

Warren H. Newell, Chairman  
Carol A. Roberts, Vice Chair  
Karen T. Marcus  
Mary McCarty  
Burt Aaronson  
Tony Masilotti  
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

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

**AUGUST 22, 2002**

**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 3-11)**
  - o Staff
  - o Board
  - o Public
  
- 4. COUNTY ENGINEER ITEMS FOR DISCUSSION (Page 12)**
  
- 5. REGULAR AGENDA (Pages 12-13)**
  
- 6. DIRECTOR COMMENTS (Page 13)**
  
- 7. COMMISSIONER COMMENTS (Page 13)**
  
- 8. ADJOURNMENT (Page 13)**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

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

**THURSDAY AUGUST 22, 2002**

**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 22, 2002 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. Adoption of Agenda

**2. POSTPONEMENTS AND WITHDRAWALS**

**A. POSTPONEMENTS**

- 1. **PDD/DOA1997-104C** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of The Oaks at Boca Raton by Kieran Kilday, Agent. Request: Rezoning from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development (ARG-PUD. Title: Resolution approving a Development Order Amendment petition of The Oaks at Boca Raton, by Kieran Kilday, Agent. Request: To reconfigure site plan, add land area and units. General Location: North side of Clint Moore Rd., bound on the east by Lyons Rd. and the west by SR 7/US441 (**THE OAKS AT BOCA RATON (AKA RAINBOW PUD)**).

Page 1

Size: 410.29 acres ± (existing)  
713.23 acres ± (proposed)

BCC District: 5

MOTION: None required. Postponed by right to September 26, 2002. (Petitioner requested 30 days.)

2. **Z/COZ1976-101(A)** Title: Resolution approving an Official Zoning Map Amendment petition of PBC BCC, Warren H. Newell Chairman by PBC Zoning Division, Agent. Request: Rezoning from the Preservation/Conservation to the Public Ownership Zoning District. General Location: Approx. 1,000 feet northeast of the Port of Palm Beach, and approx. 1,500 feet due west of Lake Worth Inlet, 0.1 mile south of Blue Heron Blvd. (**PEANUT ISLAND REZONING**).

N/A

Size: 84 acres ±

BCC District: 1

MOTION: To postpone to September 26, 2002. (Staff postponement.)

3. **DOA1987-006(D)** Title: Resolution approving a Development Order Amendment, petition of Auto Nation Imports Palm Beach Inc. and Taurus Assoc. Inc., by Kim Juran, Agent. Request: To add land area and display spaces. General Location: SW corner of Okeechobee Blvd. and Congress Ave. (**LEXUS OF PALM BEACH**)

Page 2

Size: 4.04 acres ± (overall)

BCC District: 2

MOTION: To postpone to October 24, 2002. (Petitioner requested 60 days.)

4. **PDD2001-043** Title Resolution approving an Official Zoning Map Amendment petition of Garden Oaks Center Ltd, by Donaldson Hearing & Brian Chequis, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Multiple Use Planned Development District (MUPD). General Location: NW corner of Square Lakes Dr. and Military Trail (**SQUARE LAKES NORTH**).

Page 3

Size: 3.06 acres ±

BCC District: 1

MOTION: To postpone to October 24, 2002. (Petitioner requested 60 days.)

## B. WITHDRAWALS

**- END OF POSTPONEMENTS AND WITHDRAWALS -**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 5. **DOA1992-017E** Title: Resolution approving a Development Order Amendment petition of Calvary Chapel of Jupiter by David Gregg, Agent. Request: To modify conditions of approval and re-designate land uses (office to church or place of worship). General Location: SW corner of Jupiter Farms Rd. and Indiantown Rd. (**JUPITER FARMS SHOPPING CENTER**).

Pages 4-42

Size: 37.89 acres ± (existing)  
0.2 acres ± (affected)

BCC District: 1

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 to modify conditions of approval and re-designate land uses (office to church or place of worship).

- 6. **Z/COZ2000-061A** Title: Resolution approving an Official Zoning Map Amendment petition of Majorie & Paul Meloche by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional Urban (RTU) Zoning District, with a Conditional Overlay Zone (COZ). General Location: Approx. 600 feet west of Haverhill Rd. on the south side of Nash Rd. (**ABLES RESIDENCE**).

Pages 43-53

Size: 1.776 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 a rezoning from the Agricultural Residential Zoning District to the Residential Transitional Urban Zoning District with a Conditional Overlay Zone.

7. **DOA1980-153K** Title: Resolution approving a Development Order Amendment petition of Temple Torah of West Boynton Beach by Donaldson Hearing, Agent. Request: To reconfigure master plan, add daycare, general and modify/delete conditions of approval. General Location: NE corner of Jog Rd. and Gateway Blvd. (**TEMPLE TORAH OF WEST BOYNTON BEACH**).

Pages 54-79

Size: 6.72 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 a Development Order Amendment to reconfigure master plan, add daycare, general and modify/delete conditions of approval.

8. **DOA1989-052D** Title: Resolution approving a Development Order Amendment petition of Palm Beach Aggregates Inc. by Joe Verdone, Agent. Request: To add land area, expand excavation and reconfigure phasing. General Location: Approx. 3 miles west of Seminole Pratt Whitney Rd. on the north side of Southern Blvd. (**PALM BEACH AGGREGATES**).

Pages 80-125

Size: 3044 acres ± (existing)

BCC District: 6

1006.85 acres ± (proposed)

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 to add land area, expand excavation and reconfigure phasing.

**C. PREVIOUSLY POSTPONED STATUS REPORTS**

9. **SR 73-216A.7** Status Report for Resolutions R-90-57 and R-90-58 (Petition 1973-216A), the petition of Palm Beach Baptist Temple, Inc. Property owner: Palm Beach Baptist Temple, Inc. General Location: Approx. 0.8 mile north of Hypoluxo Rd. on the west side of Military Trail. Current zoning: Single Family Residential with a Special Exception to amend the site plan for a church and accessory facilities to 1) increase the square footage for the church and accessory buildings and structures; and 2) permit an education institution (maximum 60, K-12 students-petition 73-216) (**PALM BEACH BAPTIST TEMPLE**).

Pages 126-128

Size: 7.5 acres ±

BCC District: 3

MOTION: To approve a time extension until March 25, 2004, for Resolutions R-90-57 and R-90-58.

10. **SR 1984-163A.5** Status Report for Resolution R-94-358 (Petition 84-163A), the petition of Arcadia Properties. Property owner: Arcadia Properties, Inc. General Location: Approx. 2 miles north of West Atlantic Ave., south of Steiner Rd. on the west side of Military Trail. Current zoning: Community Commercial with a Conditional Overlay Zone (**ARCADIA PROPERTIES**).

Pages 129-132

Size: 4.04 acres ±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (sign) in Resolution R-94-358, and approve a time extension until March 24, 2004, to commence development.

**D. STATUS REPORTS – CONSENT**

11. **SR 81-233.5** 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 Florida's Turnpike and Lantana Rd. Current zoning: Residential Transitional with a Special Exception to allow a Planned Unit Development, including an on-site water and sewage treatment facility and excavation (**BALMORAL PUD**).

Pages 133-135

Size: 271 acres ±

BCC District: 3

MOTION: To approve a time extension until June 13, 2004, for Resolutions R-82-151 and R-82-152.

12. **SR 1983-091A** Status Report for Resolutions R-1999-0971 and R-1999-0972 (Petition 1983-091A), the petition of Trustee of St. Luke's United Methodist Church. Property owner: St. Lukes United Methodist Church. General Location: Approx. 0.5 mile south of Lake Worth Rd. on the east side of Ohio Rd. Current zoning: Single Family Residential Zoning District with a Development Order Amendment to add building square footage to an existing church or place of worship (**ST. LUKES UNITED METHODIST CHURCH**).

Pages 136-139

Size: 5.91 acres ±

BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (architecture) in Resolution R-1999-0972, and approve a time extension until May 27, 2004, to commence development.

13. **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: Single Family Residential with a Special Exception for a Planned Unit Development (**CLOUTIER PUD -PONZA PLACE**).

Pages 140-143

Size: 4.1 acres ±

BCC District: 3

MOTION: To approve a time extension until June 28, 2004, for Resolutions R-90-1444 and R-90-1445.

14. **SR-91-23B.2** Status Report for Resolution R-96-1736 (Petition 91-23B), the petition of Palms West Presbyterian Church. Property owner: Palms West Presbyterian Church Inc. General Location: Approx. 0.1 mile west of "F" Rd. on the north side of Okeechobee Blvd. Current zoning: AR-Agricultural Residential with a Development Order Amendment to add building square footage and redesign the site plan (for a church/place of worship and accessory buildings and structures) (**PALMS WEST PRESBYTERIAN CHURCH**).

Pages 144-147

Size: 8.0 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (architecture) in Resolution R-96-1736, and approve a time extension until July 10, 2004, to commence development.

15. **SR 92-7.5** 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: northeast corner of the intersection of Hypoluxo Rd. and Military Trail. Current zoning: 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 148-151

Size: 8.1 acres ±

BCC District: 3

MOTION: To approve a time extension until June 24, 2004, for Resolutions R-93-515 and R-93-516.

16. **SR 95-64.3** Status Report for Resolution R-96-1967 (Petition 95-64), the petition of Cornerstone Group and J.D. Eastrich Properties No. 1 Limited Partnership. Property owner: Coral Lakes Apartments, Inc. General Location: Approx. 350 ft. north of 6th Ave. South on the west side of Congress Ave. Current zoning: Planned Unit Development (**CORAL LAKES APARTMENTS**).

Pages 152-154

Size: 17.85 acres ±

BCC District: 3

MOTION: To approve a time extension until July 6, 2004, for Resolution R-96-1967.

17. **SR 1995-90.2** Status Report for Resolution R-96-131 (Petition 95-90), the petition of Robert F. Griffith, Jr. & Gene Moore, III. Property owner: Mariner Health Care. General Location: Approx. 0.1 mile north of Old Boynton West Rd. on the east side of Lawrence Rd. Current zoning: Single Family Residential with a Class A Conditional Use to allow a nursing facility or convalescent center (**MARINER HEALTH CARE**).

Pages 155-158

Size: 9.59 acres ±

BCC District: 3

MOTION: To approve a time extension until June 25, 2004, for Resolution R-96-131.

18. **SR 1996-004A.2** Status Report for Resolutions R-96-650 and R-97-656 (Petition 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 (1) self-service storage, (2) vehicle rental and (3) office, business or professional; Development Order Amendment to allow indoor entertainment (roller skating/ice hockey rink), add square footage (+17,395) (**COMMUNITY HOCKEY/LAKE WORTH SELF-STORAGE**).

Pages 159-162

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.



19. **SR 1996-26.4** 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 Special Exception to allow Class A Conditional Use to allow a fast food restaurant within the Westgate CRA Overlay District (**BAGELS TO GO**).

Pages 163-166

Size: 0.52 acres ±

BCC District: 2

MOTION: To approve a time extension until June 24, 2003, for Resolution R-96-816.

20. **CR 1981-152D/E1** Status Report for Resolution R-98-1317 (Petition 1981-152D), the petition of Sunset Centres Ltd., Partnership. Property owner: Sunset Centres Ltd Partnership. General Location: NE corner of Boynton Beach Blvd. and Military Trail. Current zoning: Commercial General with a Special Exception for a Planned Commercial Development and a Development Order Amendment to add movie theater (requested use), reconfigure site plan and add building square footage (+14,189) and access (**BOYNTON TRAIL CENTRE**).

Pages 167-170

Size: 4.00 acres ±

BCC District: 3

MOTION: To approve a time extension until July 1, 2003, to comply with condition number E.1. of Resolution R-98-1317.

21. **CR 1984-005B/E8.2** Status Report for Resolution R-2000-0590 (Petition 84-005B), the petition of United Cerebral Palsy. Property owner: United Cerebral Palsy Assn. General Location: NE corner of Coconut Rd. and 2<sup>nd</sup> Ave. North. Current zoning: Residential Single Family with a Class A Conditional Use to allow general daycare (**UNITED CEREBRAL PALSY DAYCARE**).

Pages 171-174

Size: 3.28 acres ±

BCC District: 3

MOTION: To approve a time extension until January 2, 2003, to comply with condition number E.8. of Resolution R-2000-0590.

**E. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS**

22. **DOA1997-012C**

Resolution for Palm Beach County (**TRUMP INTERNATIONAL GOLF COURSE (aka PBIA GOLF COURSE)**)

Pages 175-192

MOTION: To receive and file Zoning Resolution ZR-2002-008.

23. **DOA1998-039A**

Resolution for Agro Distribution. (**PROSOURCE ONE (AKA TERRA INTERNATIONAL)**)

Pages 193-203

MOTION: To receive and file zoning resolution ZR-2002-009.

24. **SR90-34A.2**

Resolution for Atria Communities, Inc. (**ATRIA CLF**)

Pages 204-205

MOTION: To receive and file zoning resolution ZR-2002-010.

25. **CB1977-077B**

Resolution for Atlantis Outpatient Center. (**ATLANTIS OUTPATIENT CENTER**)

Pages 206-207

MOTION: To receive and file zoning resolution ZR-2002-011.

26. **CB2002-018**

Resolution for Kings Academy. (**KINGS ACADEMY**)

Pages 208-209

MOTION: To receive and file zoning resolution ZR-2002-012.

**F. TDR CONTRACT AMENDMENTS**

27. **PDD/TDR2001-029** Request: To execute an Addendum to Contract for the Sale and Purchase of Development Rights between Holiday Management Associates, Inc. and Palm Beach County. (**COLONY CLUB APARTMENTS**)

Pages 210-215

BCC District: 3

MOTION: To execute the Addendum to Contract for the Sale and Purchase of Development Rights.

28. **PDD/TDR2001-029** Request: To execute an Assignment of Rights Under Contract between Muncy Associates, Eucalyptus Acquisitions, LLC, Old Apex, Inc. and Palm Beach County. (**COLONY CLUB APARTMENTS**)

Pages 216-223

BCC District: 3

MOTION: To execute the Assignment of Rights Under Contract.

29. **PDD/TDR2001-029** Request: To execute an Amendment to Transfer of Development Rights Escrow Agreement. (**COLONY CLUB APARTMENTS**)

Pages 224-225

BCC District: 3

MOTION: To execute the Amendment to Transfer of Development Rights Escrow Agreement.

30. **PDD/TDR2001-029** Request: To execute an Assignment of Contract for the Sale and Purchase of Development Rights between Holiday Management Associates, Inc and Eucalyptus Acquisitions, LLC. (**COLONY CLUB APARTMENTS**)

Pages 226-230

BCC District: 3

MOTION: To execute the Assignment of Contract for the Sale and Purchase of Development Rights between Holiday Management Associates, Inc. and Eucalyptus Acquisitions, LLC.

31. **PDD/TDR2001-029** Request: To execute a deed conveying 95 Development Rights units to Eucalyptus Acquisitions, LLC, c/o Holiday Management Associates as authorized in Resolution No. R-2002-0291 from the County's TDR Bank at a cost of \$10,399.00 per unit and the designation of the Colony Club Apartments as a TDR Receiving Area for those units. (**COLONY CLUB APARTMENTS**)

Pages 231-232

BCC District: 3

MOTION: To execute a deed conveying 95 Development Rights units to Eucalyptus Acquisitions, LLC, c/o Holiday Management Associates as authorized in Resolution No. R-2002-0291.

## **G. ABANDONMENT RESOLUTIONS**

32. **ABN1981-164** To abandon the special exception granted under Resolution R-1981-1589 for an automotive service facility.

Pages 233-234

MOTION: To adopt a resolution abandoning the special exception granted under R-1981-1589.

**H. REQUEST TO AMEND PERMITTED USES (PLANNING DIVISION)**

33. Agent: Charles W. Millar, Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. Request for expansion and/or modification of permitted uses in a restrictive covenant associated with Ordinance 96-67; General Location: Southeast corner of Linton Blvd. and Jog Rd. [\(LINTON/JOG\)](#)

Pages 235-256

Size: 9.7 acres ±

BCC District: 5

Staff Recommendation: The Planning Division recommends approval to expand and/or modify the list of allowed uses in the restrictive covenant.

MOTION: To approve the applicant's request to expand and/or modify the list of allowed uses in the restrictive covenant.

**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. COUNTY ENGINEER ITEMS FOR DISCUSSION**

34. Zoning in Progress for TPS Ordinance  
N/A

35. Buildout Date on Concurrency Reservations and Zoning Approvals  
N/A

**5. REGULAR AGENDA****A. ITEMS PULLED FROM CONSENT****B. ZONING PETITIONS**

36. **CA2001-003A** Title: Resolution approving a Class A Conditional Use petition of GPRA Thoroughbred Training Center by James Brindell or Scott Bennowitz, Agent. Request: To allow 342 grooms quarters. General Location: Approx. 0.75 mile north of Boynton Beach Blvd. on the east side of Lyons Rd. (**PALM BEACH THOROUGHbred TRAINING FARM**).

Pages 257-282

Size: 304.63 acres ± (existing) BCC District: 3  
13.5 acres ± (affected area)

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Class A Conditional Use to allow 342 grooms quarters.

37. **PDD2002-012** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Wilson B. Greaton, Trustee by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: NE corner of Cypress Isle Way and Lake Worth Rd. (**LAKE WORTH COMMONS MUPD**).

Pages 283-306

Size: 12.037 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 a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

38. **PDD2000-011A** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Majorie & Paul Meloche, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District with a self-service storage facility (requested use). General Location: Approx. 600 feet west of Haverhill Rd. on the north side of Lantana Rd. (**ABLE'S STORAGE CENTER**).

Pages 307-330

Size: 8.282 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 a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District with a self-service storage facility.

- 6. **DIRECTOR COMMENTS**
  - A. **ZONING DIRECTOR**
- 7. **COMMISSIONER COMMENTS**
- 8. **ADJOURNMENT**