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

**JANUARY 9, 2003**

**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/ WITHDRAWALS (Pages 1-3)**
  
- 3. CONSENT AGENDA (Pages 4-7)**
  - o Staff
  - o Board
  - o Public
  
- 4. REGULAR AGENDA (Pages 8-10)**
  
- 5. DIRECTOR COMMENTS (Page 10)**
  
- 6. COMMISSIONER COMMENTS (Page 10)**
  
- 7. ADJOURNMENT (Page 10)**

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

**THURSDAY JANUARY 9, 2003**

**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 January 9, 2003 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. **PDD2002-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lawrence Gideon Johnson by George G. Gentile, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development District (MUPD). General Location: SE corner of Belvedere Rd. and the Florida Turnpike. **(JOHNSON PROPERTY MUPD)**

Page 1

Size: 54.6 acres ±

BCC District: 6

MOTION: To postpone to January 23, 2003. (Petitioner requested 30 days).

2. **DOA1997-085A** Title: Resolution approving a Development Order Amendment petition of Meadowland Development Corp by Helen LaValley, Agent. Request: To add land area (12.04 acres), add units and to modify/delete conditions. General Location: Approx. 3,400 feet north of Gateway Blvd. bound on the east by Military Trail and the west by Haverhill Rd. (**GATEWAY GARDENS PUD**).

Page 2

Size: 39.30 acres ±

BCC District: 3

MOTION: To postpone to January 23, 2003. (Petitioner requested 30 days).

3. **PDD/TDR2001-066A** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of James Shillinglaw, Franceska Malck, Raja Malek by Press Tompkins Jr, P.E., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of James Shillinglaw, Franceska Malek, Raja Malek by Press Tompkins Jr, P.E., Agent. Request: To allow the Transfer of Development Rights for 22 units and to designate this petition as the receiving area. General Location: SE corner of Palomino Drive and SR 7/US 441 (**PALOMINO PLACE PUD**).

Page N/A

Size: 39.3 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to January 23, 2003. (Zoning Commission postponed for 30 days).

4. **PDD2002-020** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of George & Dorothy Haas by Robert Bentz, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approx. 0.25 mile south of Lake Worth Rd. on the east side of Lyons Rd. (**BERNARD HAAS PUD**).

Page 3

Size: 47.96 acres ±

BCC District: 6

MOTION: To postpone to January 23, 2003. (Petitioner requested 30 days).

5. **EAC2001-017A** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of BP Products North America Inc. by Timothy Bauer, Agent. Request: To modify/delete a condition of approval. General Location: SW corner of 10th Ave. North and Boutwell Rd. (**10TH & BOUTWELL BP**).

Page 4

Size: 1.0 acres ±

BCC District: 3

MOTION: To postpone to February 27, 2003. (Petitioner requested 60 days).

**B. WITHDRAWALS**

6. **PDD2002-016** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of James J. O'Brien, Trustee by Kieran J. Kilday, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District with a self service storage facility and accessory vehicle rental (requested uses). General Location: North side of Lantana Rd., west of Florida's Turnpike. (**LANTANA/TURNPIKE SSSF**)

Page 5

Size: acres 10.06 ±

BCC District: 2

MOTION: None. (Request withdrawn by petitioner)

**- END OF POSTPONEMENTS AND WITHDRAWALS -**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 7. **Z2002-051** Title: Resolution approving an Official Zoning Map Amendment petition of Rene & Gina Tercilla by Rene & Gina Tercilla, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Southwest corner of Wilson Rd. and Cleary Rd. (**TERCILLA REZONING**).

Pages 6-18

Size: 4.05 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 Residential Transitional Zoning District with a Conditional Overlay Zone.

- 8. **PDD2002-038** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Stratford Greens LLC & A.E. Verzall by Robert Bentz, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development District (PUD). General Location: Northwest corner of Military Trail and Flavor Pict Rd. (**COLONY PRESERVE PUD**).

Pages 19-46

Size: 35.49 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 rezoning from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

9. **DOA1978-040B** Title: Resolution approving a Development Order Amendment petition of Wellman Care Inc. by Kevin McGinley, Agent. Request: To redesignate land uses, to modify/delete conditions and to add a daycare, general. General Location: Northwest corner of Military Trail and Melaleuca Ln. (**IMAGINATION STATION (AKA WELLMAN PLAZA)**).

Pages 47-75

Size: 3.5 acres ±

BCC District: 2

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 redesignate land uses, to modify/delete conditions and to add a second daycare, general.

10. **DOA1989-088A** Title: Resolution approving a Development Order Amendment petition of SCI Funeral Service of Florida by Housh Ghovae, Agent. Request: To add square footage. General Location: Northwest corner of Kirk Rd. and 10th Ave North (**MEMORY GARDENS**).

Pages 76-102

Size: 36.72 acres ±

BCC District: 3

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 add square footage.

11. **Z/CA2002-045** Title: Resolution approving an Official Zoning Map Amendment petition of Tom Head Jr. by Kieran J. Kilday, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Tom Head Jr. by Kieran J. Kilday, Agent. Request: To allow a medical office and a veterinary clinic. General Location: Approx. 1,650 feet east of Hagen Ranch Rd. on the south side of Boynton Beach Blvd. (**BOYNTON BEACH BLVD. MEDICAL OFFICE**).

Pages 103-123

Size: 2.16 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Commercial Low Office Zoning District.

MOTION: To adopt a resolution approving the request for a Class A Conditional Use to allow a medical office and a veterinary clinic.

**C. STATUS REPORTS – CONSENT**

- 12. **SR 1983-153C.2** Status Report for Resolutions R-84-349 and R-84-350; R-96-1965 (Stipulated Settlement Agreement (Petition 1983-153C), the petition of Robert C. Malt. Property owner: Corona Land Development, Inc. General Location: Approx. 0.5 mile east of Jog Rd, on the south side of Summit Blvd. Current zoning: Single Family Residential with a Special Exception to allow a Planned Unit Development (**VICTORIA WOODS**).

Pages 124-127

Size: 42.54 (unplatted) of 164.6 acres ± BCC District: 6

MOTION: To approve a time extension until June 10, 2003, for Resolutions R-84-349, R-84-350, and R-96-1965

- 13. **SR 1987-152C.2** Status Report for Resolution R-94-778 (Petition 1987-152C), the petition of Southern Self Storage. Property owner: Public Storage Inc. General Location: Approx. 0.4 mile south of Hypoluxo Rd. on the east side of Military Tr. Current zoning: General Commercial with a Development Order Amendment to amend master plan; allow self storage (Planned Commercial Development) (**SOUTHERN SELF STORAGE**).

Pages 128-131

Size: 8.6 acres ± BCC District: 3

MOTION: To approve a time extension until June 10, 2003, for Resolution R-94-778.

- 14. **SR 1992-35.4** Status Report for Resolution R-92-1839 (Petition 1992-35), the petition of Arthur Rosacker. Property owner: Portalegre Inc. and West Delray Realty, Inc. General Location: Approx. 1/4 mile east of Jog Rd. on the south side of West Atlantic Ave. Current zoning: General Commercial (**FLORAL ACRES**).

Pages 132-135

Size: 2.98 acres of 4.58 acres ± BCC District: 5

MOTION: To approve a time extension until June 10, 2003, for Resolution R-92-1839.

- 15. **SR 1993-039A.2** Status Report for Resolutions R-97-2072 and R-97-2073 (Petition 1993-39A), the petition of Security Capital Atlantic, Inc. Property owner: P. A., Jr. and E. D. Peterson and Security Capital Atlantic, Inc. General Location: Approx. 0.54 mile west of Military Trail on the south side of Atlantic Ave. Current zoning: Planned Unit Development (**CAMERON PARK PUD**).

Pages 136-139

Size: 38.58 acres ± BCC District: 5

MOTION: To approve a time extension until June 10, 2003, for Resolutions R-97-2072 and R-97-2073.

- 16. **SR 1995-77.2** Status Report for Resolution R-1996-261.1 (Petition 1995-077), the petition of Quail Ridge Property Owners Association. Property owner: Jeffrey and Joan Lissauer. General Location: Approx. 0.25 mile east of Military Trail on the north side of Woolbright Rd. Current zoning: Commercial High Office (**WOOLBRIGHT PROFESSIONAL/MEDICAL OFFICE**).

Pages 140-143

Size: 1.5 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2003, for Resolution R-1996-261.1.

- 17. **SR 1999-033** Status Report for Resolutions R-1999-2075 and R-1999-2076 (Petition 1999-033), the petition of Poupore LTD Family Partnership. Property owner : Poupore Family Ltd Partnership. General Location: southwest corner of Lantana Rd. and Hagen Ranch Rd. Current zoning: Residential Transitional Suburban with a Class A Conditional Use to allow a general daycare (**KIDSTOWN LEARNING CENTER**).

Pages 144-147

Size: 2.31 acres ±

BCC District: 3

MOTION: To adopt a resolution to revoke Resolution No. 1999-2076 which approved a Class A Conditional Use to allow general daycare.

- 18. **CR 1976-006B/E21** Status Report for Resolution R-2002-1234 (Petition 1976-006B), the petition of 8190 Investment. Property owner: 8190 Investment. General Location: SW Corner of Benoist Farms Rd. and Okeechobee Blvd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Professional Office/Business Park and Development Order Amendment to reconfigure site plan and add square footage (**SEDONA COMMONS**).

Pages 148-151

Size: 2.6 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (right-of-way) in Resolution R-2002-1234, and approve a time extension until April 15, 2003 to comply with condition number E.21. of Resolution R-2002-1234.

**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. TDR ANNUAL REPORT**

19. TDR Annual Report

(under separate cover)

**B. ITEMS PULLED FROM CONSENT**

**C. PREVIOUSLY POSTPONED ZONING PETITIONS**

20. **DOA1977-048E** Title: Resolution approving a Development Order Amendment petition of Wal-Mart Stores by Kevin Workman, Agent. Request: To modify the site plan and building square footage. General Location: SE corner of SR 7/US 441 and Southern Blvd. (**WESTERN PLAZA (HOME DEPOT)**).

Pages 152-182

Size: 27.36 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 Development Order Amendment to modify the site plan and building square footage.

**D. ZONING PETITIONS**

21. **Z/DOA1981-096C** Title: Resolution approving an Official Zoning Map Amendment petition of Solid Waste Authority by Kieran J. Kilday, Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Public Ownership (PO) Zoning District. Title: Resolution approving a Development Order Amendment petition of Solid Waste Authority by Kieran J. Kilday, Agent. Request: To add land area, reconfigure site plan and modify/delete conditions of approval. General Location: South side of Lantana Rd. bounded on the east by I-95 and the west by High Ridge Rd. (**LANTANA TRANSFER STATION**).

Pages 183-215

Size: 63.38 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: This request meets Comprehensive Plan and ULDC Criteria to permit this non-residential use in a residential area.

MOTION: To approve the request for a rezoning from the Residential Single Family Zoning District to the Public Ownership Zoning District on first hearing and convene the second public hearing on January 23, 2003 at 9:30 a.m.

MOTION: To approve the request for a Development Order Amendment to add land area, reconfigure site plan and modify/delete conditions of approval on first hearing and convene the second public hearing on January 23, 2003 at 9:30 a.m.

22. **PDD/TDR2002-026** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Celebration Church by Jennifer Morton, Agent. Request: Rezoning from the Residential Transitional Suburban (RTS) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of Celebration Church by Jennifer Morton, Agent. Request: To allow the Transfer of Development Rights for 2 units and designate this petition as the receiving area. General Location: Approx. 500 feet west of Sansbury's Way on the south side of Okeechobee Blvd. (**CELEBRATION LAKE PUD**).

Pages 216-242

Size: 19.55 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Residential Transitional Suburban Zoning District to the Residential Planned Unit Development District.

MOTION: To adopt a resolution approving the request to allow the Transfer of Development Rights for 2 units and designate this petition as the receiving area.

5. DIRECTOR COMMENTS
  - A. ZONING DIRECTOR
6. COMMISSIONER COMMENTS
7. ADJOURNMENT