



BOARD OF COUNTY COMMISSIONERS ZONING MEETING AGENDA

March 23, 2000

**THURSDAY
9:30 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. Motion to Adopt Agenda
- G. Disclosure

2. POSTPONEMENTS AND WITHDRAWALS (Pages 2-4)

3. CONSENT AGENDA (Pages 5-8)

- " Staff
- " Board
- " Public

4. REGULAR AGENDA (Page 9-11)

5. DIRECTOR COMMENTS (Page 11)

6. COMMISSIONER COMMENTS (Page 11)

7. ADJOURNMENT (Page 11)

AGENDA

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, MARCH 23, 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 March 23, at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication.
- E. Swearing In.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/CB99-011** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Rural Services (RSER) and a Class B Conditional Use (CB) to allow Agricultural sales and services petition of Everglades Farm Equipment Co., by Robert Basehart, Agent. General Location: Approx. 800 feet east of "F" Rd. on the north side of Southern Blvd. (**EVERGLADES FARM EQUIPMENT**)

- 2. **PDD99-075** Official Zoning Map Amendment from Agricultural Residential (AR) to Planned Unit Development (PUD) with congregate living facility, type 3 (requested use) petition of Blue Green Enterprises, by Kieran Kilday, Agent. General Location: Approx. 0.3 miles east of Golden Lakes Blvd. and approx. 0.1 mile south of Okeechobee Blvd. (**GOLDEN LAKES CLF (PUD)**).

Page 2

Size: 7.09 acres ± BCC District: 2

MOTION: To postpone until April 27, 2000. (Petitioner requested)

- 3. **PDD 99-018(A)** Official Zoning Map Amendment to a Planned Development District (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) petition of Town & Country Builders, by H. P. Tompkins, Agent. General Location: Approx. 0.2 mile west of Military Trail on the north side of Hypoluxo Rd. (**LANTERN KEY PUD**).

Page 3

Size: 37.45 acres ± BCC District: 3

MOTION: None required. [Postponement by right]. Postponed until April 27, 2000.

- 4. **DOA 95-083(C)** Development Order Amendment (DOA) to modify/delete Conditions in Resolution ZR-96-0004 petition of Lane Boathouse LC/Wilbur & Eva Lane, by Ronald Collins, Agent. General Location: Approx. 0.25 miles south of the Martin County line on the east side of A1A/SR 707 (**LANE BOATHOUSE**).

Page 4

Size: 0.22 acres ± BCC District: 1

MOTION: To postpone until April 27, 2000. (Petitioner requested)

- 5. **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 Blvd. (**ATLANTIC CENTER MUPD**).

Page 5

B. WITHDRAWALS

6. **CR 98-10.2** Status Report for Resolution R-98-1316 (Petition 98-10). Property owner: Ronald C. & Joann Turner. Location: southwest corner of El Clair Ranch Rd. and Boynton Beach Blvd. Current zoning: Multiple Use Planned Development, with Congregate Living Facility Type 3 and Medical Office. (**TURNER MUPD**)

Pages 6-9

Size: 17.9 acres ±

BCC District:5

Original Petitioner: Ron Turner

MOTION: N/A (None required)

7. **SR 95-79** Status Report for Resolutions R-96-134 and R-96-135 (Petition 95-79). Property owner: Corp. Presiding Bishop of Church of Jesus Christ of Latter-Day Saints/22 FL. Location: southeast corner of the intersection of Roebuck Rd. and Central Blvd. Current zoning: RTS-Residential Transitional Suburban with a Class A Conditional Use to allow a church or place of worship. (**CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS**)

Pages 10-12

Size: 9.87 acres ±

BCC District:1

Original Petitioner: Corp. of Presiding Bishop of the Church of Jesus Christ of Latter-Day Saints

MOTION: N/A (None required)

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS - CONSENT

8. DOA

78-242(B) Development Order Amendment (DOA) to delete land area petition of PBC BCC FD&O, by Audrey Wolf, Agent. General Location: Approx. 1,200 feet east of Ponderosa Dr. on the north side of Palmetto Park Rd. (**BOCA WOODS COUNTRY CLUB**).

Pages 13-23

Size: 17.42 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To approve the request for a Development Order Amendment (DOA) to delete land area on first hearing and convene the second public hearing on April 27, 2000.

9. **Z99-085**

Official Zoning Map Amendment (Z) from Residential Estate (RE) and Agricultural Residential (AR) to Public Ownership (PO) petition of PBC BCC FD&O, by Audrey Wolf, Agent. General Location: Approx. 1,200 feet east of Ponderosa Dr. on the north side of Palmetto Park Rd. (**DISTRICT PARK "E"**).

Pages 24-44

Size: 27.42 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to voluntary commitments.

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

MOTION: To approve the request for an Official Zoning Map Amendment (Z) from Residential Estate (RE) and Agricultural Residential (AR) to Public Ownership (PO) on first hearing and convene the second public hearing on April 27, 2000.

C. ZONING PETITIONS - CONSENT

10. **Z/CA99-090** Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to General Commercial (CG) and a Class A Conditional Use (CA) to allow a self-service storage facility petition of Edgar Adamson Jr. & Hixie Stephens, by Keith Hurbs, Agent. General Location: Approx. 600 feet south of Okeechobee Blvd. on the east side of Congress Ave. (**E&H SELF STORAGE**).

Pages 45-60

Size: 1.46 acres ±

BCC District: 2

- 11. **Z99-091** Official Zoning Map Amendment (Z) from Residential Estate (RE) to Residential Transition (RT) petition of Everett Barber, Agent. General Location: Approx. 4,000 feet south of Northlake Blvd. on the west side of Military Trail (**BARBER REZONING**).

Pages 61-68

Size: 2.5 acres ±

BCC District: 1

Staff Recommendation: Approval.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Estate (RE) to Residential Transition (RT).

- 12. **Z99-080** Official Zoning Map Amendment (Z) from Residential Estate (RE) to Residential Transition (RT) petition of WC Jr. and Ann B Shubert, by Michael Shubert, Agent. General Location: Approx. 360 north of Lillian Ave. on the east side of Bates Rd. South (**SHUBERT REZONING**).

Pages 69-78

Size: 2.27 acres ±

BCC District: 1

Staff Recommendation: Approval.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Estate (RE) to Residential Transition (RT).

D. RECEIVE AND FILE ZONING COMMISSION RESOLUTION

- 13. **CR 98-80/E4** Corrective resolution for status report for Steven Greenfield, Trustee, Petition 98-080. (**LOX ROAD VEGETATION RECYCLING & NURSERY**)

Pages 79-80

BCC District: 5

MOTION: To receive and file Zoning Resolution ZR-2000-0002.

E. STATUS REPORTS - CONSENT

- 14. **SR 89-125.6** Status Report for Resolutions R-90-831 and R-90-832 (Petition 89-125). Property owner: Good Shepherd United Methodist Church, Inc. Location: west side of Military Trail, approximately 0.2 of a mile south of Burdy Lane. Current zoning: CC General Commercial with a

- 15. **SR 96-106** Status report for Resolution 97-7 (Petition 96-106). Property owner: Sugar Cane Growers Cooperative of Florida. Location: north side of Morgan West Rd. approximately 0.25 mile west of US 441/SR 15. Current zoning: AR-Agricultural Residential with a Class A Conditional Use for a correction facility in the Glades Area Economic Overlay (GA-O) District. **(CSC CORRECTION FACILITY)**

Pages 85-87

Size: 2.27 acres ± BCC District:6

Original Petitioner: Correctional Services Corp.

MOTION: To adopt a resolution to revoke the Class A Conditional Use for a correction facility in the Glades Area Economic Overlay (GA-O) District.

- 16. **SR 84-123A.6** Status Report for Resolution R-90-374 (Petition 84-123A). Property owner: Robert A. Wilcox, Trustee. Location: southeast corner of the intersection of Richard Rd. and Old Dixie Highway, bounded on the east by the Florida East Coast Railroad right-of-way. Current zoning: CG-General Commercial with a Special Exception to allow an office/warehouse combination. **(BOB AND EDDIE'S OFFICE/WAREHOUSE)**

Pages 88-90

Size: 1.9 acres ± BCC District:1

Original Petitioner: Old Dixie Partners

MOTION: To approve a time extension until February 27, 2002, for Resolution R-90-374.

- 17. **SR 89-76.4** Status Report for Resolutions R-90-355 and R-90-356 (Petition 89-76). Property owner: Arminell, Duncan W. and Stanley A. Mason. Location: north side of 2nd Avenue N., approximately 0.3 of a mile west of Boutwell Rd. Current zoning: IL-Light Industrial with a Special Exception to permit a Planned Industrial Development. **(MASON INDUSTRIAL)**

Pages 91-94

Size: 2.0 acres ± BCC District:3

Original Petitioner: Arminelli, Duncan William, and Stanley Allen Mason

MOTION: To approve a time extension until February 9, 2002, for Resolutions R-90-355 and R-90-356.

- 18. **SR 96-72** Status Report for Resolution R-97-1 (Petition 96-72). Property owner:

- 19. **SR 96-47** Status Report for Resolution R-96-1733 (Petition 96-47). Property owner: DPC Realty. Location: northwest corner of SR7 (US 441) and Yamato Rd. Current zoning: Multiple Use Planned Development with daycare, general (135 children)(requested use). (**LAKES AT BOCA MUPD**)

Pages 99-102

Size: 1.36 acres ± BCC District:5

Original Petitioner: Kenco Communities at Lakes of Boca, Inc., Lakes at Boca Raton Commercial Property Owner's Association, Inc. and Lakes at Boca Raton Homeowner's Association, Inc.

MOTION: To approve a time extension until October 24, 2001, for Resolution R-96-1733.

F. CORRECTIVE RESOLUTIONS

- 20. **PDD 89-019(E)** Corrective Resolution: To correct the legal description and vicinity sketch of Resolution R-2000-0254. (VALENCIA GRAND ISLES)

Pages 103-105

BCC District: 5

MOTION: To adopt a resolution to correct the legal description and vicinity sketch of Resolution R-2000-0254.

- 21. **DOA 89-019(E)** Corrective Resolution: To correct the legal description of Resolution R-2000-0255. (VALENCIA GRAND ISLES)

106-107

BCC District: 5

MOTION: To adopt a resolution to correct the legal description of Resolution R-2000-0255.

G. TDR ESCROW AGREEMENT

- 22. **PDD/ TDR 97-31** Execution of a Modification of Escrow Agreement, by Robert S. Forman, Robert S. Forman, P.A., Agent. Request: Approve a modification of an escrow agreement between Palm Beach County, Phoenix Real Estate Associates, Inc., Century Citrus Isles Corp., and Robert S. Forman, P.A. Trust Account for the Sale and Purchase of 50 TDR units from the Palm Beach County TDR Bank at a purchase price of \$5,575.00 per unit, as approved by the Palm Beach County Board of County Commissioners on July 24, 1997. Phoenix Real Estate Associates, Inc. has assigned its interests in the escrow agreement to Century Citrus Isles Corp. and under the original escrow agreement the County must approve this assignment. (**LAKES AT BOCA MUPD**)

- START OF REGULAR AGENDA -**4. REGULAR AGENDA:****A. ITEMS PULLED FROM CONSENT****B. SMALL SCALE LAND USE AMENDMENT****23. 00-SCA****37 COM 1**

Thomas J. Larkin, by Steven Mickley, Mickley Building Design. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 1 unit per acre (LR-1) to Commercial High-Office, with an underlying 1 unit per acre (CH-O/1). General Location: southeast corner of Northlake Boulevard and North Bates Road, approximately 0.5 mile west of Military Trail. **(LARKIN)**

Pages 110-137

Size: 0.98 acre ±

BCC District: 1

Staff Recommendation: Denial of the requested future land use change from LR-1 to CH-O/1.

LPA Recommendation: Denial of the requested future land use change from LR-1 to CH-O/1 (12-0 vote).

MOTION: To deny the request for a future land use change from LR-1 to CH-O/1.

C. ZONING PETITIONS**24. Z98-076**

Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Transition (RT) petition of William S. Graham, Trustee, by F. Martin Perry, Agent. General Location: Approx. 1 mile south of Southern Blvd and 1000 feet east of SR 7/US 441 on the NW corner of Dillman Rd. and Whipporwill Way **(GRAHAM REZONING)**.

Pages 138-150

Size: 10.01 acres ±

BCC District: 6

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 Transition (RT).

25. **PDD99-047** Official Zoning Map Amendment to a Planned Development District (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) petition of Richard B. Crum, Trustee, by William Boose, Agent. General Location: Approx. 1.5 miles south of Lantana Rd. bounded by SR 7/US441 and Lyons Rd. (**DIAMOND SHAMROCK PUD**).

Pages 151-175

Size: 70.36 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 (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD).

26. **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)**).

(under separate cover)

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.

D. PREVIOUSLY POSTPONED PBIA GOLF COURSE APPEAL

27. **DOA 97-012(B)** Request for an appeal of Condition E.6 (traffic separator beautification) of Resolution ZR-99-11 approving the Development Order Amendment (DOA) petition of PBC BCC Dept of Airports, by Robert Bentz, Agent. General Location: North Side of Summit Blvd. and bound on the east by Congress Ave. and the west by Kirk Rd. (**PBIA GOLF COURSE - APPEAL**).

Pages 176-226

Size: 4.12 acres ± (affected)

BCC District: 2

5. DIRECTOR COMMENTS.

A. ZONING DIRECTOR.

B. PLANNING DIRECTOR.

28. **Amendment Round 00-2 Initiation.** Text and Site Specific amendments to the Comprehensive Plan will be presented for review and initiation by the Board.

(under separate cover)

MOTION: To initiate the proposed amendments for Round 00-2.

C. COUNTY ENGINEER.

6. COMMISSION COMMENTS.

7. ADJOURNMENT.