

Board of County Commissioners

Tony Masilotti, Chairman
Addie L. Greene, Vice Chairperson
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Warren H. Newell
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

JULY 28, 2005

AGENDA ITEM #
PAGE #

PETITION/CHANGE

ADD ON UNDER PLANNING DIRECTOR COMMENTS

40. Wellington Proposed Annexation

POSTPONEMENTS

35. **Z2004-496 – SEMINOLE IMPROVEMENT DISTRICT**
Page 366
Postpone thirty (30) days to August 25, 2005. (Requested by applicant)

AMENDMENTS TO THE AGENDA

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Page 87

PDD/W2004-301 – DUBOIS AGR PUD

Delete Zoning - Landscaping-Standard Condition 4.

Delete Zoning - Landscaping-Interior Landscaping Along The North Property Line (Abutting Lwdd L-37 Canal R-O-W) Condition 1.a.

Delete Landscaping Along The South, East And West Property Lines (Abutting Lwdd L-38, E-2w Canal And Lyons Road R-O-Ws) Condition 1.a.

Delete Parks Condition 1.

Modify Planned Unit Development Conditions 3 and 4 to read as follows:

- 3. Prior to final approval by the Development Review Officer (DRO), the master/site plans shall be revised to indicate a minimum of one (1) water fountain as a focal feature within ~~each lake tract~~ lake tracts #2, #5 and #10. The location of each fountain shall be subject to review and approval by the Zoning Division. (DRO: ZONING - Zoning)

4. Prior to the issuance of a ~~building permit for the one hundredth (100) unit, a~~ Certificate of Occupancy (CO) ~~shall be issued for a~~ the clubhouse or similar common building exceeding 2,500 total square feet on the 4.14-acre recreation parcel. ~~This~~ the clubhouse facility shall be equipped with a generator that complies with the following requirements:
 - a. a minimum load capacity of .02 kw per building square foot;
 - b. operates essential electrical systems, including A/C systems, for a minimum of thirty percent (30%) of the gross interior floor area of the building;
 - c. an aboveground fuel storage system, or an alternative fuel storage system that is acceptable to Palm Beach County, with a minimum capacity that is acceptable to the Building Division shall be located adjacent to the generator;
 - d. setback in accordance with the Property Development Regulations for a recreation pod in accordance with ULDC Table 3.E.2.D-16;
 - e. screened from view on all sides by an opaque barrier constructed of compatible materials, color and character as the building or equivalent landscaping;
 - f. subject to review and approval by the Building Division; and,
 - g. deviation from these requirements and/or required building size shall be permitted if consistent with future ULDC regulations. (BLDG PERMIT: MONITORING - Zoning)

30.
Page 209

ULDC AMENDMENTS – ROUND 2005-01

Amend the motion and ordinance title to add the following chapter under Article 5:

CHAPTER C - DESIGN STANDARDS

31.
Page 251

DOA2005-148 – FLORIDA RESEARCH PARK

Modify Use Limitation Condition 2 to read as follows:

In addition to the list of permitted uses allowed in the PIPD District, the following additional uses:

- a. Commercial Uses:
 - i. auction, enclosed;
 - ii. bakeries, limited preparation;
 - iii. florist;
 - iv. food store;
 - v. automobile rental; and,
 - vi. restaurant and lounge.
- b. Light Industrial Uses:
 - i. appliance, manufacturing;
 - ii. auto service station (with or without mechanical repairs);
 - iii. beverage, manufacturing;
 - iv. bulk storage of gas and oil;
 - v. heliports; and,
 - vi. welding shop.

- c. General Industrial Uses:
 - i. asphalt/concrete mixing and product, manufacturing and warehousing
 - ii. bulk storage;
 - iii. engine testing;
 - iv. exterminator manufacturing and warehousing;and,
 - v. restaurant/cafeteria, accessory to an industrial use warehouse.

The following uses shall not be permitted within the PIPD:

- i. steel mills;
- ii. paper mills; and,
- iii. fertilizer manufacturing, and
- iv. pesticide manufacturing.

In addition, a minimum of two thousand feet (2000') setback shall be required from any residential development for the following uses:

- i. brewery;
- ii. asphalt/concrete mixing and products, manufacturing and storage;
- iii. chemical manufacturing; and,
- iv. bulk storage of gas and oil. (ONGOING:ZONING-Zoning)

37.
Page 452

DOA1986-064B - HOLY SPIRIT LUTHERAN CHURCH

Modify Condition A.4 to read as follows:

- A.4. Prior to final site plan approval by the Development Review Officer (DRO), the plan shall be revised to show phase lines as follows with a maximum building square feet of 30,960:

Phase 1

- a. existing sanctuary (250 seats) and sanctuary expansion for a total of 300 seats. Actual constructed square footage of this existing building and the expansion square footage shall be indicated on the plan;
- b. daycare center/Sunday school;
- c. covered porch; and,
- d. a parking lot for a minimum of 193 spaces.

Phase 2

- e. ~~sanctuary expansion,~~ fellowship hall, accessory uses, and remaining parking spaces. (DRO:DRO-Zoning)

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

JULY 28, 2005

**THURSDAY
9:30 AM**

**COMMISSION
CHAMBERS**

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

- 2. POSTPONEMENTS/WITHDRAWALS (Pages 1-3)**

- 3. CONSENT AGENDA (Pages 4-11)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 12-17)**

- 5. DIRECTOR COMMENTS (Page 17)**

- 6. COMMISSIONER COMMENTS (Page 17)**

- 7. ADJOURNMENT (Page 17)**

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**

JULY 28, 2005

1. 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

2. POSTPONEMENTS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/CA2004-497** Title: Resolution approving an Official Zoning Map Amendment application of Bethel Temple of Lake Worth, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Bethel Temple of Lake Worth, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship. General Location: Northwest corner of Lake Worth Road and Blanchette Trail (**BETHEL ASSEMBLY OF GOD**). (Control 2004-009)

N/A

Size: 18.26 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to August 25, 2005. (Postponed by the Zoning Commission)

- 2. **PDD/W2004-658** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Anasca Communities, LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Waiver. Request: Deviation from cul-de-sac and dead-end restrictions. General Location: Northwest corner of Hagen Ranch Road and Atlantic Avenue (**TERRA NOVA PUD**). (Control 2004-456)

N/A

Size: 93.67 acres ±

BCC District: 5

MOTION: To postpone thirty (30) days to August 25, 2005. (Postponed by the Zoning Commission)

3. **PDD2004-660** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Anasca Communities, LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Northwest corner of Hagen Ranch Road and Atlantic Avenue (**TERRA NOVA MUPD**). (Control 2004-457)

N/A

Size: 17.99 acres ±

BCC District: 5

MOTION: To postpone thirty (30) days to August 25, 2005. (Postponed by the Zoning Commission)

4. **SR 1993-030.6** Status Report for Resolution R-93-1200 (Petition 1993-030), the application of Jim & Elsie Higgins. Property owner: Pinecrest Developers LTD, Co. General Location: Approximately 0.8 mile east of Jog Road on the south side of Melaleuca Lane. Zoning District: Residential Transitional (**HIGGINS SUBDIVISION**).

Pages 1-5

Size: 4.70 acres ±

BCC District: 3

MOTION: To postpone sixty (60) days to September 22, 2005. (Requested by the property owner)

5. **CR 2000-011A/E1** Status Report for Resolution R-2002-1482 (Petition 2000-011A), the application of Marjorie and Paul Meloche. Property owners: Marjorie A. Meloch, Trust; Paul J. Meloche, Trust; K. Edelman, Trust; and Rick J. Meloche, Trust. General Location: Approximately 600 feet west of Haverhill Road on the north side of Lantana Road. Zoning District: Multiple Use Planned Development (**ABLE'S STORAGE CENTER**).

Pages 6-11

Size: 8.28 acres ±

BCC District: 3

MOTION: To postpone sixty (60) days to September 22, 2005. (Requested by the property owner)

6. **CR 2004-327** Status Report for Resolution R-2005-0374 (Control 2004-327, Application 2004-447), the application of Steven Zeiger. Property owners: Steven & Nancy Zeiger. General Location: 350 feet south of Fredrick Small Road on the east side of Palmwood Road. Zoning District: Residential Transitional (**ZEIGER PROPERTY**).

Pages 12-17

Size: 2.3 acres ±

BCC District: 1

MOTION: To postpone sixty (60) days to September 22, 2005. (Requested by the property owner)

7. **SR 1986-013.9** Status Report for Resolutions R-86-573-26 and R-86-573-27 (Petition 1986-013), the application of Forrest C. Mobley, TR. Property owner: GCR Associates Ltd. Partnership. General Location: Approximately 200 feet west of Military Trail on the south side of Gun Club Road. Zoning District: Specialized Commercial with a Special Exception to allow a Planned Office Business Park (**BELFER OFFICE PARK**).

Pages 18-22

Size: 6.9 acres ±

BCC District: 2

MOTION: To postpone two-hundred seventy (270) days to March 23, 2006. (Annexation pending)

B. WITHDRAWALS

8. **Z/COZ2004-023** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone application of Tropical Real Estate Holdings LLC, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 0.4 mile west of Jog Road on the south side of Belvedere Road (**SOUTHEAST CONTRACTING SERVICES**). (Control 2004-023)

Page 23

Size: 5.0 acres ±

BCC District: 6

MOTION: None required.

– END OF POSTPONEMENTS/WITHDRAWALS –

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS

- 9. **CA2005-153** Title: Resolution approving a Class A Conditional Use application of Medhi Pourpaki, by Droor and Associates, Inc., Agent. Request: To allow a dispatching office. General Location: Southwest corner of Suwanee Drive and Westgate Avenue (**EAST COAST LIMO**). (Control 2005-064)

Pages 24-41

Size: .74 acre ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a dispatching office.

- 10. **Z2005-022** Title: Resolution approving an Official Zoning Map Amendment application of MNR Lull Inc., by Richard W. Carlson, Jr., Esq., Agent. Request: Rezoning from the Neighborhood Commercial (CN) and the Multifamily Residential (RM) Zoning Districts to the General Commercial (CG) Zoning District. General Location: Approximately 335 feet south of Melaleuca Lane on the east side of Military Trail (**LAKE WORTH EXPRESS CAR WASH**). (Control 2005-006)

Pages 42-60

Size: .83 acre ±

BCC District: 3

Staff Recommendation: Approval.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Neighborhood Commercial and the Multifamily Residential Zoning Districts to the General Commercial Zoning District.

11. **DOA/CA/TDR2004-966** Title: Resolution approving a Development Order Amendment application of Symphony Builders at Emerald Place LLC, by Land Design South, Inc., Agent. Request: To modify/delete voluntary commitments and reconfigure the site plan. Title: Resolution approving a Class A Conditional Use application of Symphony Builders at Emerald Place LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 10 units and to designate this application as the receiving area. General Location: Southwest corner of Sims Road and Aspen Ridge Circle (**EMERALD PLACE** (fka **SYNERGY CO-HOUSING** and **DELRAY CO-HOUSING**)). (Control 1996-086)

Pages 61-86

Size: 3.60 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 3-1.

MOTION: To adopt a resolution approving the abandonment of a Voluntary Density Bonus to allow eleven dwelling units and related amendments granted by Resolutions R-97-0534, R-97-1300, R-01-0968, R-03-0758 and R-03-0759.

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete voluntary commitments and reconfigure the site plan with a Conditional Overlay Zone.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow the Transfer of Development Rights for 10 units and to designate this application as the receiving area.

12. **PDD/W2004-301** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of GL Homes of Boca Raton, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) District. Title: Waiver. Request: Deviation from cul-de-sac and dead-end restrictions. General Location: Approximately 1 mile north of Clint Moore Road on the east side of Lyons Road (**DUBOIS AGR PUD**). (Control 2004-250)

Pages 87-119

Size: 722.648 acres ±

BCC Districts: 3 & 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development District.

MOTION: To adopt a resolution approving a Waiver to allow deviation from cul-de-sac and dead-end restrictions.

C. PREVIOUSLY POSTPONED STATUS REPORTS

- 13. **SR 1984-159B** Status Report for Resolutions R-2002-0505 and R-2002-0506 (Petition 1984-159B), the application of Chris Doyle. Property owners: Christopher S. Doyle Tr. and Water Club Association, LTD. General Location: Southwest corner of Ellison Wilson Road and PGA Boulevard. Zoning District: Multiple Use Planned Development with a Development Order Amendment to add land area and square footage (**HATTIE'S LANDING**).

Pages 120-125

Size: 3.97 acres ±

BCC District: 1

MOTION: To approve a time extension until April 4, 2007, for Resolutions R-2002-0505 and R-2002-0506.

- 14. **SR 2001-017** Status Report for Resolutions R-2002-0509 and R-2002-0510 (Petition 2001-017), the application of BP Amoco. Property owner: BP Products of North America, Inc. General Location: Southwest corner of Boutwell Avenue and 10th Avenue North. Zoning District: General Commercial with a Class A Conditional Use to allow a convenience store with gas sales (**BP AMOCO**).

Pages 126-131

Size: 1.14 acres ±

BCC District: 3

MOTION: To adopt resolutions to 1) revoke the Class A Conditional Use to allow a convenience store with gas sales granted by Resolution R-2002-0510, and 2) approve an Official Zoning Map Amendment from the General Commercial Zoning District to the Single Family Residential Zoning District.

D. STATUS REPORTS

- 15. **SR 1975-069G** Status Report for Resolutions R-1975-0463 and 2001-0430 (Petition 1975-069G), the application of Wal-Mart Stores, Inc. Property owners: Herrick Holdings, LTD; Walmart Stores #8140; Michel P. Barberis; Krishna Realty, Inc.; and Taco Bell America, Inc. General Location: Southeast corner of Seacrest Boulevard and Hypoluxo Road. Zoning District: General Commercial with a Special Exception to allow a large scale Planned Community Commercial and Shopping Complex including a motel, gasoline station and financial institution and a Development Order Amendment to reconfigure the site plan and add square footage granted by Resolution R-2001-0430 (**SAM'S WHOLESALE CLUB**).

Pages 132-137

Size: 2.76 acres ±

BCC District: 7

MOTION: To approve a time extension until March 22, 2007, for Resolutions R-1975-0463 and R-2001-0430.

16. **SR 1983-120A.6** Status report for Resolution R-94-1308 (Petition 1983-120A), the application of Richard Mercede. Property owner: Sun Enterprises Holding, Inc. General Location: Approximately 0.1 mile north of the Broward County line on the west side of State Road 7. Zoning District: General Commercial with a Development Order Amendment to increase square footage and a Class A Conditional Use to allow an automotive paint and body shop and vehicle sales and rental granted by Resolution R-2001-2074 (**MERCEDE CENTER**).

Pages 138-143

Size: 1.02 acres ±

BCC District: 5

MOTION: To adopt resolutions to 1) revoke Resolution No. R-94-1308, the Development Order Amendment which increased square footage and approved a Class A Conditional Use to allow an automotive paint and body shop and vehicle sales and rental, and 2) revoke Resolution No. R-2001-2074, which approved a Development Order Amendment to amend conditions of approval.

17. **SR 1989-095B** Status Report for Resolution R-2002-0831 (Petition 89-95B), the application of Joseph Basil and Joel Julien. Property owners: Joseph Basil and Joel Julien. General Location: Southwest corner of Haverhill Road and Horseshoe Circle North. Zoning District: Single Family Residential with a Class A Conditional Use to allow a church or place of worship (**EBEN-EZER BAPTIST CHURCH**).

Pages 144-148

Size: 1.98 acres ±

BCC District: 7

MOTION: To approve a time extension until May 24, 2007, for Resolution R-2002-0831.

18. **SR 1992-041.8** Status Report for Resolution R-1993-004 (Petition 1992-041), the application of Land Services Group, Inc. Property owner: Palm Beach Plaza Ltd. General Location: Southeast corner of Jog Road and Dwight Road. Zoning District: General Commercial (**PALM BEACH PLAZA**).

Pages 149-154

Size: 2.6 acres ±

BCC District: 2

MOTION: To 1) revoke concurrency reservation number 93-04-23-002-C, and 2) exempt Resolution 1993-004 from further Unified Land Development Code Article 2.E. review.

19. **SR 1992-047.3** Status Report for Resolution R-93-646 (Petition 1992-047), the application of Ropico, Inc. Property owner: National Museum of Polo & Hall of Fame, Inc. General Location: Northwest corner of Lake Worth Road and Lyons Road. Zoning District: Agricultural Residential with a Class A Conditional Use allowing an assembly, non-profit (**POLO MUSEUM**).

Pages 155-160

Size: 9.79 acres ±

BCC District: 6

MOTION: To approve a time extension until May 24, 2007, for Resolution R-93-646.

20. **SR 1993-019.5** Status Report for Resolution R-93-1025 (Petition 1993-019), the application of Serge Jerome. Property owner: Lake Worth Haitian Church of God. General Location: Approximately one block west of Congress Avenue on the south side of Melaleuca Lane. Zoning District: Multifamily Residential with a Class A Conditional Use to allow a church or place of worship with accessory day care (30 children) (**HAITIAN CHURCH OF GOD**).

Pages 161-166

Size: 1.49 acres ±

BCC District: 3

MOTION: To 1) adopt a resolution approving a Development Order Amendment to amend conditions of approval (TPS) in Resolution R-93-1025, and 2) approve a time extension until May 24, 2007, for Resolution R-93-1025.

21. **SR 2001-056** Status Report for Resolution R-2002-0835 (Petition 2001-056), the application of Palm Beach Carpenters Joint Holding Company. Property owners: Carpenters Local Union No. 130 and South Florida Carpenters Millwrights & Pile Drivers Training Trust Fund. General Location: East side of Congress Avenue between Belvedere Road and Westgate Ave. Zoning District: General Commercial with a Conditional Overlay Zone (**CARPENTERS UNION**).

Pages 167-171

Size: 2.46 acres ±

BCC District: 2

MOTION: To approve a time extension until May 24, 2007, for Resolution R-2002-0835.

22. **SR 2002-004** Status Report for Resolution R-2002-0844 (Petition 2002-004), the application of Robert V. Kenna. Property owners: Robert and Elissa Kenna and Seminole Beach Land Trust. General Location: Approximately 1,200 feet south of Seminole Beach Boulevard on the east and west sides of Banyan Road. Zoning District: Residential Transitional (**KENNA PROPERTY**).

Pages 172-177

Size: 9.18 acres \pm

BCC District: 1

MOTION: To exempt Resolution R-2002-0844 from further Unified Land Development Code Article 2.E. review.

E. ABANDONMENT RESOLUTIONS

23. **ABN2005-854** Request: To abandon the Special Exception granted by Resolution R-1979-0493 to allow a drive-in restaurant (**SCOTT'S RESTAURANT**). (Control 1979-058)

Pages 178-180

BCC District: 3

MOTION: To adopt a resolution approving the abandonment of the Special Exception to allow a drive-in restaurant granted by Resolution R-1979-0493.

24. **ABN2004-1132** Request: To abandon the Class A Conditional Use granted by Resolution R-1997-0770 to allow a Type III Excavation and the amendment granted under Resolution R-2002-1011 (**GROVE EXCAVATION**). (Control 1997-017)

Pages 181-183

BCC District: 6

MOTION: To adopt a resolution approving the abandonment of the Class A Conditional Use to allow a Type III Excavation granted by Resolution R-1997-0770 and the amendment granted by Resolution R-2002-1011.

F. TDR CONTRACT, ESCROW AGREEMENT AND DEED

25. PDD/R/TDR

2004-661 Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Hypoluxo Homes LLC, for the sale and purchase of 14 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit, as approved by the Palm Beach County Board of County Commissioners on May 26, 2005 by Resolution No. R-2005-1048. Request: Approve an escrow agreement between Palm Beach County, Hypoluxo Homes LLC and Mitchell A. Sherman, PA (escrow agent), for the sale and purchase of 14 TDR units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit, as approved by the Palm Beach County Board of County Commissioners on May 26, 2005. **(NICOLA PUD)** (Control 2004-458)

Pages 184-191

MOTION: To approve a contract for the sale and purchase of 14 development rights at a purchase price of \$25,000.00 per unit for a total price of \$350,000.00.

MOTION: To approve an escrow agreement for 14 development rights at a purchase price of \$25,000.00 per unit for a total price of \$350,000.00.

26. PDD/R/TDR

2004-661 Execute a deed conveying 14 Development Rights units to Hypoluxo Homes LLC, as authorized in Resolution No. R-2005-1048, which approved the purchase of 14 Development Rights from the County's TDR Bank at a cost of \$25,000.00 per unit and the designation of the Nicola PUD as a TDR Receiving Area for those units. **(NICOLA PUD)** (Control 2004-458)

Pages 192-193

MOTION: To execute a deed conveying 14 Development Rights units to Hypoluxo Homes LLC as authorized by Resolution No. R-2005-1048.

27. PDD/R/TDR

2004-001 Execution of an Escrow Agreement. Request: Approve an escrow agreement between Palm Beach County, Briella Townhomes and Leopold, Korn & Leopold, PA (escrow agent), for the sale and purchase of 77 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$15,837.00 per unit, as approved by the Palm Beach County Board of County Commissioners on October 28, 2004. **(BRIELLA PUD)** (Control 2004-001)

Pages 194-197

MOTION: To approve an escrow agreement for 77 development rights at a purchase price of \$15,837.00 per unit for a total price of \$1,219,449.00.

G. RECEIVE AND FILE RESOLUTION

28. **CB2005-022** Resolution approving a Class B Conditional Use to allow a car wash. (**LAKE WORTH EXPRESS CAR WASH**)

Pages 198-206

MOTION: To receive and file Zoning Resolution ZR-2005-002.

H. CORRECTIVE RESOLUTION

29. **PDD2005-017**

Corrective Resolution: To correct Engineering Condition 6 of Resolution R-2005-1135. (**DELRAY HOLDINGS 282 PUD**) (Control 2005-014)

Pages 207-208

BCC District: 5

MOTION: To adopt a resolution to correct Engineering Condition 6 of Resolution R-2005-1135.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. ZONING DIRECTOR COMMENTS

30. **ULDC AMENDMENTS - ROUND 2005-01**

MOTION: TO APPROVE ON FIRST PUBLIC HEARING AND TO ADVERTISE FOR ADOPTION HEARING ON AUGUST 25, 2005: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: TO AMEND **ARTICLE 1** – GENERAL PROVISIONS; CHAPTER E – PRIOR APPROVALS; CHAPTER G – EMINENT DOMAIN; CHAPTER I – DEFINITIONS AND ACRONYMS; **ARTICLE 2** – DEVELOPMENT REVIEW PROCEDURES; CHAPTER A – GENERAL; CHAPTER B – PUBLIC HEARING PROCEDURES; CHAPTER D – ADMINISTRATIVE PROCESSES; **ARTICLE 3** – OVERLAYS AND ZONING DISTRICTS; CHAPTER B – OVERLAYS; CHAPTER C – STANDARD DISTRICTS; CHAPTER D – PROPERTY DEVELOPMENT REGULATIONS (PDRS); CHAPTER E – PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F – TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER A – USE CLASSIFICATION; CHAPTER B – SUPPLEMENTARY USE STANDARDS; CHAPTER D – EXCAVATION; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER B – ACCESSORY AND TEMPORARY USES; CHAPTER E – PERFORMANCE STANDARDS; CHAPTER G – DENSITY BONUS PROGRAMS; **ARTICLE 6** - PARKING; CHAPTER A – PARKING; CHAPTER B – LOADING STANDARDS; **ARTICLE 7** - LANDSCAPING; CHAPTER H – ENFORCEMENT; **ARTICLE 8** - SIGNAGE; CHAPTER E – PROCEDURES FOR SIGNAGE; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

Pages 209-250

C. ZONING PETITION

- 31. **DOA2005-148** Title: Resolution approving a Development Order Amendment application of International Trade Center, LLC, by Lewis, Longman & Walker, P.A., Agent. Request: To modify/delete conditions of approval. Request: Substantial Deviation Determination. General Location: North of Beeline Highway and east of Seminole Pratt Whitney Road (**FLORIDA RESEARCH PARK**). (Control 1981-190)

Pages 251-291

Size: 1,244.70 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: This is not a Substantial Deviation.

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete conditions of approval.

D. RECONSIDERATION OF THE SOUTH FLORIDA SCIENCE MUSEUM

- 32. **W2005-500** Title: Resolution approving Deviations application of Palm Beach County, by Urban Design Studio and E. Verner Johnson & Associates, Agents. Request: To allow deviations from the requirements of the Architectural Design Standards for Unique Structures within Article 5.C of the ULDC. General Location: Northeast corner of Gun Club Road and Kirk Road (**SOUTH FLORIDA SCIENCE MUSEUM**). (Control 2005-121)

Pages 292-319

Size: 241.16 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving deviations from the requirements of the Architectural Design Standards for Unique Structures within Article 5.C of the ULDC.

E. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION

33. **SCA 2005-00026** Wellington Storage Limited Partnership, by Basehart Consulting, Inc. Small Scale Land Use Amendment (SCA): Amend Ordinance 2002-011 by replacing a condition to limit the site to a self storage facility and a quality restaurant with a condition to limit the site to a self storage facility and medical/professional office uses. General Location: Approximately 0.5 mile north of Forest Hill Boulevard on the west side of State Road 7/US 441 (**WELLINGTON MUPD II**, a.k.a. **WELLINGTON MUPD**).

Pages 320-344

Size: 7.08 acres ±

BCC District: 6

Staff Recommendation: Approval of the request to modify a condition, and add an additional condition.

LPA Recommendation: Approval of the request to modify a condition, and add an additional condition (8-0 vote).

MOTION: To adopt an ordinance approving the request to modify a previous condition of approval, with an additional condition.

34. **DOA2005-358** Title: Resolution approving a Development Order Amendment application of Wellington Storage Limited Partnership, by Basehart Consulting, Inc., Agent. Request: To reconfigure the site plan, add square footage, and modify/delete conditions of approval. General Location: Approximately 0.5 mile north of Forest Hill Boulevard on the west side of State Road 7/US 441 (**WELLINGTON MUPD**). (Control 2001-028)

Pages 345-365

Size: 7.08 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan, add square footage, and modify/delete conditions of approval.

F. PREVIOUSLY POSTPONED ZONING PETITIONS

35. **Z2004-496** Title: Resolution approving an Official Zoning Map Amendment application of Seminole Improvement District, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 0.8 mile east of Seminole Pratt Whitney Road and approximately 0.6 mile north of Persimmon Boulevard (**SEMINOLE IMPROVEMENT DISTRICT**). (Control 2004-348)

Pages 366-400

Size: 40 acres ±

BCC District: 6

Staff Recommendation: Denial.

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

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Public Ownership Zoning District.

MOTION: To adopt a resolution denying the abandonment of a Class A Conditional Use to allow a water and wastewater treatment plant granted by Resolutions R-96-998 and R-96-1190.

36. **CA2004-216** Title: Resolution approving a Class A Conditional Use application of Church of God of Lantana, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship, an elementary or secondary school, and a general daycare. General Location: Southwest corner of Mariner Way and Congress Avenue (**CORNERSTONE CHURCH**). (Control 1979-244)

Pages 401-421

Size: 2.25 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a church or place of worship, an elementary or secondary school, and a general daycare.

37. **DOA1986-064B** Title: Resolution approving a Development Order Amendment application of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To reconfigure the site plan and add square footage to a Special Exception for a Church, Educational Facility and a Child Daycare facility, including accessory buildings and structures. General Location: Approximately 0.6 mile south of Donald Ross Road on the west side of Ellison Wilson Road (**HOLY SPIRIT LUTHERAN CHURCH**). (Control 1986-064)

Pages 422-470

Size: 5.25 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan and add square footage to a Special Exception for a Church, Educational Facility and a Child Daycare facility, including accessory buildings and structures.

38. **PDD/R/TDR/W2004-227** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Polo Realty, Inc., by Land Design South, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District and the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use application of Polo Realty, Inc., by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 235 units and to designate this application as the receiving area. Title: Waiver. Request: Deviation from cul-de-sac and dead-end restrictions. General Location: Northeast corner of Old Clint Moore Road and Jog Road (**ROYAL PALM POLO PUD**). (Control 2004-203)

Pages 471-501

Size: 122.88 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Multiple Use Planned Development District and the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To adopt a resolution approving a Requested Use to allow the Transfer of Development Rights for 235 units and to designate this application as the receiving area.

MOTION: To adopt a resolution approving a Waiver to allow deviation from cul-de-sac and dead-end restrictions.

G. ZONING PETITION

- 39. **DOA/EAC-2005-631** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration application of MPG Flavor Pict Road Ltd., by F. Martin Perry & Associates, P.A., Agent. Request: To modify conditions of approval. General Location: Northwest corner of Hagen Ranch Road and Flavor Pict Road (**WHITWORTH COMMERCIAL MUPD** (fka **WHITWORTH FARMS MUPD**)). (Control 2000-099)

Pages 502-533

Size: 15.46 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving a Development Order Amendment/Expedited Application Consideration to modify conditions of approval.

5. DIRECTOR COMMENTS

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

6. COMMISSIONER COMMENTS

7. ADJOURNMENT