

Board of County Commissioners

Karen T. Marcus, Chair
Tony Masilotti, Vice Chairman
Warren H. Newell
Jeff Koons
Mary McCarty
Burt Aaronson
Addie L. Greene



County Administrator

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**

NOVEMBER 6, 2003

**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/REMANDS (Pages 1-2)**
- 3. CONSENT AGENDA (Page 3)**
- 4. REGULAR AGENDA (Pages 4-6)**
- 5. DIRECTOR COMMENTS (Page 6)**
- 6. COMMISSIONER COMMENTS (Page 6)**
- 7. ADJOURNMENT (Page 6)**

Web address: www.pbcgov.com/pzb/

AGENDA
PALM BEACH COUNTY ZONING COMMISSION
THURSDAY, NOVEMBER 6, 2003

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 applications 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 **Thursday, December 4, 2003**, 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, WITHDRAWALS AND REMANDS

A. POSTPONEMENTS

- 1. **PDD/TDR2003-013** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of E.B. Developers, Inc., by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of E.B. Developers, Inc., by Land Design South, Agent. Request: To allow the Transfer of Development Rights for 48 units and to designate this petition as the receiving area. General Location: Approx. 1,200 feet north of Lantana Rd. on the east side of Haverhill Rd. (**BELMONT AT HAVERHILL PUD**).

Page 1

Size: 24.86 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to **Friday**, December 5, 2003, (Petitioner requested).

2. **CA2003-038** Title: Resolution approving a Class A Conditional Use petition of Unico Development Corp., by Urban Land Consulting, Agent. Request: To allow an office/warehouse within the WCRA-O. General Location: Approx. 327 feet west of Wabasso Rd. on the south side of Shawnee Dr. (**WESTGATE OFFICE/WAREHOUSE**).

Page 2

Size: 0.56 acres ±

BCC District: 2

MOTION: None required. (By right postponement to **Friday**, December 5, 2003.)

B. WITHDRAWALS

3. **DOA1977-013P** Title: Resolution approving a Development Order Amendment petition of Wendy's of N.E. Florida, Inc., by Corporate Property Services, Inc., Agent. Request: To reconfigure site plan, add square footage, and allow a restaurant, fast food (requested use). General Location: NWC of Kimberly Blvd. and SR 7/US 441 (**WENDY'S @ BOCA GREENS PUD**).

Page 3

Size: 19.64 acres ±

BCC District: 5

MOTION: None required.

- END OF POSTPONEMENTS, WITHDRAWALS AND REMANDS

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

4. **DOA1996-015B** Title: Resolution approving a Development Order Amendment petition of Northstar Holding at B&A, LLC, and Centerline Holding at B&A, LLC, by Kilday and Associates, Agent. Request: To delete land area from an existing tower site, and to reconfigure property boundaries. General Location: Approx. 1,200 feet east of Lyons Rd. on the north side of Boynton Beach Blvd. (**WEST BOYNTON FARM TOWER (WP-35)**).

Pages 4-17

Size: 5 acres ±

BCC District: 5

MOTION: To recommend approval of the request for a Development Order Amendment to delete land area, and to reconfigure property boundaries.

5. **CA2003-082** Title: Resolution approving a Class A Conditional Use petition of Mohamed Rammal, by Kilday and Associates, Agent. Request: To allow a convenience store with gas sales. General Location: NWC of Camino Real and Powerline Rd. (**CEDARS OIL BOCA**).

Pages 18-39

Size: 1.0 acres ±

BCC District: 4

MOTION: To recommend approval of the request to allow a convenience store with gas sales.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ITEMS

6. **PDD/TDR2003-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of E. B. Developers, Inc., by Land Design South, Agent. Request: Rezoning from the Residential Estate (RE) and Agricultural Residential (AR) Zoning Districts to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of E. B. Developers, Inc., by Land Design South, Agent. Request: To allow the Transfer of Development Rights for 62 units and to designate this petition as the receiving area. General Location: NWC of Lantana Rd. and Myers Rd. (**BELMONT AT GREENACRES PUD**).

Pages 40-69

Size: 22.67 acres ±

BCC District: 3

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

MOTION: To recommend approval of the request for a Transfer of Development Rights for a maximum of 62 units and to designate this petition as the receiving area.

7. **PDD2002-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lawrence Gideon Johnson, by Gentile Holloway O'Mahoney & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: SEC of Belvedere Rd. and FLA Turnpike (**JOHNSON PROPERTY MUPD**).

Pages 70-90

Size: 54.63 acres ±

BCC District: 6

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

- 8. **PDD2002-037** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Ronald Mastroianni & David Moscarelli, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approx. 330 feet west of the FLA Turnpike on the south side of Lake Worth Rd. (**MASTROIANNI MUPD**).

Pages 91-114

Size: 9.15 acres ±

BCC District: 6

MOTION: To recommend denial of the request for a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

C. ZONING PETITIONS

- 9. **PDD2003-035** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Northstar Holding at B&A, LLC, and Centerline Holding at B&A, LLC, by Kilday and Associates, Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) District. General Location of the development area: Approx. 700 feet north of Boynton Beach Blvd. on the east side of Lyons Rd. (**COUNTRYSIDE MEADOWS PUD**).

Pages 115-163

Size: 250 acres ±

BCC Districts: 3 and 5

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

- 10. **DOA1977-046C** Title: Resolution approving a Development Order Amendment petition of Florida Land & Timber Corporation, by Land Research Management, Agent. Request: To redesignate land use and to allow a general daycare (requested use) in a previously approved Residential Planned Unit Development. General Location: SWC of Campanelli Blvd. and Haverhill Rd. (**PLANET KIDS AT CYPRESS LAKES PUD**).

Pages 164-184

Size: 1.38 acres ± (affected area)
243.14 acres ± (overall area)

BCC District: 2

MOTION: To recommend approval of the request for a Development Order Amendment to redesignate land use and to allow a general daycare.

11. **Z2003-048** Title: Resolution approving an Official Zoning Map Amendment petition of Debra Swinford, by Mark Rickards, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approx. 1,000 feet west of Boutwell Rd. on the south side of 4th Ave. N. (**SWINFORD REZONING**).

Pages 185-199

Size: 1.14 acres ±

BCC District: 3

MOTION: To recommend approval of the request for a rezoning from the Residential High Density Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

12. **DOA1984-130J** Title: Resolution approving a Development Order Amendment petition of Palm Beach Commerce Center Assoc., by Juran Consulting, Inc., Agent. Request: To redesignate land use, delete square footage, add units, and to add two access points. Request: Substantial Deviation Determination. General Location: NEC of Jog Rd. and Okeechobee Blvd. (**VISTA CENTER PARCELS 4,5 & 6**).

Pages 200-242

Size: 46.0 acres ±

BCC District: 2

MOTION: To recommend a finding that the request is not a Substantial Deviation.

MOTION: To recommend approval of the request for a Development Order Amendment to redesignate land use, delete square footage, add units, and to add two access points.

5. **DIRECTOR COMMENTS**
6. **COMMISSIONER COMMENTS**
7. **ADJOURNMENT**