

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

OCTOBER 7, 2004

**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/REMANDS (Page 1)**

- 3. CONSENT AGENDA (Pages 2-5)**

- 4. REGULAR AGENDA (Pages 6-12)**

- 5. COMMISSIONER COMMENTS (Page 12)**

- 6. DIRECTOR COMMENTS (Page 12)**

- 7. ADJOURNMENT (Page 12)**

Web address: www.pbcgov.com/pzb/

AGENDA
PALM BEACH COUNTY ZONING COMMISSION

THURSDAY, OCTOBER 7, 2004

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, October 28, 2004, 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

A. POSTPONEMENTS

- 1. **CA/DOA1986-064B** Title: Resolution approving a Development Order Amendment petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To reconfigure site plan and add square footage. General Location: Approximately 0.6 of a mile south of Donald Ross Road on the west side of Ellison Wilson Road (**HOLY SPIRIT LUTHERAN CHURCH**).

Page 1

Size: 5.25 acres ±

BCC District: 1

MOTION: To postpone thirty (30) days to Thursday, November 4, 2004, (petitioner requested).

- END OF POSTPONEMENTS

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

2. **DOA2004-294** Title: Resolution approving a Development Order Amendment petition of DR Horton, by Julian Bryan & Associates, Agent. Request: To modify a condition of approval for a Residential Planned Unit Development. General Location: Approximately 660 feet south of Belvedere Road on the west side of Jog Road (**JOHNSON PUD**).

Pages 2-36

Size: 181.79 acres ±

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to modify a condition of approval for a Residential Planned Unit Development.

3. **Z/COZ2004-303** Title: Resolution approving an Official Zoning Map Amendment petition of John Kelleher. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ). General Location: Southwest Corner of Ranches Road and Saddle Road (**KELLEHER REZONING**).

Pages 37-49

Size: 4.41 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

4. **Z/COZ2003-089** Title: Resolution approving an Official Zoning Map Amendment petition of Pine Run Developers, LLC, by Joseph Kaller & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multifamily Residential (RM) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 1,000 feet west of Haverhill Road on the north side of Melaleuca Lane (**PINE RUN TOWNHOMES**).

Pages 50-66

Size: 9.63 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multifamily Residential Zoning District with a Conditional Overlay Zone.

5. **Z2004-006** Title: Resolution approving an Official Zoning Map Amendment petition of Joseph E. Melchior III, by Ralph Purvis, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the General Industrial (IG) Zoning District. General Location: Northeast corner of Belvedere Road and Skees Road (**JEM INTERPRISES**).

Pages 67-80

Size: 2.36 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the General Industrial Zoning District.

6. **Z/COZ2004-005** Title: Resolution approving an Official Zoning Map Amendment petition of Evelyn Paray, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 600 feet south of Melaleuca Lane on the east side of Haverhill Road (**GOFFE SUBDIVISION**).

Pages 81-93

Size: 4.03 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

7. **Z2004-346** Title: Resolution approving an Official Zoning Map Amendment petition of Palm Beach County, by PBC Facilities Development & Operations, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 1,760 feet west of 180th Avenue North on the south side of Hamlin Boulevard (**DISTRICT PARK "F"**).

Pages 94-110

Size: 60 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Public Ownership Zoning District.

8. **Z/CA2004-220** Title: Resolution approving an Official Zoning Map Amendment petition of Thelma B. Pittman, Jupiter Pre-School, Inc., by William R. Upthegrove, Architect & Planner, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Thelma B. Pittman, Jupiter Pre-School, Inc., by William R. Upthegrove, Architect & Planner, Agent. Request: To allow a daycare, general. General Location: Approximately 200 feet north of Palmetto Street on the west side of Cinquez Park Road West (**PITTMAN PRE-SCHOOL**).

Pages 111-124

Size: .89 acres ±

BCC District: 1

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential High Density Zoning District to the Single Family Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a daycare, general.

9. **PDD2004-022** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of City National Bank of Florida, Trustee, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) and the Preservation/Conservation (PC) Zoning Districts to the Agricultural Reserve Planned Unit Development (AGR-PUD) District. General Location: Development Area - approximately 0.5 mile north of Clint Moore Road on the east and west side of Lyons Road. Preserve Area - 2 miles west of State Road 7/441 on the south side of Lantana Road (**APPOLONIA FARMS PUD**).

Pages 125-160

Size: 1,528.73 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve and the Preservation Conservation Zoning Districts to the Agricultural Reserve Planned Unit Development District.

10. **Z2004-225** Title: Resolution approving an Official Zoning Map Amendment petition of Palm Beach County, by PBC Facilities Development & Operations, Agent. Request: Rezoning from the Neighborhood Commercial (CN) and the Multifamily Residential (RM) Zoning Districts to the Public Ownership (PO) Zoning District. General Location: Southwest corner of Lake Worth Road and Coconut Road (**MID-COUNTY CENTER**).

Pages 161-178

Size: 12.88 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Neighborhood Commercial and the Multifamily Residential Zoning Districts to the Public Ownership Zoning District.

11. **CA2003-103** Title: Resolution approving a Class A Conditional Use petition of Kings Point Housing Corp., by Kilday & Associates, Inc., Agent. Request: To allow accessory commercial development (real estate sales office) in a clubhouse. General Location: Southwest corner of West Atlantic Avenue and Jog Road (**KINGS POINT CLUBHOUSE & REC AREA REAL ESTATE OFFICE**).

Pages 179-191

Size: 23.73 acres ±

BCC District: 5

MOTION: To recommend approval of a Class A Conditional Use to allow accessory commercial development in a clubhouse.

12. **DOA1999-037A** Title: Resolution approving a Development Order Amendment petition of Apostolic Church of Jesus Christ of Belle Glade, by Christian Life Center of the Palm Beaches, Inc., Agent. Request: To delete a condition of approval for a Class A Conditional Use to allow a church or place of worship and a daycare, general. General Location: Approximately 750 feet east of Seminole Pratt Whitney Road on the north side of Southern Boulevard (**LOXAHATCHEE CLC**).

Pages 192-206

Size: 4.93 acres ±

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to delete a condition of approval for a Class A Conditional Use to allow a church or place of worship and a daycare, general.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ITEMS

13. **Z2003-072** Title: Resolution approving an Official Zoning Map Amendment petition of Leonidas Alfaro, by Levy, Kneen, Mariani, Curtin, Wiener, Kornfeld, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 660 feet north of Belvedere Road on the east side of Skees Road (**1150 SKEES ROAD**).

Pages 207-219

Size: 1.0 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

14. **Z/DOA/CA1988-006A** Title: Resolution approving an Official Zoning Map Amendment petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: Rezoning from the Single Family Residential (RS) and the Specialized Commercial (CS) Zoning Districts to the Commercial Low Office (CLO) Zoning District. Title: Resolution approving a Development Order Amendment petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: To add land area and add square footage to a Special Exception to permit a Planned Office Business Park. Title: Resolution approving a Class A Conditional Use petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: To allow a medical office. General Location: Approximately 300 feet west of Ohio Road on the south side of Lake Worth Road (**ROMANELLI OFFICE EXPANSION**).

Pages 220-246

Size: 1.36 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Single Family Residential and the Specialized Commercial Zoning Districts to the Commercial Low Office Zoning District.

MOTION: To recommend approval of a Development Order Amendment to add land area and add square footage to a Special Exception to permit a Planned Office Business Park.

MOTION: To recommend approval of a Class A Conditional Use to allow a medical office.

15. **Z/CA/TDR2003-086** Title: Resolution approving an Official Zoning Map Amendment petition of ZHK LLC, by Urban Design Studio, 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 petition of ZHK LLC, by Urban Design Studio, Agent. Request: To allow the Transfer of Development Rights for 18 units and to designate this petition as the receiving area. General Location: Approximately 3,000 feet south of Hypoluxo Road and one mile west of Military Trail (**BOYNTON GOLF ESTATES**).

Pages 247-268

Size: 8.78 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights for 8 units and to designate this petition as the receiving area.

C. ZONING PETITIONS

16. **DOA1983-018B** Title: Resolution approving a Development Order Amendment petition of Lennar Homes, by Land Design South, Agent. Request: To reconfigure Master Plan for a Special Exception to allow a Residential Planned Unit Development. Title: Waiver Request: Deviation from cul-de-sac restrictions. General Location: Approximately 5 miles west of the Beeline Highway on the south side of Northlake Boulevard (**BAYHILL ESTATES (AKA STONEWALL PUD)**).

Pages 269-298

Size: 363.72 acres ±

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to reconfigure master plan for a Residential Planned Unit Development.

MOTION: To recommend approval of a deviation from cul-de-sac restrictions.

17. **PDD2004-015** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of GL Homes of Boca Raton Associates V, Ltd., by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Waiver. Request: Deviation from cul-de-sac restrictions. General Location: Approximately 1,300 feet south of Kimberly Boulevard on the west side of Coral Ridge Road (**COLLIER PUD**).

Pages 299-320

Size: 44.05 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To recommend approval of a deviation from cul-de-sac restrictions.

18. **PDD/R/TDR2004-001** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Briella LLC, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of Briella LLC, by Miller Land Planning Consultants, Inc., Agent. Request: To allow the Transfer of Development rights for 77 units and to designate this petition as the receiving area. General Location: Southeast Corner of Hagen Ranch Road and 102nd Place South (**BRIELLA PUD**).

Pages 321-348

Size: 30.70 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To recommend approval of a Requested Use to allow the Transfer of Development Rights for 77 units and to designate this petition as the receiving area.

19. **PDD/R/TDR2004-008** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of EH Building Group, by Julian Bryan & Associates, Agent. Request: Rezoning from the Single Family Residential (RS) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of EH Building Group, by Julian Bryan & Associates, Agent. Request: To allow the Transfer of Development Rights for 29 units and to designate this petition as the receiving area. General Location: Approximately 0.25 mile west of Haverhill Road on the north side of Summit Boulevard (**WYNDAM II PUD**).

Pages 349-372

Size: 18.62 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Single Family Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To recommend approval of a Requested Use to allow the Transfer of Development Rights for 29 units and to designate this petition as the receiving area.

20. **DOA2004-219** Title: Resolution approving a Development Order Amendment petition of St. Lukes United Methodist Church, by Land Design South, Agent. Request: To reconfigure site plan for a Special Exception to allow a church or place of worship. General Location: Approximately 2,200 feet south of Lake Worth Road on the east side of Ohio Road (**ST. LUKES UNITED METHODIST CHURCH**).

Pages 373-391

Size: 5.89 acres ±

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan for a Special Exception to allow a church or place of worship.

21. **CA2004-024** Title: Resolution approving a Class A Conditional Use petition of Florida Conference Associates of 7th Day Adventists, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship and a private school. General Location: Approximately 0.5 mile south of Okeechobee Boulevard on the west side of Folsom Road (**COMMUNITIES WEST 7TH DAY ADVENTIST CHURCH**).

Pages 392-409

Size: 9.48 acres ±

BCC District: 6

MOTION: To recommend approval of a Class A Conditional Use to allow a church or place of worship and a private school.

22. **CA2003-096** Title: Resolution approving a Class A Conditional Use petition of Westgate Associates, LLC, by Miller Land Planning Consultants, Inc., Agent. Request: To allow an office/warehouse. General Location: Approximately 1,300 feet east of Military Trail on the south side of Westgate Avenue (**WESTGATE COMMERCE PARK**).

Pages 410-425

Size: 1.43 acres ±

BCC District: 2

MOTION: To recommend approval of a Class A Conditional Use to allow an office/warehouse.

23. **PDD/R2003-099** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Charles Poston, by David L. Carpenter & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use petition of Charles Poston, by David L Carpenter & Associates, Agent. Request: To allow a financial institution. General Location: Northeast corner of Lantana Road and Haverhill Road (**LANTANA PLAZA**).

Pages 426-448

Size: 9.83 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

MOTION: To recommend approval of a Requested Use to allow a financial institution.

24. **CA2003-070** Title: Resolution approving a Class A Conditional Use petition of Worship Center Baptist Church, by Kenneth White, Agent. Request: To allow a church or place of worship. General Location: Approximately 1,600 feet west of I-95 on the north side of Donald Ross Road (**WORSHIP CENTER BAPTIST CHURCH**).

Pages 449-469

Size: 1.04 acres ±

BCC District: 1

MOTION: To recommend approval of a Class A Conditional Use to allow a church or place of worship.

25. [Z/COZ2004-354](#) Title: Resolution approving an Official Zoning Map Amendment petition of Coconut Partners, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ). General Location: Southwest corner of Barwick Road and Coconut Lane (**COCONUT LANE PROPERTY**).

Pages 470-488

Size: 6.95 acres ±

BCC District: 4

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

26. [CA/TDR2004-012](#) Title: Resolution approving a Class A Conditional Use petition of Gulfstream Square LLC, by Barretta & Associates, Agent. Request: To allow the Transfer of Development Rights for 9 units and to designate this petition as the receiving area. General Location: Approximately 1,200 feet south of Lake Worth Road on the west side of Gulfstream Road (**GULFSTREAM SQUARE**).

Pages 489-510

Size: 2.46 acres ±

BCC District: 3

MOTION: To recommend approval of a Class A Conditional Use to allow Transfer of Development Rights for 9 units and to designate this petition as the receiving area.

27. [DOA1993-029A](#) Title: Resolution approving a Development Order Amendment petition of Robert C. Malt & Co., by Land Research Management, Inc., Agent. Request: To delete land area, reconfigure site plan and modify/delete conditions of approval. General Location: Northwest corner of Military Trail and Orleans Court (**ORLEANS COURT COMMERCIAL**).

Pages 511-536

Size: 1.01 acres ±

BCC District: 6

MOTION: To recommend denial of a Development Order Amendment to delete land area, reconfigure site plan and modify/delete conditions of approval.

28. **Z/COZ2003-098** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone petition of Robert C. Malt & Co., by Land Research Management, Inc., Agent. Request: Rezoning from the Multifamily Residential (RM) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 300 feet west of Military Trail on the north side of Orleans Court (**ORLEANS COURT INDUSTRIAL**).

Pages 537-562

Size: 1.58 acres ±

BCC District: 6

MOTION: To recommend denial of an Official Zoning Map Amendment from the Multifamily Residential Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

5. **COMMISSIONER COMMENTS**

6. **DIRECTOR COMMENTS**

7. **ADJOURNMENT**