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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING
AGENDA INDEX**

AUGUST 23, 2001

**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. Adoption of Agenda

2. POSTPONEMENTS AND WITHDRAWALS (Pages 1-2)

3. CONSENT AGENDA (Pages 3-12)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 13-14)

5. DIRECTOR COMMENTS (Page 14)

6. COMMISSIONER COMMENTS (Page 14)

7. ADJOURNMENT (Page 14)

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**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

THURSDAY AUGUST 23, 2001

1. CALL TO ORDER

- A. Roll Call – **9:30 A.M.**
- 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 amendments to the Palm Beach County Unified Land Development Code, and the recommendations of the Land Use Advisory Board, Citizens Task Force, Land Development Regulation Commission, 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 August 23, 2001 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.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

1. PDD1999-036

Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) petition of Joe Fearnley, Trustee, by Richard Carlson, Agent. General Location: SE corner of Military Trail and Coconut Lane (**COCONUT PLAZA MUPD**).

Page 1

Size: 3.83 acres ±

BCC District: 4

MOTION: To postpone 30 days until October 4, 2001. (Requested by petitioner. Staff supported.)

2. **EAC1997-086(A)**

Development Order Amendment/Expedited Application Consideration (EAC) to modify a condition of approval (landscape), petition of Linton Jog Associates, by Charles Millar, Agent. General Location: SE corner of Linton Blvd. and Jog Rd. (**ADDISON CENTER MUPD**).

Page 2

Size: 9.41 acres ±

BCC District: 5

MOTION: To postpone 30 days until October 4, 2001. (Requested by petitioner. Staff supported.)

3. **PDD/DOA1976-007(D)**

Official Zoning Map Amendment (PDD) from Planned Unit Development (PUD) to Multiple Use Planned Development (MUPD) and a Development Order Amendment (DOA) to add land area, reconfigure site plan, modify/delete conditions of approval, add square footage, to allow vehicle sales and rental and to allow a congregate living facility type III (requested uses) petition of Bluegreen Enterprises, by Sara Lockhart, Agent. General Location: Approx. 200 feet west of Skees Rd. on the south side of Okeechobee Blvd. (**OKEECHOBEE BLVD MUPD**).

N/A

Size: 17.44 acres ± (existing)
24.53 (+7.09) acres ± (overall)

BCC District: 2

MOTION: To postpone 30 days until October 4, 2001. (Requested by petitioner. Staff supported.)

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

4. **Z2001-001**

Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Public Ownership (PO) petition of Palm Beach County Solid Waste Authority, by Alex Makled, Agent. General Location: NW corner of Lyons Rd. and Lantana Rd. (**LANTANA HILLS GOLF COURSE**)

Pages 3-13

Size: 23 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-0).

Board of County Commissioners First Reading Results: Approved as amended, (5-0)

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

5. **DOA1974-158(B)**

Development Order Amendment (DOA) to delete land area petition of Four JR. Corporation, by H. P. Tompkins, Agent. General Location: Approx. 4 miles west of the Beeline Hwy. on the north side of Northlake Blvd. (**SHALOM MEMORIAL PARK**).

Pages 14-26

Size: 126.00 acres ± (existing)
27.21 (-98.79) acres ± (proposed)

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (4-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to delete land area.

6. **PDD2000-112**

Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) petition of Four JR. Corporation, by HP Tompkins, Agent. General Location: Approx. 4 miles west of the Beeline Hwy. on the north side of Northlake Blvd. (**OSPREY ISLES**).

Pages 27-48

Size: 101.36 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (4-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD).

7. **Z/COZ2001-023**

Official Zoning Map Amendment (Z) from Neighborhood Commercial (CN) to General Commercial (CG) with a Conditional Overlay Zone (COZ) petition of Vincenzo Lograsso, by Robert Basehart, Agent. General Location: SW corner of Lake Worth Rd. and Urquhart St. (**LAUNDRY TIME**).

Pages 49-71

Size: 0.43 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-0).

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

8. **Z1984-125(A)**

Official Zoning Map Amendment (Z) from Residential Transitional Suburban (RTS) to Residential Transitional (RT) petition of Regency Equestrian Centre Inc., by Carol Turk, Agent. General Location: Approximately 0.5 mile south of Lake Worth Rd. on the east side of Hunting Trail (**REGENCY EQUESTRIAN**).

Pages 72-83

Size: 6.32 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to voluntary commitments.

Zoning Commission Recommendation: Approved as advertised, (6-0).

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

9. **EAC1999-076(B)**

Development Order Amendment /Expedited Application Consideration (EAC) to delete an access point and to modify/delete conditions of approval petition of Clinton Communities, by Land Design South, Agent. General Location: Approx. 400 feet east of Benoist Farms Rd. on the north side of Belvedere Rd. (**COLONY PARK PUD**).

Pages 84-108

Size: 16.26 ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request for a Development Order Amendment to delete an access point and to modify/delete conditions of approval.

10. **Z2001-010**

Official Zoning Map Amendment (Z) from Specialized Commercial (CS) to Community Commercial (CC) petition of Bank Atlantic, by Scott Moslof, Agent. General Location: NE corner of West Atlantic Ave. and Jog Rd. (**BANK ATLANTIC**).

Pages 109-120

Size: 1.13 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (6-0).

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

11. **DOA1999-015(A)**

Development Order Amendment (DOA) to modify/delete conditions of approval petition of Croquet Foundation of America, by Geoff Sluggert, Agent. General Location: SE corner of Summit Blvd. and Florida Mango Rd. (**CROQUET FOUNDATION**).

Pages 121-144

Size: 10.10 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify/delete conditions of approval.

12. **CA2000-096**

Class A Conditional Use (CA) to exceed 100,000 square feet in the Public Ownership (PO) Zoning District petition of PBC BCC FD&O, by Jim Barnes, Agent. General Location: NE corner of Southern Blvd. and Australian Ave. (**EAST CENTRAL REGIONAL GOVERNMENTAL CENTER**).

Pages 145-158

Size: 36 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-0).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to exceed 100,000 square feet in the Public Ownership (PO) Zoning District.

13. **Z/CA1988-072(B)**

Official Zoning Map Amendment (Z) from Agricultural Residential (AR) and General Commercial/Planned Commercial Development (CG/PCD) to Community Commercial (CC) and a Class A Conditional Use (CA) to allow a convenience store with gas sales petition of Sohio Oil and Ann Throgmorton, by Sara Lockhart, Agent. General Location: SW corner of Hypoluxo Rd. and Military Trail. (**BP AMOCO**)

Pages 159-181

Size: 0.44 acres ± (affected)
1.58 acres ± (overall)

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Agricultural Residential (AR) and General Commercial/Planned Commercial Development (CG/PCD) to Community Commercial (CC).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow a convenience store with gas sales.

C. STATUS REPORTS – CONSENT

14. **CR 79-148B/E3**

Status Report for Resolution R-98-1297 (Petition 79-148B), the petition of Irving Dodds. Property owner: Irving L. Dobbs. General Location: Approx. 500 feet west of Jog Rd. on the south side of Okeechobee Blvd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development (**PALM BEACH ACURA**).

Pages 182-184

Size: 10.4 acres ±

BCC District: 2

MOTION: To approve a time extension until August 27, 2003, to commence development, and until May 1, 2002, for condition number E.3. Resolution R-98-1297.

15. **SR 80-103H.3**

Status Report for Resolution R-96-813 (Petition 80-103H), the petition of Four Florida Shopping Center. Property owner: Southport Mortgage. General Location: Approx. 0.10 mile south of Sandalfoot Blvd./SW 14th St. on the east side of SR7. Current zoning: CG-General Commercial with a Development Order Amendment to add square footage (13,000) and allow a fast food restaurant (requested use) within a Planned Commercial Development (**SANDALFOOT PLAZA**).

Pages 185-188

Size: 1.32 acres ±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-96-813, and approve a time extension until June 24, 2002 to commence development.

16. **SR 81-67A.13**

Status Report for Resolution R-84-338 (Petition 81-67A), the petition of C and M Nurseries. Property owner: Richard F. Olson. General Location: Approx. 0.1 mile north of Atlantic Ave. on the west side of Hagen Ranch Rd. Current zoning: CG-General Commercial (**C & M NURSERIES**).

Pages 189-191

Size: 1.07 acres ±

BCC District: 5

MOTION: To approve a time extension until June 13, 2003, for Resolution R-84-338.

17. **SR 81-233.4**

Status Report for Resolutions R-82-151 and R-82-152 (Petition 81-233), the petition of Crouch-Palermo Florida Inc. Property owner: Fairfield Communities, Inc. General Location: Southwest corner of the intersection of Florida's Turnpike and Lantana Rd. Current zoning: RT-Residential Transitional with a Special Exception to allow a Planned Unit Development (Balmoral PUD), including an on-site water and sewage treatment facility and excavation (**BALMORAL**).

Pages 192-194

Size: 5.9 acres ± (unplatted)
271.0 acres ± PUD (total)

BCC District: 3

MOTION: To approve a time extension until June 13, 2002 for Resolutions R-82-151 and R-82-152.

18. **SR 83-82A.3**

Status Report for Resolutions R-95-860 and R-95-861 (Petition 83-82A), the petition of Lionel G. Astor. Property owner: Boca Academy, Inc. General Location: Approx. 0.2 mile north of Glades Rd. on the east side of Jog Rd. Current zoning: RTS-Residential Transitional Suburban with a Development Order Amendment to amend the site plan, add square footage, and increase the number of children, and modify conditions for an existing day care (**ADDISON ACADEMY DAY CARE**).

Pages 195-198

Size: 3.5 acres ±

BCC District: 5

MOTION: To approve a time extension until June 22, 2003, for Resolutions R-95-860 and R-95-861.

19. **SR 88-10.6**

Status Report for Resolution R-89-345 (Petition 88-10), the petition of Alan D. Reese, Trustee. Property owner: SD & D1 Ltd. General Location: 42nd St., approx. 330 feet east of Military Tr. and approx. 0.3 mile south of Lake Worth Rd. Current zoning: RM-Multiple Family (Medium Density) with a Special Exception to permit a Planned Unit Development, Congregate Living Facility-3 (**DEVONSHIRE PUD**).

Pages 199-202

Size: 4.9 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-89-345, and approve a time extension until June 21, 2003, to record a plat.

20. **SR 90-13.8**

Status Report for Resolutions R-90-1444 and R-90-1445 (Petition 90-13), the petition of Cloutier Construction Company, Inc. Property owner: Raffael Abbanatte. General Location: Approx. 0.5 mile north of Hypoluxo Rd on the west side of Lawrence Rd., bounded on the south by LWDD Lateral Canal No. 17 and on the north by Eighth Ct. Current zoning: RS-Single Family Residential with a Special Exception to permit a Planned Unit Development (**CLOUTIER/PONZA PLACE PUD**).

Pages 203-206

Size: 4.1 acres ±

BCC District: 3

MOTION: To approve a time extension until June 28, 2002, for Resolutions R-90-1444 and R-90-1445.

21. **SR 92-7.4**

Status Report for Resolutions R-93-515 and R-93-516 (Petition 92-7), the petition of Shirley K. Bernstein and Ann K. Schulman. Property owner: Kathleen B. and Stephen L. Lipkins, et al Trs. General Location: NE corner of the intersection of Hypoluxo Rd. and Military Trail. Current zoning: CC-Community Commercial with a Special Exception for a Planned General Commercial Development, including a fast food restaurant with drive-thru window, auto service station (automatic) and financial institution with 3 drive-up tellers (**LIPKINS PCD**).

Pages 207-210

Size: 8.1 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-93-516, and approve a time extension until June 24, 2002, to commence development.

22. **SR 95-64.3**

Status Report for Resolution R-96-1967 (Petition 95-64), the petition of Cornerstone Group. Property owner: Coral Lakes Apartments, Inc. General Location: Approx. 350 ft. north of 6th Ave. on the west side of Congress Ave. Current zoning: Planned Unit Development (**CORAL LAKES APARTMENTS PUD**).

Pages 211-214

Size: 17.85 acres ±

BCC District:3

MOTION : To adopt a resolution to amend conditions of approval (TPS) in Resolution R-96-1967, and approve a time extension until July 6, 2002, to record a plat.

23. **SR 1996-4**

Status Report for Resolutions R-96-650, R-97-656 (Petitions 96-04 and 96-04A), the petition of Double A Industries Properties Inc. Property owner: Francis T. & Denise L. Pantaleo. General Location: North side of Lake Worth Rd., west of Florida's Turnpike. Current zoning: Multiple Use Planned Development District with requested uses for self-service storage, vehicle rental and office, business or professional, indoor entertainment (roller skating/ice hockey rink) (**COMMUNITY HOCKEY/LAKE WORTH SELF-STORAGE**).

Pages 215-218

Size: 17.51 acres ±

BCC District: 6

MOTION: To approve a time extension until July 1, 2003, for Resolutions R-96-650 and R-97-656.

24. **SR 96-26.3**

Status Report for Resolution R-96-816 (Petition 96-26), the petition of Roger Dean. Property owner: RD Family, Ltd. Partnership. General Location: Approx. 0.25 mile east of Congress Ave. on the south side of Okeechobee Blvd. Current zoning: CG-General Commercial with a Class A Conditional Use to allow a fast food restaurant within the Westgate CRA Overlay District (**BAGELS TO GO**).

Pages 219-224

Size: 0.52 acres ±

BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-96-816, and approve a time extension until June 24, 2002, to commence development.

25. **CR 79-134A**

Status Report for Resolution R-99-1145 (Petition 79-134A), from Status Report SR 79-134A.5. Property owner: Florida Childcare Prop I Lc. Location: 1/4 mile west of SR7/US 441 on the south side of Sandalfoot Blvd. Current zoning: Multiple Family (Medium Density) Residential with a Special Exception for a day care center (**LEARNING EXPERIENCE OF WEST BOCA**)

Pages 225-226

Size: 1.00 acre ±

BCC District: 4

MOTION: To adopt a resolution to amend conditions of approval (# children) in Resolution R-99-1145, and approve a time extension until July 1, 2002 to comply with conditions A.2., A.3., and E.3. of Resolution R-99-1145.

D. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS

26. **DOA1993-007(A)**

Resolution for STJ Properties (**MONTE PACKAGING**)

Pages 227-237

MOTION: To receive and file Zoning Resolution [ZR2001-003](#).

27. **CB2001-007**

Resolution for E. Wayne Legum (**LEGUM WHOLESALE NURSERY**)

Pages 238-244

MOTION: To receive and file Zoning Resolution [ZR2001-004](#).

28. **CB2001-010**

Resolution for Bank Atlantic (**BANK ATLANTIC**)

Pages 245-254

MOTION: To receive and file Zoning Resolution [ZR2001-005](#).

E. ABANDONMENT RESOLUTIONS

29. **ABN
1994-082**

Abandonment Resolution: To abandon the Special Exception granted by Resolution R-95-0120 for a Class A Conditional Use to allow an elementary and secondary school. (**JEWISH COMMUNITY DAY SCHOOL**)

Pages 255-256

MOTION: To adopt a resolution approving the abandonment of the Special Exception granted by by Resolution R-95-0120.

30. **ABN
1993-007**

Abandonment Resolution: To abandon the Conditional Overlay Zone granted by Resolution R-93-0651. (**MONTE PACKAGING**)

Pages 257-259

MOTION: To adopt a resolution approving the abandonment of the Conditional Overlay Zone granted by Resolution R-93-0651.

F. CORRECTIVE RESOLUTION

31. **DOA1995-063(B)**

Corrective Resolution: To correct Conditions C.2, G.3.d, H.3, I.2, J.6 and K.3 of Resolution R-2001-0980 (**COSTCO**)

Pages 260-264

MOTION: To adopt a resolution to correct Conditions C.2, G.3.d, H.3, I.2, J.6 and K.3 of Resolution R-2001-0980.

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 -**4. REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. PREVIOUSLY POSTPONED CONCURRENT SMALL SCALE LAND USE AMENDMENT AND ZONING PETITION****32. 00-SCA 78 COM 2**

Mathias R. Stemplinger, by Kevin McGinley, Land Research Management, Inc. Small Scale Land Use Amendment (SCA): Amend land use from High Residential, 8 units per acre (HR-8) to Commercial High (CH). General Location: Approx. 0.1 mile west of Congress Ave. on the south side of Lake Worth Rd. **(MATT'S AUTO)**

Pages 265-291

Size: 0.56 acre ±

BCC District: 3

Staff Recommendation: Approval of the requested future land use change from HR-8 to CH.

LPA Recommendation: Approval of the requested future land use change from HR-8 to CH. (10-0 vote)

MOTION: To adopt an ordinance approving a future land use change from HR-8 to CH.

33. Z/CA1999-016(A)

Official Zoning Map Amendment (Z) from Residential High Density (RH) and Neighborhood Commercial (CN) to General Commercial (CG) and a Class A Conditional Use (CA) to allow general repair and maintenance petition of Mathias Stemplinger, by Kevin McGinley, Agent. General Location: Approx. 0.1 mile west of Congress Ave. on the south side of Lake Worth Rd. **(MATT'S AUTO SERVICE)**.

Pages 292-310

Size: 0.96 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential High Density (RH) and Neighborhood Commercial (CN) to General Commercial (CG).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow general repair and maintenance.

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

B. PLANNING DIRECTOR

6. COMMISSIONER COMMENTS

7. ADJOURNMENT