



BOARD OF COUNTY COMMISSIONERS AGENDA INDEX

July 27, 2000

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. Motion to Adopt Agenda
- G. Disclosure

2. POSTPONEMENTS AND WITHDRAWALS (Pages 2-4)

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AGENDA

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, JULY 27, 2000

1. CALL TO ORDER.

- A. Roll Call - **9:30 AM**.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Board of County Commissioners has convened to consider the following applications for Future Land Use Map Amendments, Official Zoning Map Amendments, Conditional Uses, Planned Developments, Development Order Amendments, Waiver Requests, Status Reports for Compliance with Time Limitations and Conditions of Approval, and the recommendations of the Land Use Advisory Board and Zoning Commission pursuant to Chapter 163, Florida Statutes; Chapter 125, Florida Statutes; the Palm Beach County Comprehensive Plan; the Palm Beach County Unified Land Development Code; and other authority vested in the Board. This meeting is being held on July 27, at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication - Motion to receive and file.
- E. Swearing In - County Attorney.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/CA
2000-018** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transitional (RT) and a Class A Conditional Use (CA) to allow a church or place of worship petition of First Romanian Baptist Church of West Palm Beach, Inc., by Beril Kruger, Agent. General Location: Approx. 1,700 feet west of Haverhill Rd. on the south side of Melaleuca Lane (**FIRST ROMANIAN BAPTIST CHURCH**).

Page 1

Size: 4.92 acres ±

BCC District: 3

MOTION: None. (Postponed until August 24, 2000. Petitioner requested, by right)

- 2. **Z/DOA
96-062(B)** Official Zoning Map Amendment (Z) from Agricultural Residential

(AR) to Residential Single Family (RS) and a Development Order Amendment (DOA) to add land area; add students; reconfigure site plan and modify/delete conditions of approval in Resolution R-97-1569 petition of American Heritage School of Boca Delray, Inc. and William R. Laurie, by Kieran J. Kilday, Agent. General Location: Approx. 1,300 feet east of Jog Rd. on the south side of Linton Blvd. (**AMERICAN HERITAGE SCHOOL**).

N/A

Size: 6.59 acres ± (affected)
40.31 ± (overall)

BCC District: 5

MOTION: To postpone until August 24, 2000. (Requested by petitioner at Zoning Commission).

3. **PDD**
2000-032

Official Zoning Map Amendment (PDD) from Agricultural Reserve (AGR) to Agricultural Reserve Planned Unit Development (AGR/D) petition of GL Homes of Florida Corp. II, and GL Homes of Palm Beach Assoc. Ltd., by Land Design South, Agent. General Location (parcel 1): Approx. 1.5 miles south of Atlantic Ave. on east side of SR 7/US 441. General Location(parcel 2): Approx. 2.5 miles south of Boynton Beach Blvd. on the west side of SR7/US 441. General Location (parcel 3): Approx. 0.5 mile north of Boynton Beach Blvd. on the west side of SR 7/US 441 (**SUSSMAN AGR-PUD**).

N/A

Parcel 1 - Size: 172.82 acres ±

BCC District: 5

Parcel 2 - Size: 93.47 acres ±

BCC District: 3

Parcel 3 - Size: 176.15 acres ±

BCC District: 3

MOTION: To postpone until August 24, 2000. (Requested by Zoning Commission).

4. **PDD99-077** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Residential Planned Unit Development (PUD) petition of Arthur Leibovit/Helen Godfriend /Irving Denmark, by Land Design South, Agent. General Location: Approx. 375 feet east of SR 7/US 441 on the south side of Okeechobee Blvd. (**OKEECHOBEE/441 PUD**).

Page 2

Size: 37.82 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To postpone until August 24, 2000. (Requested by petitioner. Staff has no objection.)

5. **SR 88-33E** Status Report for Resolution R-98-1130 (Petition DOA88-33(E)), the petition of Harold Murphy. Property owner: Harold Murphy. General Location: north side of Southern Blvd. approx. 330 ft. east of Cleary Rd. Current zoning: Light Industrial with a Special Exception to delete land area (-8.871 acres) and modify/delete conditions of R-97-658 (**MURPHY'S TOWING**).

Pages 3-5

Size: 4.08 acres ±

BCC District:6

MOTION: To postpone status report SR 88-33E until October 26, 2000.

B. WITHDRAWALS

6. **DOA 98-013(A)** Development Order Amendment (DOA) to allow a daycare, general (requested use) petition of Southern Development Svcs. Inc, by Robert Bentz, Agent. General Location: SW corner of Military Trail and Lantana Rd. (**MILITARY & LANTANA MUPD**).

Page 6

Size: 8.11 acres ±

BCC District: 3

MOTION: None. (Withdrawn by petitioner)

7. **SR 92-59.3** Status Report for Resolution R-93-648 (Petition 92-59), the petition of Robert L. and Norma Kohler. Property owner: Indranie Enterprises, Inc. General Location: west side of Military Trail, approximately 0.5 miles south of Northlake Blvd. Current zoning: CG-General Commercial with a Conditional Overlay Zone (COZ). (**INDRANIE ENTERPRISES, INC.**)

Page 7

Size: 1.2 acres ±

BCC District: 1

MOTION: None. (Withdrawn due to the revocation of Resolution R-93-648 (P-92-59) by the approval of Petition Z92-59A.)

- END OF POSTPONEMENTS AND WITHDRAWALS -

4. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS - CONSENT

8. **Z2000-006** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to General Commercial (CG) petition of Thomas Hahn, by Robert Basehart, Agent. General Location: Approx. 1 mile west of Military Trail on the south side of West Atlantic Ave. (**HAHN PROPERTY**).

Pages 8-27

Size: 2.3 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to General Commercial (CG) with a Conditional Overlay Zone (COZ).

9. **DOA 96-081(A)** Development Order Amendment (DOA) to reconfigure master plan and re-designate housing type petition of AN-SCA Homes, by Joe Lelonek, Agent. General Location: NE, SE and SW corners of Hypoluxo Rd. and Lyons Rd. (**VILLAGES OF WINDSOR**).

Pages 28-61

Size: 577.46 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (5-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to reconfigure master plan and re-designate housing type.

C. ZONING PETITIONS - CONSENT

10. **Z2000-029** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transitional (RT) petition of Palmwood Association LLC, by Lucienne Gaufillet, Agent. General Location: Approx. 1/4 mile north of Frederick Small Rd. on the east and west sides of Palmwood Rd. (**BROCK REZONING**).

Pages 62-73

Size: 4.5 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved as advertised, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transitional (RT).

CONSENT AGENDA

11. **Z2000-026** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) and Residential Single Family (RS) to Residential Transitional Suburban (RTS) petition of Neil J. Gaeta and Arline R. Trezza, by Neil J. Gaeta, Agent. General Location: Approx. 1/4 mile west and north of the intersection of Palmwood Rd. and Donald Ross Rd. (**DONALD ROSS PALMWOOD**).

Pages 74-90

Size: 13.99 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) and Residential Single Family (RS) to Residential Transitional Suburban (RTS).

12. **Z99-005(A)** Official Zoning Map Amendment (Z) from Multiple Use Planned Development District (MUPD) to Institutional and Public Facilities (IPF) petition of Palm Beach County Healthcare District, by Anna S. Cottrell, Agent. General Location: Approx. 700 feet east of Congress Ave. on the north side of 10th Avenue North (**PBC NURSING HOME**).

Pages 91-108

Size: 13.6 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Multiple Use Planned Development District (MUPD) to Institutional and Public Facilities (IPF) zoning district.

13. **DOA 84-076(F)** Development Order Amendment (DOA) to modify/delete conditions and add square footage petition of Wellington Regional Medical Center, by Anna S. Cottrell, Agent. General Location: NW corner of Forest Hill Blvd. and SR 7/US 441 (**WELLINGTON REGIONAL MEDICAL CENTER**).

Pages 109-134

Size: 25.195 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (7-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify/delete conditions and add square footage.

CONSENT AGENDA

14. **W/Z99-082** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential High Density (RH) and a Waiver (W) from minimum density requirements petition of D&P Development, by Alfonso Powell, Agent. General Location: Approx. 400 feet south of SR 80 on the east side of 1st St. (**D&P DEVELOPMENT**)

Pages 135-149

Size: 3.6 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential High Density (RH).

MOTION: To adopt a resolution approving the request for a Waiver (W) from minimum density requirements of the comprehensive plan.

15. **PDD 79-133(A)** Official Zoning Map Amendment (PDD) from Residential High Density (RH) and General Commercial (CG) to Multiple Use Planned Development (MUPD) with vehicle sales and rental (requested use) petition of Kelly Tractor Co., by Kim Juran, Agent. General Location: Approx. 500 feet west of Haverhill Rd. on the south side of Okeechobee Blvd. (**KELLY TRACTOR**).

Pages 150-165

Size: 14.28 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Residential High Density (RH) and General Commercial (CG) to Multiple Use Planned Development (MUPD) with vehicle sales and rental.

16. **Z92-059(A)** Official Zoning Map Amendment (Z) from General Commercial (CG) to Community Commercial (CC) petition of Isri Persaud, by Jeff Iravani, Agent. General Location: Approx. 0.5 mile south of Northlake Blvd. on the west side of Military Trail (**SQUARE LAKE PLAZA**).

Pages 166-181

Size: 1.19 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from General Commercial (CG) to Community Commercial (CC).

CONSENT AGENDA

D. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS

17. **CB 99-005(A)** Resolution for Palm Beach County Healthcare District (**PBC NURSING HOME**)

Pages 182-192

MOTION: To receive and file Zoning Resolution ZR-2000-011.

18. **ABN 94-015** Resolution to abandon the Class B Conditional Use for Resolution ZR94-03 (**HUNTERS GROVE**)

Page 193

MOTION: To receive and file Zoning Resolution ZR-2000-012.

19. **CB 92-059(A)** Resolution for Isri Persaud (**SQUARE LAKE PLAZA**)

Pages 194-202

MOTION: To receive and file Zoning Resolution ZR-2000-013.

E. STATUS REPORTS - CONSENT

20. **SR 96-119** Status report for Resolution R-97-371 (Petition 96-119) the petition of William Scheurich and Anna R. Current, TR and Mary Oak Vestrem. Property owner: William V. Scheurich, Keith D. Knespler, and Anna Current. General Location: west. side of State Rd. A1A, approx. 0.25 mile south of US 1. Current zoning: CN-Neighborhood Commercial with a Class A Conditional Use (CA) for a Nursing/convalescent facility (22 beds) (**REST & RECOVERY CENTER**).

Pages 203-206

Size: 1.6 acres ±

BCC District: 1

MOTION: To adopt a resolution to revoke the Class A Conditional Use (CA) for a Nursing/convalescent facility (22 beds)

21. **SR 78-239A** Status Report for Resolutions R-97-659 and R-97-660 (Petition 78-239A), the petition of St. Herman Orthodox Church. Property owner: St. Herman Orthodox Church. General Location: west side of Military Trail, approx. 600 ft. south of Hypoluxo Rd. Current zoning: Residential Transitional Suburban with a Development Order Amendment which amended the Master Plan to allow Daycare, general (100 children and 30 adults) (requested use) and add square footage (+3,708) (**ST. HERMAN ORTHODOX CHURCH**).

Pages 207-209

Size: 0.91 acres ±

BCC District: 3

MOTION: To approve a time extension until May 22, 2002, for Resolutions R-97-659 and R-97-660.

CONSENT AGENDA

22. **SR 86-8C.8** Status Report for Resolutions R-90-838 and R-90-839 (Petition 86-8C), the petition of Radnor/Higier Partnership #3. Property owner: MDN Lantana, Ltd. and Vastgoed DIM. General Location: SE corner of Lantana Rd. and Jog Rd. Current zoning: CG-General Commercial with a Special Exception to amend the site plan for an existing Planned Commercial Development (PCD) to 1) increase the land area 2) permit an auto service station (tire center) 3) add a financial institution with five (5) drive up teller windows (**PINEWOOD SQUARE PCD**).

Pages 210-213

Size: 4.65 acres±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-90-839, and approve a time extension until May 22, 2002 for Resolutions R-90-838 and R-90-839.

23. **SR 88-65.8** Status Report for Resolutions R-89-1069 and R-89-1070 (Petition 88-65), the petition of Howard Dardashti. Property owner: Howard Dardashti, Trustee. General Location: west side of Congress Ave., approx. 0.1 mile south of Lake Worth Rd. Current zoning: CG-General Commercial with a Special Exception to permit a Planned Commercial Development (**DARDASHTI PCD**).

Pages 214-217

Size: 0.96 acre ±

BCC District: 3

MOTION: To approve a time extension until June 6, 2001, for Resolutions R-89-1069 and R-89-1070.

24. **SR 89-132.7** Status Report for Resolutions R-90-858 and R-90-859 (Petition 89-132), the petition of Sami, Roni, and Rozanne Sehayik. Property owner: Sami, Roni and Rozanne Sehayik. General Location: NE corner of the intersection of S.R. A1A and Richard Rd. Current zoning: CS-Specialized Commercial with a Special Exception to permit a Planned Office Business Park, including a restaurant and lounge (**SEHAYIK CENTRE PCD**).

Pages 218-221

Size: 1.9 acres ±

BCC District: 1

MOTION: To approve a time extension until May 22, 2002, for Resolutions R-90-858 and R-90-859.

25. **SR 92-41.5** Status Report for Resolution R-93-4 (Petition 92-41), the petition of Land Services Group, Inc. Property owner: Palm Beach Plaza Ltd. General Location: Jog Rd. extension, between Belvedere Rd. and Okeechobee Rd. Current zoning: General Commercial (GC) (**PALM BEACH PLAZA**).

Pages 222-228

Size: 2.6 acres ±

BCC District: 2

MOTION: To approve a time extension until May 23, 2000, for Resolution R-93-4.

CONSENT AGENDA

- 26. **SR 93-2.3** Status Report for Resolution R-93-647 (Petition 93-2), the petition of Joy of Living Church of God. Property owner: Eustace and Iris A. Douglas. General Location: west side of Haverhill Rd., approx. 200 feet south of the intersection of Haverhill Rd. and Pinebreeze Court, approx. one-half (0.5) mile north of S.R. #80. Current zoning: RM-Multiple Family Residential (Medium Density) with a Class A Conditional Use allowing a church or place of worship (**JOY OF LIVING CHURCH OF GOD**).

Pages 229-232

Size: 1.8 acres ±

BCC District: 6

MOTION: To approve a time extension until May 27, 2002, for Resolution R-93-647.

F. ABANDONMENT RESOLUTIONS

- 27. **ABN 81-13** Abandonment Resolution: To abandon the Special Exception granted by Resolution R-81-221 to allow the expansion of an existing motel. (**HOLIDAY INN**)

Pages 233-234

BCC District: 2

MOTION: To adopt a resolution approving the abandonment of the Special Exception granted by Resolution R-81-221.

- 28. **ABN 78-126** Abandonment Resolution: To abandon the Special Exception granted by Resolution R-78-863 to allow a commercial used automobile sale lot. (**MAKEE MOTORS**)

Pages 235-236

BCC District: 2

MOTION: To adopt a resolution approving the abandonment of the Special Exception granted by Resolution R-78-863.

G. ADMINISTRATIVE INQUIRY - PREM

- 29. **AI-00-07** Civic Site Cash-out for Valencia Grand Isles - (Petition 89-019)

Pages 237-239

MOTION: To approve all items on the Consent Agenda (as amended) and adopt resolutions affirming the applicable actions.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

5. REGULAR AGENDA:

A. ITEMS PULLED FROM CONSENT

B. STATUS REPORT

30. **SR**
85-91A.7 Status report for Resolution 89-1438 (Petition 85-91A) the petition of Okeechobee Motel Joint Venture. Property owner: WPB Innkeepers. General Location: north side of Okeechobee Blvd., approximately 220 feet west of West Dr. Current zoning: CG-General Commercial with a Special Exception which amended the site plan for a motel to 1) increase the square footage and 2) decrease the land area (petition # 85-91) (**COMFORT INN**).

Pages 240-244

Size: 2.99 acres±

BCC District: 6

MOTION: To adopt a resolution to approve a Development Order Amendment to delete the additional square footage approved by the adoption of Resolution R-89-1438, and to amend conditions of approval (drainage and fees) of Resolution R-89-1438.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

31. **DOA**
96-105(A) Development Order Amendment (DOA) to modify/delete conditions in Resolution R-97-1097; add building square footage; reconfigure master plan; add 2nd self-storage facility and vehicle rental (requested uses) petition of Delray Land Co. of Iowa Inc. and Portalegre, by Land Design South, Agent. General Location: Approx. 0.25 mile east of Jog Rd. on the south side of West Atlantic Ave. (**ATLANTIC CENTER MUPD**).

Pages 245-273

Size: 9.16 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (7-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify/delete conditions in Resolution R-97-1097; add building square footage; reconfigure master plan; add 2nd self-storage facility and vehicle rental.

D. ZONING PETITION CONTINUED FROM MARCH 23, 2000

32. **DOA 89-052(B)** Development Order Amendment (DOA) to modify/delete conditions in Resolution R-97-0248 petition of Palm Beach Aggregates, by Joe Verdone, Agent. General Location: Approx. 3 miles west of Seminole Pratt Whitney Rd. on the north side of Southern Blvd. (**PALM BEACH AGGREGATES (aka GKK)**).

Pages 274-325

Size: 3,045 acres ±

BCC District: 6

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify/delete conditions in Resolution R-97-0248.

E. ZONING PETITIONS

6. DIRECTOR COMMENTS.

A. ZONING DIRECTOR.

B. PLANNING DIRECTOR.

C. COUNTY ENGINEER.

7. COMMISSION COMMENTS.

8. ADJOURNMENT.