

Board of County Commissioners

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Jeff Koons, Vice Chair
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

MARCH 22, 2007

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

AMENDMENTS TO THE AGENDA

3
Page 6

SR 1998-062.4 – WEITZ AND SPARLING REZONING

Amend motion to read as follows:

MOTION: To postpone to ~~November 29, 2007~~ June 28, 2007. (Requested by the property owner)

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Page 121

PDD/R2005-1625 – NORTHLAKE SELF-STORAGE

Add new Engineering Condition 5 to read as follows:

5. Prior to May 1, 2007 or prior to final approval by the Development Review Officer (DRO), whichever shall first occur, the property owner shall record an access easement to Palm Beach County. This easement shall be eighty (80) feet in width and shall be located along this parcel's east property line on an alignment approved by the County Engineer (DATE/DRO:MONITORING-Eng)

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Page 152

PDD2006-948 – CORAL LAKES PUD

Delete Engineering Condition 2.

Delete Parks Condition 1.

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

MARCH 22, 2007

**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/REMANDS/WITHDRAWALS (Pages 1-3)**

- 3. CONSENT AGENDA (Pages 4-6)**
 - o Staff
 - o Board
 - o Public

- 4. REGULAR AGENDA (Pages 7-9)**

- 5. DIRECTOR COMMENTS (Page 9)**

- 6. COMMISSIONER COMMENTS (Page 9)**

- 7. ADJOURNMENT (Page 9)**

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 22, 2007

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/REMANDS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z/DOA2006-185** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Family Bedner, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of Family Bedner, by Jon E. Schmidt & Associates, Agent. Request: To add land area. General Location: Northeast corner of Boynton Beach Boulevard and Lawrence Road. **(BOYNTON & LAWRENCE OFFICE MUPD)** (Control 1981-219)

N/A

Size: 3.17 acres ±

BCC District: 3

MOTION: None required. (Postponed by the Zoning Commission to April 26, 2007)

2. **CR 1979-244** Status Report for Resolution R-2005-1422 (Petition 1979-244 (Application 2004-216)), the petition of Church of God of Lantana. Property owner: Church of God at Lantana. General Location: Southwest corner of Mariner Way and Congress Avenue. Zoning District: Residential Single Family with a Class A Conditional Use to allow a church or place of worship, and elementary or secondary school, and a general daycare. **(CORNERSTONE CHURCH)**

Pages 1-5

Size: 2.25 acres ±

BCC District: 3

MOTION: To postpone to June 28, 2007. (Requested by the property owner)

3. **SR 1998-062.4** Status Report for Resolution R-99-99 (Petition 1998-062), the petition of Pike Investments, Inc. and Capital Resources Group, Inc. Property owner: Whiteside Group, Inc. General Location: Approximately 1,000 feet east of Pike Road on the north side of 7th Place North. Zoning District: Light Industrial. **(WEITZ AND SPARLING REZONING)**

Pages 6-11

Size: 10.00 acres ±

BCC District: 6

MOTION: To postpone to November 29, 2007. (Requested by the property owner)

B. REMANDS

4. **CA2006-734** Title: Resolution approving a Class A Conditional Use application of Planet Kids XII, Inc., by Land Research Management, Inc., Agent. Request: To allow a daycare, general. General Location: North side of Okeechobee Boulevard approximately 925 feet west of "C" Road. **(PLANET KIDS XII)** (Control 2006-248)

N/A

Size: 5.0 acres ±

BCC District: 6

MOTION: None required. (Zoning Commission remanded to March 14, 2007 Development Review Officer meeting)

C. WITHDRAWALS

5. **Z1976-101** Title: Resolution approving an Official Zoning Map Amendment petition of PBC BCC, Warren H. Newell Chairman by PBC Zoning Division, Agent. Request: Rezoning from Preservation/Conservation to Public Ownership Zoning District with a Conditional Overlay Zone. General Location: Approx. 1,000 feet northeast of the Port of Palm Beach, and approximately 1,500 feet west of Lake Worth Inlet, 0.1 mile south of Blue Heron Boulevard. (**PEANUT ISLAND REZONING**).

N/A

Size: 125.57acres ±

BCC District: 1

MOTION: None required. (Requested by the Applicant)

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

6. **DOA2006-344** Title: A Development Order Amendment application of Jewish Community Facilities Corp, by Land Design South, Inc., Agent. Request: To modify a condition of approval. General Location: Approximately one half mile south of Glades Road on the east side of 95th Avenue. **(RAINBERRY PUD PODS A & B)** (Control 1984-139)

Pages 12-39

Size: 2.55 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to modify a condition of approval.

D. ZONING APPLICATIONS

7. **Z2006-963** Title: Resolution approving an Official Zoning Map Amendment application of SRR Holdings, LLC, by Miller Land Planning, Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Community Commercial (CC) Zoning District. General Location: Approximately 2,200 feet north of Lantana Road on the west side of State Road 7/US441. **(CARLYLES SHOPS)** (Control 2006-368)

Pages 40-58

Size: 1.05 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial Zoning District to the Community Commercial Zoning District with a Conditional Overlay Zone.

E. PREVIOUSLY POSTPONED STATUS REPORTS

8. **SR 1985-089.7** Status Report for Resolutions R-85-1449 and R-85-1450 (Petition 1985-089), the petition of William Boose, III, Trustee. Property owner: Judy A. Hartsell, St. Andrews Palm Beach, LTD. and Palm Beach Apartments, LTD. General Location: South side of Okeechobee Boulevard and north side of Belvedere Road on the east and west sides of Golden Lakes Boulevard. Zoning District: Single Family Residential with a Special Exception for a Planned Unit Development. (**GOLDEN LAKES**)

Pages 59-63

Size: 3.22 acres \pm unplatted
of a total 428.1 acre PUD

BCC District: 2

MOTION: To approve a time extension until October 22, 2008 for Resolution R-85-1449 and R-85-1450.

F. CORRECTIVE RESOLUTIONS

9. Corrective Resolution: To correct Engineering Condition 1 of Resolution R-2006-2557. (**BALMORAL AT DELRAY LAKE ESTATES**) (CA2006-362)

Pages 64-65

BCC District: 5

MOTION: To correct Engineering Condition 1 of Resolution R-2006-2557.

G. TDR CONTRACT, ESCROW AGREEMENT AND DEED

10. **PDD/TDR 2005-977** 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/Jog LLC, for the sale and purchase of 123 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$1.00 for 37 units and \$25,000.00 for 86 units as approved by the Palm Beach County Board of County Commissioners on May 25, 2006 by Resolution No. R-2006-930. Request: Approve an escrow agreement between Palm Beach County, Hypoluxo/Jog LLC and Kodsi Law Firm, PA, (escrow agent) for the sale and purchase of 123 TDR units from the Palm Beach County TDR Bank at a purchase price of \$1.00 for 37 units and \$25,000.00 for 86 units, as approved by the Palm Beach County Board of County Commissioners on May 25, 2006. (**OSPREY OAKS PUD**) (Control 2005-130)

Pages 66-83

BCC DISTRICT: 3

LOCATION: Approximately 0.25 miles south of Hypoluxo Road on the east side of Jog Road.

MOTION: To approve a contract for the sale and purchase of 123 development rights at a purchase price of \$1.00 for 37 units and \$25,000.00 for 86 units for a total price of \$2,150,037.00.

MOTION: To approve an escrow agreement for 123 development rights at a purchase price of \$1.00 for 37 units and \$25,000.00 for 86 units for a total price of \$2,150,037.00.

11. **PDD/TDR 2005-977** Execute a deed conveying 123 Development Rights units to Windsor Place LLC as authorized in Resolution No. R-2005-1799 which approved the purchase of 52 Development Rights from the County's TDR Bank at a cost of at a purchase price of \$1.00 for 37 units and \$25,000.00 for 86 units and the designation of the Osprey Oaks PUD as a TDR Receiving Area for those units. (**OSPREY OAKS PUD**) (Control 2005-130)

Pages 84-93

BCC District: 3

LOCATION: Approximately 0.25 miles south of Hypoluxo Road on the east side of Jog Road.

MOTION: To execute a deed conveying 123 Development Rights units Osprey Oaks PUD as authorized in Resolution No. R-2006-930.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. STATUS REPORTS

12. **SR 1989-027A.4** Status Report for Resolution R-98-1513 (Petition 1989-027A), the petition of Felix Fundora. Property owner: Limestone Private School, Inc. General Location: Approximately 147 feet north of Southern Boulevard on the east side of First Street. Zoning District: Single Family Residential with a Class A Conditional Use to allow a Daycare, general. **(PLANET KIDS IV)**

Pages 94-98

Size: 0.87 acres ±

BCC District: 6

MOTION: To approve a time extension until January 2, 2009 for Resolution R-98-1513.

D. PREVIOUSLY POSTPONED SMALL SCALE LAND USE AMENDMENT AND ZONING APPLICATION

13. **SCA 2006-00012** Osprey Isles Office II, by Land Research Management, Inc. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 9.88 acre parcel from Low Residential, 1 unit per acre (LR-1) to Commercial Low-Office, with an underlying 1 unit per acre (CL-O/1). General Location: Approximately 4 mile west of SR 710 on the north side of Northlake Boulevard. **(OSPREY ISLES OFFICE II a.k.a. NORTHLAKE SELF STORAGE)**

Pages 99-120

Size: 9.88 acres ±

BCC District: 1

Staff Recommendation: Denial of the requested future land use change from LR-3 to CH-O/3.

LPA Recommendation: Approval of the requested future land use change from LR-3 to CH-O/3 subject to a condition (7-4 vote) at the June 9, 2006 public hearing. The recommended condition would limit the site to 6,000 square feet of office uses, 70,000 square feet of self-storage uses, 5 work-live units and an overall floor area ratio (FAR) of .25.

MOTION: To **deny** an ordinance to approve the proposed amendment from LR-1 to CL-O/1.

Or

MOTION: To **adopt** an ordinance to approve the proposed amendment from LR-1 to CL-O/1 with conditions to limit the property
A maximum 75,000 s.f. of self-storage, and
A maximum 75,000 s.f. of office and/or live/work, and/or
Live/Work or Residential Units.

14. **PDD/R2005-1625** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Four JR Corporation, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and Specialized Commercial (CS) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of Four JR Corporation, by Land Research Management, Inc., Agent. Request: To allow a self-service storage facility. General Location: Approximately 4 mile west of SR 710 on the north side of Northlake Boulevard. **(NORTHLAKE SELF-STORAGE)** (Control 2005-599)

Pages 121-151

Size: 9.88 acres ±

BCC District: 1

DISCLOSURE

Staff Recommendation: Denial.

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

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Agricultural Residential and Specialized Commercial Zoning Districts to the Multiple Use Planned Development Zoning District.

MOTION: To adopt a resolution denying a Requested Use to allow a self-service storage facility.

E. PREVIOUSLY POSTPONED ZONING APPLICATIONS

15. **PDD2006-948** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Coral Lakes Apartments, Inc., Daniel Perez, by Cotleur & Hearing, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 123 feet north of Melaleuca Road on the west side of Congress Avenue. **(CORAL LAKES PUD)** (Control 2003-058)

Pages 152-175

Size: 18.16 acres ±

BCC District: 3

DISCLOSURE

Staff Recommendation: Approval, subject to conditions.

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

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

5. DIRECTOR COMMENTS
 - A. COUNTY ATTORNEY
 - B. ZONING DIRECTOR
 - C. PLANNING DIRECTOR
6. COMMISSIONER COMMENTS
7. ADJOURNMENT