



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

February 25, 2009

<u>AGENDA ITEM #</u>	<u>APPLICATION/CHANGE</u>
<u>PAGE #</u>	

POSTPONEMENTS

17. (133-155) **Z-2008-1745 Habitat for Humanity – Kennedy Estates II
(Control # 2003-062)**

Motion: To postpone thirty (30) days to Monday, March 30, 2009.
(Requested by the Agent)

AMENDMENTS

18. (156-171) **Z/ABN-2008-1682 Cherry Road Complex Rezoning
(Control # 1973-157)**

Delete Engineering Condition 2 in its entirety. Renumber accordingly.

~~2. The property owner shall provide by warranty deed submitted to Palm Beach County Land Development Division for 35 feet of right of way from centerline of Cherry Road prior to the issuance of the first building permit. Right of way conveyance shall be along the project's entire frontage and shall be free and clear of all encumbrances and encroachments and include corner clips. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDG PERMIT: MONITORING-Eng)~~

Delete Lake Worth Drainage District Condition 1 in its entirety.

~~1. Prior to issuance of any building permits the Lake Worth Drainage District will require that all encroachments be removed from the L-2 Canal Right-of-Way. (BLDG: BLDG - LWDD)~~

29. (301-331) **Regions Bank at Peach Tree Plaza (Control 1984-058)**

Modify Engineering condition 7 to read as follows:

Previous Condition 7 of Resolution R-96-1192.1 Control No. DOA1984-58(D), which currently states:

The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer:
a) A right turn lane, west approach on Delray West Road and the project's west entrance.
b) A right turn lane, west approach on Delray West Road and Via Flora Road
c) Raised curb on both sides of the existing median at the project's west entrance onto Delray West Road a distance of 50 feet. [Note: Part c has previously been complied with.] (~~Previously~~

~~Condition 7 of Resolution R-96-1192.1 Petition No. DOA1984-58(D)).~~

Is hereby amended to read:

The developer shall construct concurrent with onsite paving and drainage improvements pursuant to a paving and drainage permit issued from the office of the County Engineer:

a) A right turn lane, west approach on Delray West Road and the project's west entrance.

[Note: Deleted] [Reason: No longer Required]

b) A right turn lane, west approach on Delray West Road and Via Flora Road [Note: Deleted]

[Reason: No longer Required]

c) Raised curb on both sides of the existing median at the project's west entrance onto Delray West Road a distance of 50 feet. [Note: Complete]

ADDITION (Separate handout)

Director Comments

A. County Attorney

Presentation of Quasi-Judicial Procedures by Robert Banks, County Attorney.

Board of County Commissioners

County Administrator

Robert Weisman



Department of Planning, Zoning & Building

2300 N. Jog Rd.
West Palm Beach, FL 33411
Phone: 561-233-5200
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

WEDNESDAY, FEBRUARY 25, 2009

**9:30 AM 6TH FLOOR
JANE M. THOMPSON MEMORIAL CHAMBERS**

CALL TO ORDER

- A. Roll Call
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication
- D. Swearing In
- E. Adoption of Agenda

POSTPONEMENTS/WITHDRAWALS/REMANDS

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

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

FEBRUARY 25, 2009

CALL TO ORDER

- A. Roll Call - 9:30 A.M.
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In - County Attorney
- E. Motion to Adopt Agenda

POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **ZV/DOA-2008-01038** Title: a Type II Zoning Variance application of Holdings GPH by Ruden McClosky, Agent. Request: to allow a reduction in the right-of-way buffer width and hedge materials, to allow a 100% utility easement encroachment into the buffer, to delete the berm along the right-of-way buffer and to reduce the required queuing spaces
Title: a Development Order Amendment of Holdings GPH by Ruden McClosky, Agent. Request: to reconfigure the site plan and add square footage.
General Location: Northeast corner of Palmetto Park and Oriole Country Road. **(Loggers Run commercial)** (Control 1975-00068)

Pages: 1 - 1

Project Manager: Joyce Lawrence

Size: 12.21 acres ±

BCC District: 5

Staff Recommendation: Staff recommends a thirty (30) day postponement to March 30, 2009.

Zoning Commission Recommendation: Approved: 7-0

MOTION: Postponement thirty (30) days to Monday, March 30, 2009.

2. **ZV/PDD-2008-01525** Title: a Type II Variance application of Duke Realty Limited Partnership by Jon E. Schmidt & Associates Inc., Agent. Request: to allow an elimination of a perimeter buffer; a reduction of parking spaces; an elimination of loading area screening; an elimination of loading area roofs; a freestanding sign to abut a street with no access; and, a reduction in setback for the freestanding sign
Title: an Official Zoning Map Amendment to a Planned Development District of Duke Realty Limited Partnership by Jon E. Schmidt & Associates Inc., Agent. Request: to allow a rezoning from the Planned Unit Development (PUD) Zoning District to the Planned Industrial Park Development (PIPD) Zoning District.
General Location: Northwest corner of North Jog Road and Belvedere Road. **(Turnpike Crossing East Industrial Property)** (Control 2005-00456)

Pages: 2 - 2

Project Manager: Carol Glasser

Size: 67.16 acres ±

BCC District: 2

Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday March 30, 2009

Zoning Commission Recommendation: Postponed 30 days (6-0) both requests

MOTION: To postpone thirty (30) days to Monday March 30, 2009

3. **ZV/PDD/DOA/W/R-2008-01369** Title: a Type II Zoning Variance application of Moroso Investment Partners LLC by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow more than 3 freestanding buildings in an MUPD; to allow parking in excess of 600 feet from the public entrance of the building it serves; to allow more than 1 electronic message center sign; to allow more than 3 freestanding signs; to allow the maximum height of one freestanding sign to exceed 15 feet; to allow on-site directional signs to be closer than 200 feet from the perimeter of the project; and to eliminate the 5-foot compatibility buffers adjacent to the Pine Glades Natural Area

Title: an Official Zoning Map Amendment to a Planned Development District of Moroso Investment Partners LLC by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow a rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

Title: a Development Order Amendment of Moroso Investment Partners LLC by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to add land area and reconfigure site plan.

Title: a Requested Use of Moroso Investment Partners LLC by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow arena; auditorium or stadium; entertainment, outdoor; entertainment, indoor; auction, outdoor; auto paint and body; convenience store with gas sales; manufacturing and processing; vehicle sales and rental; electronic message center; and to allow an alternative sign plan.

Title: to allow a deviation from Architectural Guidelines of Moroso Investment Partners LLC by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow a waiver for unique structures.

General Location: North side of Beeline Highway (SR710) west of Pratt Whitney Road, south of Indiantown Road. **(Moroso Circle Track)** (Control 1997-00034)

Pages:

Project Manager: Ronald Sullivan

Size: 45.07 acres \pm

BCC District: 1

Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday March 30, 2009.

Zoning Commission Recommendation: Postponed 30 days (6-0) all requests

MOTION: To postpone thirty (30) days to Monday March 30, 2009.

4. **Z-2008-01669** Title: an Official Zoning Map Amendment application of Palm Beach County by Palm Beach County, Agent. Request: Rezoning from the Preservation/Conservation (PC) Zoning District to the Public Ownership (PO) Zoning District

General Location: Approximately 0.1 mile south of Blue Heron Boulevard and approximately 1,000 feet northeast of the Port of Palm Beach and 1,500 feet due west of Lake Worth Inlet. **(Peanut Island Rezoning)** (Control 1976-00101)

Pages:

Project Manager: Donna Adelsperger

Size: 84.00 acres \pm

BCC District: 1

Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday March 30, 2009.

Zoning Commission Recommendation: Postponed 30 days (6-0)

MOTION: To postpone thirty (30) days to Monday March 30, 2009.

5. **Z/CA-2007-01608** Title: an Official Zoning Map Amendment application of McLaren Const Co Inc by Gary M. Brandenburg and Associates, Agent. Request: to allow a rezoning from Multi-Family Residential (RM) Zoning District to the General Commercial (CG) Zoning District

Title: a Class A Conditional Use of McLaren Const Co Inc by Gary M. Brandenburg and Associates, Agent. Request: to allow a Convenience Store with Gas Sales.

General Location: The property is located on the northeast corner of Haverhill Road and Wallis Road. (**RaceTrac Haverhill**) (Control 2005-00514)

Pages:

Project Manager: Joyce Lawrence

Size: 1.96 acres ±

BCC District: 6

Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday, March 30, 2009.

Zoning Commission Recommendation: Postponed 30 days (6-0) both requests

MOTION: To postpone thirty (30) days to Monday, March 30, 2009.

6. **ZV/DOA-2008-01698** Title: a Type II Zoning Variance application of dba Manheim Palm Beach by Kilday & Associates Inc., Agent. Request: to eliminate terminal islands, interior islands, divider medians, interior trees, and interior shrubs in the vehicle storage area; allow a reduction in pervious area; allow a barbed wire fence within the setback; and allow parking spaces beyond 600 feet from a building entrance

Title: a Development Order Amendment of dba Manheim Palm Beach by Kilday & Associates Inc., Agent. Request: to add land area and square footage, reconfigure the site plan, restart the commencement clock, delete conditions of approval contained within R2004-2423, and modify a condition of approval (Engineering).

General Location: Approximately 600 feet south of Belvedere Road on the East side of Sansbury's Way. (**Manheim Palm Beach MUPD**) (Control 2005-00641)

Pages: 3 - 3

Project Manager: Carol Glasser

Size: 91.60 acres ±

BCC District: 6

Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday March 30, 2009

Zoning Commission Recommendation: Postponed 30 days (6-0) both requests

MOTION: To postpone thirty (30) days to Monday March 30, 2009

7. **DOA-2008-01365** Title: a Development Order Amendment application of Colonial Lakes LLC by Land Design South Inc., Agent. Request: to modify conditions of approval (Site Design, Engineering, Landscaping, Workforce Housing and Transfer of Development Rights), reconfigure site plan and delete units
General Location: Approximately 500 feet west of Haverhill Road on the south side of Lake Worth Road. **(Colonial Lakes)** (Control 2006-00010)
- Pages: 4 - 4
Project Manager: Anthony Wint
Size: 9.84 acres ± BCC District: 2
- Staff Recommendation: Staff recommends a thirty (30) day postponement to Monday March 30, 2009.
- Zoning Commission Recommendation: Approved: 7-0
- MOTION:** To postpone thirty (30) days to Monday March 30, 2009.
-
8. **DOA-2008-00786** Title: a Development Order Amendment application by Glotel Inc / T Mobile, Agent. application of Betty Tufford by Glotel Inc. T-Mobile, Agent. Request: to modify a condition of approval (Commercial Pod)
General Location: Northwest corner of US 441 and Kimberly Blvd. **(Shoppes of Boca Green - T-Mobile)** (Control 1977-00013)
- Pages: 5 - 5
Project Manager: Douglas Robinson
Size: 1.00 acres ± BCC District: 5
(affected area 0.01 acres ±)
- Staff Recommendation: Staff recommends a sixty (60) day postpone to Thursday April 23, 2009.
- Zoning Commission Recommendation: Denial: 6-1
- MOTION:** To postpone sixty (60) day postpone to Thursday April 23, 2009.
-
9. **DOA-2008-01196** Title: a Development Order Amendment application of Okeelanta Corp by Kilday & Associates Inc., Agent. Request: to add land area, reconfigure the site plan and modify conditions of approval
General Location: Approximately two miles West of US 27, South of Bolles Canal. **(Okeelanta CO-Generation Plant)** (Control 1992-00014)
- Pages: 6 - 6
Project Manager: Anthony Wint
Size: 378.71 acres ± BCC District: 6
- Staff Recommendation: Staff recommends a sixty (60) day postponement to Thursday April 23, 2009.
- Zoning Commission Recommendation: Approval: 7-0 as amended
- MOTION:** To postpone sixty (60) day postponement to Thursday April 23, 2009.

B. REMANDS

C. WITHDRAWALS

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

- 10. **SR 2004-020** Status Report for Resolution R-2005-0375 (Control # 2004-020), the application of Sara H. Johnson Property Owner: Lyons Estates at Boynton Beach, Inc. General Location: one mile south of Hypoluxo Road on the east side of Lyons road Current Zoning: Residential Transitional with a Conditional Overlay Zone ((**Johnson Subdivision**))

Pages: 7 - 10

Size: 4.90 acres ±

BCC District: 3

MOTION: To approve a time extension until February 24, 2011 for Resolution R-2005-0375.

- 11. **SR 1980-133** Status Report for Resolutions R-R-2005-2278 and R-2005-2279 (Control # 1980-133), the application of Community Christian Church of Florida Property Owner: Community Christian Church of Florida General Location: located 1/2 mile south of Southern Boulevard on the west side of Jog Road Current Zoning: Residential Estate with a Class A Conditional Use to allow a private school and a general daycare ((**Community Christian Church**))

Pages: 11 - 14

Size: 12.24 acres ±

BCC District: 6

MOTION: To: 1) approve a time extension until November 17, 2011 for Resolutions R-2005-2278 and R-2005-2279, and 2) revoke Concurrency approved for private school and day care

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

12. **CA-2008-00616** Title: a Class A Conditional Use application of Michael James by Burt Smith PE, Agent. Request: to allow a place of worship
General Location: Approximately 2300 feet east of Seminole Pratt Whitney Road and on the south side of Okeechobee Boulevard. **(New Worldwide Apostolic Church)** (Control 2008-00111)

Pages: 15 - 33

Conditions of Approval (27 - 29)

Project Manager: Joyce Lawrence

Size: 1.28 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 22 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval:6-0

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a place of worship.

13. **ZV/Z-2008-01518** Title: an Official Zoning Map Amendment application of Cordell Shaw by Moyle Flanigan, Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District

General Location: Approximately 0.7 miles north of Donald Ross Road on the east side of Palmwood Road. **(Palmwood Shaw Rezoning)** (Control 2006-00095)

Pages: 34 - 50

Conditions of Approval (45 - 45)

Project Manager: Donna Adelsperger

Size: 0.62 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of rezoning subject to three (3) Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 6-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ).

14. **Z/DOA-2007-01185** Title: an Official Zoning Map Amendment application of Winners Church International by Land Research Management Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District
Title: a Development Order Amendment of Winners Church International by Land Research Management Inc., Agent. Request: to reconfigure the site plan, add land area, and add building square footage.
General Location: Southwest corner of Jog Road and Pioneer Road. **(Winners Church)** (Control 1985-00072)

Pages: 51 - 83

Conditions of Approval (69 - 75)

Project Manager: Ora Owensby

Size: 16.04 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment and Development Order Amendment, subject to 34 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 6-0, as amended

MOTION: To adopt a resolution approving the Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District.

MOTION: To adopt a resolution approving the Development Order Amendment to reconfigure the site plan, add land area, and add building square footage.

15. **Z/CA-2008-00437** Title: an Official Zoning Map Amendment application of Chretienne Eglise by Land Research Management Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District
Title: a Class A Conditional Use of Chretienne Eglise by Land Research Management Inc., Agent. Request: to allow a place of worship and to allow a daycare.
General Location: Northeast corner of Wallis Road and Jog Road. **(Haitian Christian Church)** (Control 2007-00411)

Pages: 84 - 108

Conditions of Approval (96 - 100)

Project Manager: Anthony Wint

Size: 4.51 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request, subject to 33 conditions as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 6-0, both requests

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a place of worship and to allow a daycare.

16. **DOA-2008-00461** Title: a Development Order Amendment application of T Mobile by Glotel Inc / T Mobile, Agent. Request: to modify conditions of approval (Building & Site Design and Landscaping)
General Location: Northeast corner of Orange Ave and 130th Ave North. (**T Mobile Horizon Baptist**) (Control 1998-00015)

Pages: 109 - 132

Conditions of Approval (121 - 125)

Project Manager: Douglas Robinson

Size: 2.66 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request subject to 32 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 4-2

MOTION: To adopt a resolution to allow a Development Order Amendment request to modify/delete conditions of approval (Building & Site Design, Landscaping).

E. ZONING APPLICATIONS - NEW

17. **Z-2008-01745** Title: an Official Zoning Map Amendment application of Habitat for Humanity of Palm Beach Count by Land Design South Inc., Agent. Request: to allow a rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District
General Location: Southeast corner of Mallards Cove Road and Jupiter Gardens Boulevard. (**Habitat for Humanity - Kennedy Estates II**) (Control 2003-00062)

Pages: 133 - 155

Conditions of Approval (145 - 146)

Project Manager: Donna Adelsperger

Size: 3.63 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 7 Conditions of Approval as contained in Exhibit C and a Conditional Overlay Zone (COZ).

Zoning Commission Recommendation: Approval: 6-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to rezone from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District with a Conditional Overlay Zone (COZ).

18. **Z/ABN-2008-01682** Title: an Official Zoning Map Amendment application of Palm Beach County by Kilday & Associates Inc., Palm Beach County, Agent. Request: to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Public Ownership (PO) Zoning District
Title: a Development Order Abandonment of Palm Beach County by Kilday & Associates Inc., Palm Beach County, Agent. Request: to abandon the Special Exceptions and Development Order approvals granted via Resolutions R-73-621, R-91-243, and R-2005-0601.
General Location: North side of the intersection of Cherry Road and Country Club Road. **(Cherry Road Complex Rezoning)** (Control 1973-00157)

Pages: 156 - 171

Conditions of Approval (170 - 171)

Project Manager: Donna Adelsperger

Size: 19.54 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the rezoning request subject to 6 Voluntary Commitments as indicated in Exhibit C and approval of the Development Order Abandonment.

Zoning Commission Recommendation: Approval: 6-0, as amended both requests

MOTION: To recommend approval on first reading, of an Official Zoning Map Amendment to allow a rezoning from the Multifamily Residential (RM) Zoning District to the Public Ownership (PO) Zoning District and to schedule a second hearing on March 30, 2009.

MOTION: To recommend approval of a Development Order Abandonment to abandon the Special Exceptions and approvals granted via Resolutions R-73-621, R-91-243, and R-2005-0601.

19. **Z/ABN-2008-01681** Title: an Official Zoning Map Amendment application of Palm Beach County by Cotleur & Hearing Inc., Palm Beach County, Agent. Request: to allow a rezoning from the Residential Estate (RE) Zoning District to the Public Ownership (PO) Zoning District

Title: a Development Order Abandonment of Palm Beach County by Cotleur & Hearing Inc., Palm Beach County, Agent. Request: to abandon the approval granted pursuant to Zoning Resolution No. R-89-355 to allow Governmental Services and accessory buildings and structures (fire station), including a commercial radio, television, microwave transmission and relay stations and towers.

General Location: West side of Benoist Farms Road, approximately 0.26 mile south of Southern Boulevard. **(Palm Beach County Fire Rescue #34)** (Control 1988-00017)

Pages: 172 - 180

Project Manager: Ora Owensby

Size: 5.45 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of a Rezoning and a Development Order Abandonment, with no conditions.

Zoning Commission Recommendation: Approval: 6-0 both requests

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Estate (RE) Zoning District to the Public Ownership (PO) Zoning District.

MOTION: To adopt a resolution approving a Development Order Abandonment request to abandon the approval granted pursuant to Zoning Resolution No. R-89-355 to allow Governmental Services and accessory buildings and structures (fire station), including a commercial radio, television, microwave transmission and relay stations and towers.

20. **ZV/Z/DOA-2008-00456** Title: an Official Zoning Map Amendment application of Palm Beach County by JPR Planning Services Inc., Agent. Request: to allow a rezoning from the Single-family Residential (RS) Zoning District and the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ)
Title: Development Order Abandonment of Palm Beach County by JPR Planning Services Inc., Agent. Request: to legislatively abandon Resolution #R-89-942.
General Location: South of Palmetto Park Rd., W of State Road 7 in Boca Dunes (Sandalfort) Golf Course. **(PBC Water Treatment Plant No. 9)** (Control 1988-00059)

Pages: 181 - 189

Conditions of Approval (188 - 189)

Project Manager: Ora Owensby

Size: 13.14 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the Rezoning and Development Order Amendment requests subject to 7 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 6-0 all requests

MOTION: To recommend approval on first reading, of an Official Zoning Map Amendment rezoning from the Single-family Residential (RS) Zoning District and the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District with a Conditional Overlay Zone (COZ), and to schedule a second hearing on March 30, 2009.

MOTION: To recommend approval of a Development Order Amendment request to legislatively abandon Resolution #R-89-942.

21. **Z/CA-2008-01702** Title: an Official Zoning Map Amendment application of Association Jewish by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.
Title: a Class A Conditional Use of Association Jewish by Kilday & Associates Inc., Agent. Request: to allow a Congregate Living Facility, Type II.
General Location: Approximately 480 feet west of Military Trail, on the South side of Beechwood Road. **(JARC 1)** (Control 2008-00279)

Pages: 190 - 212

Conditions of Approval (201 - 202)

Project Manager: Anthony Wint

Size: 0.46 acres ±

(affected area 0.23 acres ±)

Staff Recommendation: Staff recommends approval of the request subject to 7 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 6-0, both requests

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Congregate Living Facility, Type II

22. **Z/CA-2008-01703** Title: Resolution approving a Class A Conditional Use application of Association Jewish by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District
Title: Approval for Type 2 Congregate living facility of Association Jewish by Kilday & Associates Inc., Agent. Request: to allow a Congregate Living Facility, Type II.
General Location: Approximately 950 feet west of Crestwood Avenue on the south side of Pine Tree Drive. **(JARC II (Pine Tree Drive)** (Control 2008-00284)
- Pages: 213 - 229
 Conditions of Approval (224 - 225)
 Project Manager: Anthony Wint
 Size: 0.47 acres ± BCC District: 5
- Staff Recommendation: Staff recommends approval of the request subject to 7 Conditions of Approval as indicated in Exhibit C.
- Zoning Commission Recommendation: Approval: 6-0, both requests
- MOTION:** To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District.
- MOTION:** To adopt a resolution approving a Class A Conditional Use to allow a Congregate Living Facility, Type II

23. **DOA/EAC-2008-01899** Title: a Development Order Amendment application of Villa Regina Of West Palm Beach Inc. by Johnston Group Land Development, Agent. Request: to modify Conditions of Approval (Landscape)
General Location: East side of Haverhill Road, north of Century Boulevard. **(Villa Regina CLF)** (Control 2000-00097)
- Pages: 230 - 249
 Conditions of Approval (241 - 245)
 Project Manager: Monica Cantor
 Size: 9.14 acres ± BCC District: 2
- Staff Recommendation: Staff recommends approval of the request subject to thirty (30) conditions as contained in Exhibit C.
- MOTION:** To adopt a resolution approving a Development Order Amendment to modify Conditions of approval (Landscaping).

F. CORRECTIVE RESOLUTIONS

24. **To correct the Legal Description in Exhibit A of Resolutions R-2008-1141 and R-2008-1142. (Palm Meadows PUD) (R-2008-1141, Control 2006-099)**
- Pages: 250 - 251
- MOTION:** To adopt a resolution to correct Legal Description in Exhibit A of Resolutions R-2008-1141 and R-2008-1142.

- 25. To correct the Exhibit C of Resolution R-2008-1705 to add PREM Condition CIVIC SITE DEDICATION 4. (Pratt and Orange MUPD) (R2008-1705, Control 1998-023)

Pages: 252 - 253

MOTION: To adopt a resolution to correct the Exhibit C of Resolution R-2008-1705 to add PREM Condition CIVIC SITE DEDICATION 4.

G. TDR CONTRACT AMENDMENTS

H. TDR CONTRACT, ESCROW AGREEMENT AND DEED

I. ABANDONMENTS

REGULAR AGENDA

- A. ITEMS PULLED FROM CONSENT
- B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA
- C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS
- D. PREVIOUSLY POSTPONED STATUS REPORTS
- E. STATUS REPORTS - NEW

26. **SR 1985-089A.2** Status Report for Resolutions R-90-1440 and 90-1441 (Control # 1985-089), the application of William Boose, III, Trustee. Property Owner: Judy A. Hartsell. General Location: south side of Okeechobee Boulevard and north side of Belvedere Road, on the east and west sides of Golden Lakes Boulevard. Current Zoning: Planned Unit Development District (**Golden Lakes PUD**)

Pages: 254 - 258

Size: 428.10 acres ±

BCC District: 2

DISCLOSURE

MOTION: To approve a time extension until October 22, 2011 for Resolutions R-90-1440 and 90-1441

27. **SR1985-048C.3** Status Report for Resolution R-97-958 (Control # 1985-084), the application of Berean Baptist Church of West Palm Beach. Property Owner: Grace Fellowship of West Palm Beach, Inc. General Location: south side of Okeechobee Blvd., approximately 0.4 of a mile west of Benoist Farms Road. Current Zoning: Residential Single Family Zoning District with a Special Exception to church with a child daycare facility and school - Development Order Amendment to relocate approved square footage 26,194 sf (**Berean Baptist Temple**)

Pages: 259 - 262

Size: 18.79 acres ±

BCC District: 6

DISCLOSURE

MOTION: To approve a time extension until September 10, 2011 for Resolution R-97-958.

- F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS
- G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

28. **DOA/R/TDR-2008-00441** Title: a Development Order Amendment application of Woodward 2007 LLC by Land Design South Inc., Agent. Request: to reconfigure the Master Plan, to increase the number of dwelling units, and to restart the commencement clock for development
- Title: a Requested Use of Woodward 2007 LLC by Land Design South Inc., Agent. Request: to allow a Daycare, General.
- Title: a Transfer of Development Rights of Woodward 2007 LLC by Land Design South Inc., Agent. Request: to allow the Transfer of Development Rights for 109 units, to designate this site as the receiving area, and to allow the Transfer of Development Rights price reduced at \$1.00 per unit.
- General Location: Northeast corner of Woodward Lane and State Road 7/441. **(Woodwind PUD)** (Control 2004-00524)
- Pages: 263 - 300
 Conditions of Approval (287 - 296)
 Project Manager: Autumn Sorrow
 Size: 36.38 acres \pm BCC District: 6
 (affected area 36.35 acres \pm)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request, subject to 38 conditions as indicated in Exhibit C

Zoning Commission Recommendation: Approval: 7-0 as amended for all request

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the Master Plan, to increase the number of dwelling units, and to restart the commencement clock for development

MOTION: To adopt a resolution approving a Requested Use to allow for a Daycare, general

MOTION: To adopt a resolution approving the Transfer of Development Rights for 109 units, designate the subject property as the receiving area, and approve the reduced cost of \$1.00 per unit for the Transfer of Development Rights units

29. **ZV/DOA-2008-00315** Title: a Development Order Amendment application of Bank Regions by Interplan LLC, Agent. Request: to reconfigure the site plan and add square footage.

General Location: Southwest corner of Via Flora Road and West Atlantic Avenue. **(Regions Bank at Peach Tree Plaza)** (Control 1984-00058)

Pages: 301 - 331

Conditions of Approval (317 - 323)

Project Manager: Carrie Rechenmacher

Size: 8.66 acres ±

BCC District: 5

(affected area 1.00 acres ±)

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 22 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approval, 7-0.

MOTION: To adopt a resolution to approve a Development Order Amendment to reconfigure the site plan and add square footage.

30. **PDD/R/TDR-2008-00798** Title: an Official Zoning Map Amendment to a Planned Development District application of Standard Pacific of South FL GP Inc. by Kilday & Associates Inc., Agent. Request: to allow a rezoning from the Residential Transitional (RT) Zoning District to the Residential Planned Unit Development (PUD) Zoning District
- Title: a Requested Use of Standard Pacific of South FL GP Inc. by Kilday & Associates Inc., Agent. Request: to allow the Transfer of Development Rights.
- Title: a Transfer of Development Rights of Standard Pacific of South FL GP Inc. by Kilday & Associates Inc., Agent. Request: to allow the Transfer of Development rights for 115 units, to designate this site as a receiving area, and to allow a reduced cost of \$1.00 per unit for 59 Transfer of Development Rights units.
- General Location: Approximately 1 mile south of Lake Worth Road on the east side of Lyons Road. **(Andalucia PUD)** (Control 2008-00129)

Pages: 332 - 370

Conditions of Approval (360 - 366)

Project Manager: William Cross

Size: 58.03 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment; Requested Use; and, the Transfer of Development Rights (TDR) for 115 units, with a sale of 59 units for workforce housing at a price of \$1.00/unit, subject to 46 Conditions of Approval, as indicated in Exhibit C.

Zoning Commission Recommendation: Approval: 4-3, as amended

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional (RT) Zoning District to the Planned Unit Development (PUD) Zoning District.

MOTION: To adopt a resolution approving a Requested Use to allow the Transfer of Development Rights.

MOTION: To adopt a resolution to allow the Transfer of Development Rights for 115 units, to designate this site as a receiving area, and to allow a reduced cost of \$1.00 per unit for 59 Transfer of Development Rights units.

I. ZONING APPLICATIONS - NEW

- 31. [DOA/EAC-2008-01966](#) Title: a Development Order Amendment application of K Angelocci LLC by Land Design South Inc., Agent. Request: to modify/delete Conditions of Approval (Workforce Housing).
General Location: Approximately 0.5 mile west of Haverhill Road, on the south side of Purdy Lane. **(Angelocci Property PUD)** (Control 2003-00061)

Pages: 371 - 414
 Conditions of Approval (386 - 392)
 Project Manager: Andrea Harper
 Size: 12.92 acres ±

BCC District: 2

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 38 conditions of approval as contained in Exhibit C.

MOTION: To adopt a resolution approving the Development Order Amendment to modify/delete Conditions of Approval (Workforce Housing).

J. ULDC AMENDMENTS

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

- 32. [Central Western Communities Overlay](#)

Pages: 415 - 415

DIRECTOR COMMENTS

- A. EXECUTIVE DIRECTOR**
- B. COUNTY ATTORNEY**
- C. PLANNING DIRECTOR**
- D. ZONING DIRECTOR**

COMMISSIONER COMMENTS

ADJOURNMENT