Urban Zoning District.

MOTION: To recommend approval of the request for a Development Order Amendment to reconfigure site plan and modify condition of approval.

7. **DOA1998-089(B)** Title: Resolution approving a Development Order Amendment petition of CHS Properties, by Kilday & Associates, Agent. Request: To reconfigure master plan; re-designate land uses; to allow a restaurant, fast food and to re-start commencement clock. General Location: NE corner of Congress Ave and Ranch House Rd. (**CHS PROPERTIES**)

Pages 101-131

Size: 27.56 acres ±

BCC District: 3

MOTION: To recommend approval of the request for a Development Order Amendment to reconfigure master plan, re-designate land uses, to allow a restaurant, fast food and to re-start the commencement clock.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 8. **CA2002-006** Title: Resolution approving a Class A Conditional Use petition of Ray Van Tine and Robert & Arlene Nalesnik by Sara Lockhart, Agent. Request: To allow a charter school for 550 students. General Location: Approximately 290 feet east of Davis Rd. on the north side of Melaleuca Ln. (**JFK MEDICAL CENTER CHARTER SCHOOL**).

Pages 132-170

Size: 6.2 acres ±

BCC District: 3

MOTION: To recommend approval of the request for a Class A Conditional Use to allow a charter school for 550 students.

- 9. **CA2001-027** Title: Resolution approving a Class A Conditional Use, petition of True Tabernacle Ministries, by Ron Uphoff, Agent. Request: To allow a church or place of worship and to allow a daycare, general. General Location: Approximately 1,600 feet east of Congress Ave. on the north side of 2nd Ave. (**TRUE TABERNACLE**).

Pages 171-188

Size: 4.8 acres ±

BCC District: 3

MOTION: To recommend approval of the request for a Class A Conditional Use to allow a church or place of worship and to allow a daycare, general.

C. ZONING PETITIONS

- 10. **DOA1976-139(E)** Title: Resolution approving a Development Order Amendment petition of Villages of Windsor by Robert Bentz, Agent. Request: To delete land area. General Location: Approx. 1 mile north of Hypoluxo Rd. on the east side of Lyons Rd. (**SHERBROOKE ESTATES PUD**).

Pages 189-206

Size: 535.19 acres ± (existing)

BCC District: 3

-5.19 acres ± (proposed)

MOTION: To recommend approval of the request for a Development Order Amendment to delete land area.

11. **PDD/DOA1996-081(B)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Villages of Windsor, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Development Order Amendment petition of Villages of Windsor, by Land Design South, Agent. Request: To add land area, add units and reconfigure master plan. General Location: NE/SE & SW corners of Hypoluxo Rd. and Lyons Rd. **(VILLAGES OF WINDSOR PUD)**

Pages 207-244

Size: 587.3 acres ± (existing) BCC District: 3
+10.18 acres ± (proposed)

MOTION: To recommend approval of the request for a rezoning from the Agricultural Residential to the Residential Planned Unit Development District.

MOTION: To recommend approval of the request for a Development Order Amendment to add land area, add units and reconfigure master plan.

12. **DOA1976-006(B)** Title: Resolution approving a Development Order Amendment petition of 8190 Investment by James Exline, Agent. Request: To reconfigure site plan and add square footage. General Location: SW corner of Okeechobee Blvd. and Benoist Farms Rd. **(SEDONA COMMONS)**.

Pages 245-268

Size: 2.63 acres ± BCC District: 2

MOTION: To recommend approval of the request for a Development Order Amendment to reconfigure site plan and add square footage.

13. **DOA1998-078(C)** Title: Resolution approving a Development Order Amendment petition of Herbert Kahlert and Karl Kahlert, by Kilday & Associates, Inc., Agent. Request: To reconfigure master plan; add square footage and to allow a convenience store with gas sales, a car wash and a restaurant, fast food (requested uses). General Location: NW corner of Jog Rd. and Woolbright Rd. **(SHOPPES OF MADISON)**

Pages 269-298

Size: 23.84 acres ± BCC District: 5

MOTION: To recommend approval of the request for a Development Order Amendment to reconfigure master plan; add square footage and to allow a convenience store with gas sales, a car wash and a restaurant, fast food.

- 14. **CA2001-067** Title: Resolution approving a Class A Conditional Use petition of Gator Leasing, by Land Design South, Agent. Request: to allow truck rental with accessory wholesale fuel. General Location: South side of Prospect Ave bound on the east and west by Enterprise Ave and Central Industrial Ave. (**GATOR LEASING**)

Pages 299-314

Size: 2.73 acres ±

BCC District: 1

MOTION: To recommend approval of the request for a class A Conditional Use to allow truck rental with accessory wholesale fuel.

- 15. **Z/COZ1976-101(A)** Title: Resolution approving an Official Zoning Map Amendment petition of PBC BCC, Warren H. Newell Chairman by PBC Zoning Division, Agent. Request: Rezoning from Preservation/Conservation to Public Ownership Zoning District. General Location: Approx. 1,000 feet northeast of the Port of Palm Beach, and approx. 1,500 feet due west of Lake Worth Inlet, 0.1 mile south of Blue Heron Blvd. (**PEANUT ISLAND REZONING**).

Pages 315-323

Size: 84 acres ±

BCC District: 1

MOTION: To recommend approval of the request for a rezoning from Preservation/Conservation to Public Ownership Zoning District with a Conditional Overlay Zone.

- 5. **DIRECTOR COMMENTS**
- 6. **COMMISSIONER COMMENTS**
- 7. **ADJOURMENT**