

Board of County Commissioners

Tony Masilotti, Chairman
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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**

MAY 4, 2006

**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 (Page 2)

4. REGULAR AGENDA (Pages 3-8)

5. COMMISSIONER COMMENTS (Page 8)

6. DIRECTOR COMMENTS (Page 8)

7. ADJOURNMENT (Page 8)

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

THURSDAY, MAY 4, 2006

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, 6th Floor, 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6th Floor, at 9:30 A.M. on Thursday, May 25, 2006, 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/REMANDS

A. POSTPONEMENTS

B. REMANDS

- 1. **Z/CA2005-477** Title: Resolution approving 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 approving a Class A Conditional Use application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: To allow a private school. General Location: Southeast corner of Bates Road and Northlake Boulevard (**LEVY LEARNING CENTER**). (Control 2005-193)

Page N/A

Size: 0.98 acres ±

BCC District: 1

MOTION: To remand to the June 7, 2006, Development Review Officer meeting.

END OF POSTPONEMENTS/REMANDS

3. CONSENT AGENDA

A. ZONING APPLICATIONS – CONSENT

2. **CA2006-178** Title: Resolution approving a Class A Conditional Use application of Florida Power and Light by Kilday & Associates, Inc., Agent. Request: To allow an electric transmission facility. General Location: South side of Atlantic Avenue and approximately 0.5 mile west of State Road 7. **(FLORIDA POWER AND LIGHT GREEN SUBSTATION)** (2006-094)

Pages 1-16

Size: 30.45 acres ±

BCC District: 5

MOTION: To recommend approval of a Class A Conditional Use to allow an electric transmission facility.

3. **Z2006-181** Title: Resolution approving an Official Zoning Map Amendment application of David and Heidi Setaro, by RTG Construction, Inc., Agent. Request: Rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 130 feet east of Akron Road on the south side of Springdale Road **(SPRINGDALE ROAD SETARO REZONING)**. (Control 2005-572)

Pages 17-27

Size: 0.84 acres ±

BCC District: 6

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

– END OF CONSENT AGENDA –

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. PREVIOUSLY POSTPONED ITEMS

- 4. **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 28-43

Size: 0.78 acres ± BCC District: 6

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

- 5. **CA2005-1464** Title: Resolution approving a Class A Conditional Use application of St. Mary Coptic Orthodox Church, by Land Research Management, Inc., Agent. Request: To allow a place of worship. General Location: Approximately 0.5 mile south of West Atlantic Avenue on the east side of Lyons Road (**ST. MARY COPTIC ORTHODOX CHURCH**). (Control 2005-509)

Pages 44-64

Size: 9.75 acres ± BCC District: 5

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

- 6. **PDD/R2005-1122** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Amoco Oil by MDM Services, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Amoco Oil by MDM Services, Inc., Agent. Request: To allow a convenience store with gas sales. General Location: Southwest corner of Congress Avenue and Melaleuca Lane (**AMOCO OIL COMPANY**). (1988-094)

Pages 65-85

Size: 1.56 acres ± BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District Rezoning from the General Commercial Zoning District to the Multiple Use Planned Development District

MOTION: To recommend approval of a Requested Use to allow a convenience store with gas sales.

B. ZONING APPLICATIONS

7. **CA2005-1130** Title: Resolution approving a Class A Conditional Use application of Beacon Baptist Tabernacle Inc., by Land Design South, Inc., Agent. Request: To allow a place of worship. General Location: Southeast corner of Indiantown Road and Haynie Lane (**BEACON BAPTIST CHURCH**). (Control 2003-405)

Pages 86-107

Size: 18.98 acres ±

BCC District: 1

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

8. **Z2005-1323** Title: Resolution approving an Official Zoning Map Amendment application of West Atlantic Properties Associates LLC, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District General Location: Approximately 600 feet west of Lyons Road on the north side of West Atlantic Avenue (**FREEDOM INDUSTRIAL**). (Control 1984-112)

Pages 108-122

Size: 2.76 acres ±

BCC District: 5

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

9. **CA2005-1331** Title: Resolution approving a Class A Conditional Use application of Stewart Mining, by Gary M. Brandenburg and Associates, PA, Agent. Request: To allow Type III B Excavation. General Location: Approximately 2.5 miles north of US 441 on the east side of US 98 (**STEWART MINING INDUSTRIES**). (Control 2005-450)

Pages 123-144

Size: 5,419.93 acres ±

BCC District: 6

MOTION: To recommend approval of a Class A Conditional Use to allow a Type III B Excavation.

10. **PDD2005-1460** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of J. Lendacki, Kit Shiotani, Marion Bailey, South Florida Water Management District, Swaney Properties LLC, William Chinnick Charitable Foundation, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR/PUD) District. General Location: Approximately 0.2 mile east of Lyons Road on the north side of Boynton Beach Boulevard (**RAVELLO AGR PUD**). (Control 2005-323)

Pages 145-175

Size: 253.87 acres ±

BCC District: 5

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

11. **Z/CA2005-1461** Title: Resolution approving an Official Zoning Map Amendment application of Sandy Costello, by Land Research Management, Inc., 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 Sandy Costello, by Land Research Management, Inc., Agent. Request: To allow a place of worship. General Location: Northwest corner of Lantana Road and Fernley Road (**PALM BEACH CHINESE CHRISTIAN CHAPEL**). (Control 2005-508)

Pages 176-193

Size: 3.16 acres ±

BCC District: 2

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

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

12. **PDD2005-1692** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of TOUSA Homes, Inc., by Sanders Planning Group, P.A., Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 0.5 mile south of Hypoluxo Road on the east side of State Road 7/US 441 (**LADERA PUD**). (Control 2005-585)

Pages 194-212

Size: 43.00 acres ±

BCC District: 3

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

13. **Z/CA2005-1720** Title: Resolution approving an Official Zoning Map Amendment application of K Hovnanian, T&C Homes at Florida LLC, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use application of K Hovnanian, T&C Homes at Florida LLC, by Kilday & Associates, Inc., Agent. Request: To allow Townhouses. General Location: Approximately 0.25 mile west of Military Trail on the south side of Lantana Road (**SABAL GROVE**). (Control 2005-535)

Pages 213-230

Size: 10.47 acres ±

BCC District: 3

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

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

14. **DOA/R2005-1727** Title: Resolution approving a Development Order Amendment application of Commerce Bank, by Ruden, McClosky, Agent. Request: To re-designate land uses. Title: Resolution approving a Requested Use application of Commerce Bank, by Ruden, McClosky, Agent. Request: to allow a financial institution. General Location: Southwest corner of Okeechobee Boulevard and Military Trail. (**COMMERCE BANK AT PINE TRAIL SHOPPING CENTER**). (Control 1978-273)

Pages 231-251

Size: 28.06 acres ±

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to re-designate land uses.

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

15. **PDD/TDR/R/W2005-1730** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Westbrooke Homes, by Sara Lockhart, Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow the transfer of 114 development rights. Title: Resolution approving a Requested Use application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow 22 Workforce Housing units. Title: Resolution approving a Waiver application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow deviation from cul-de-sc or dead-end restrictions. General Location: Southwest corner of Belvedere Road and Cleary Road (**WD GARDENS PUD**). (Control 2002-011)

Pages 252-277

Size: 54.63 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Waiver to allow deviation from cul-de-sc or dead-end restrictions.

MOTION: To recommend approval of Transfer of Development Rights to allow the transfer of 114 development rights and designate this application as the receiving area.

MOTION: To recommend approval of a Requested Use to allow 21 Workforce Housing units.

16. **PDD/R2006-017** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Florida Auto Auction of Orlando, JMC IV Real Estate Company, Palm Beach Newspapers, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR), the Light Industrial (IL) and the Public Ownership (PO) Zoning Districts to the Multiple Use Planned Development (MUPD) District Title: Resolution approving a Requested Use application of Florida Auto Auction of Orlando, JMC IV Real Estate Company, Palm Beach Newspapers, Inc., by Kilday & Associates, Inc., Agent. Request: To allow auto paint and body. General Location: Approximately 600 feet south of Belvedere Road on the east side of Sansbury's Way (**WEST PALM BEACH AUTO AUCTION MUPD**). (Control 2005-641)

Pages 278-299

Size: 71.97 acres ±

BCC District: 6

MOTION: Rezoning from the Agricultural Residential, the Light Industrial and the Public Ownership Zoning Districts to the Multiple Use Planned Development District.

MOTION: To recommend approval of a Class A Conditional Use to allow auto paint and body.

- 17. **PDD/DOA2006-019** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Five Friends Properties, Inc., West Palms Industrial Park II Association, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Development Order Amendment application of Five Friends Properties, Inc., West Palms Industrial Park II Association, Inc., by Kilday & Associates, Inc., Agent. Request: To add and delete land area; reconfigure the site plan and add square footage. General Location: Approximately 600 feet east of Sansbury's Way on the south side of Belvedere Road (**PALMS WEST INDUSTRIAL PARK II**). (Control 1985-055)

Pages 300-322

Size: 12.62 acres ±

BCC District: 6

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

MOTION: To recommend approval of a Development Order Amendment to add and delete land area; reconfigure the site plan and add square footage.

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