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FEBRUARY 17, 2000

BOARD OF ADJUSTMENT MEETING

APPEARANCES:

BY BOARD MEMBERS

- Nancy Cardone
- Glenn Wichinsky
- Robert Basehart
- Raymond Puzzitiello
- Joseph Jacob
- Chair Person Chelle Konyk

APPEARANCES BY

STAFF:

- David Cuffe
- Laura Beebe
- Jon MacGillis
- Mark Penney
- Bill Cross

1 CHAIR PERSON KONYK: I'd like to call to order
2 the February 17, 2000, Board of Adjustment
3 meeting and start with a roll call and
4 declaration of quorum.
5 MS. MOODY: Mr. Bob Basehart?
6 MR. BASEHART: Here.
7 MS. MOODY: Mr. Joseph Jacobs?
8 MR. JACOBS: (No response.)
9 MS. MOODY: Ms. Nancy Cardone?
10 MS. CARDONE: (No response.)
11 MS. MOODY: Mr. Raymond Puzziello?
12 MR. PUZZITIELLO: Here.
13 MS. MOODY: Mr. Glenn Wichinsky?
14 MR. WICHINSKY: Here.
15 MS. MOODY: Mr. Stanley Misroch?
16 MR. MISROCH: (No response.)
17 MS. MOODY: And Ms. Chelle Konyk.
18 CHAIR PERSON KONYK: Here.
19 I have before me proof of publication in the
20 Palm Beach Post.
21 Remarks of the Chair. I'm going to make this
22 real quick because I don't think there's
23 anybody here that's not familiar. But is there
24 anybody not with how the board conducts -- I'll
25 do it one last time.
26 For those of you who are not familiar with the
27 how the board conducts its business, the
28 meeting is divided into two parts, the consent
29 and the regular agenda. Items on the consent
30 agenda are items that are recommended for
31 approval by staff either with or without
32 conditions, the applicant agrees with the
33 conditions, there's no opposition from the
34 public and no board member feels that the item
35 warrants a full hearing.
36 Items on the regular agenda are items that have
37 been recommended for denial by staff or the
38 applicant does not agree with the conditions or
39 there's opposition from the public or a board
40 member feels the item warrants a full hearing.
41 If your item's on the regular agenda, it will
42 be introduced by staff. The applicant will
43 give their presentation. The staff will give
44 their presentation. At this point, we'll hear
45 from the public. After the public portion of
46 the hearing is closed, the board will have an
47 opportunity to ask questions and then vote on
48 the item.
49 Jon anything?
50 MR. MacGILLIS: Nothing under zoning director
51 comments.
52 MR. BASEHART: It's already at the end. Oh,
53 no. It's not okay. Yeah. This is our month
54 for annual elections. And rather than bore the
55 public with that event, I want to make a motion
56 that we move elections to the end of the agenda
57 and hear the items on the agenda first.
58 MR. PUZZITIELLO: Second.
59 CHAIR PERSON KONYK: Motion by Mr. Basehart.
60 Second by Mr. Puzziello.
61 All those in favor?
62 (Panel indicates aye.)

1 CHAIR PERSON KONYK: Motion carries unanimously.
2 Any changes to the agenda?
3 MR. MacGILLIS: Just one item, request for a
4 thirty-day postponement. That's item four on your agenda,
5 BofA 20008, the petition of Donald Herring. There was some
6 people in the audience --
7 CHAIR PERSON KONYK: Let the record reflect that
8 Mr. Jacobs has gotten here.
9 MR. JACOBS: With no thanks to I-95.
10 MR. MacGILLIS: This item, staff had requested the
11 agent take a thirty-day postponement. We requested a letter
12 from the City of -- Town of Jupiter because this is in their
13 future annexation area so we want to make sure that the
14 variance they requested was consistent with their idea of
15 what was going on in this area. And we never got the letter,
16 so Don Herring said he didn't have a problem. Also there's
17 some concerns with neighbors. So the extra thirty days will
18 give them time to work their issues out.
19 CHAIR PERSON KONYK: That's by right?
20 MR. MacGILLIS: Yes.
21 THE COURT: So we don't need to vote on that item.
22 MR. MacGILLIS: And it will be time certain to --
23 MS. BEEBE: March 18th.
24 CHAIR PERSON KONYK: BofA 20008 will be postponed to
25 the March 18th hearing, time certain.
26 First item on the consent, BofA 9900092, Kilday and
27 Associates, agent for Kenco Communities at the Ranch, to
28 allow for a proposed PUD to comply with the RE zoning
29 district regulation.
30 Your name for the record?
31 MR. BASEHART: We need to approve the minutes.
32 CHAIR PERSON KONYK: Did everybody receive a copy
33 of the minutes from the last meeting?
34 (Panel indicates aye.)
35 CHAIR PERSON KONYK: Does anyone have any
36 corrections or additions.
37 (Panel indicates aye.)
38 CHAIR PERSON KONYK: Can we have a motion for
39 approval.
40 MR. BASEHART: So moved.
41 CHAIR PERSON KONYK: Motion by Mr. Basehart.
42 MR. WICHINSKY: Second.
43 CHAIR PERSON KONYK: Second by Mr. Wichinsky.
44 All those in favor?
45 (Panel indicates aye.)
46 CHAIR PERSON KONYK: Motion carries unanimously.
47 Sorry about that.
48 Your name for the record?
49 MS. ANDERSON: Candy Anderson, Kilday and
50 Associates.
51 CHAIR PERSON KONYK: Staff has recommended two
52 conditions.
53 Do you understand and agree with those conditions?
54 MS. ANDERSON: Yes, we do.
55 CHAIR PERSON KONYK: Any letters?
56 MR. MacGILLIS: No letters.
57 CHAIR PERSON KONYK: Any opposition from the
58 public?
59 MR. MacGILLIS: No opposition.
60 CHAIR PERSON KONYK: Any board member feel this
61 item warrants a full hearing?
62 (No response.)

1 CHAIR PERSON KONYK: Seeing none, this item will
2 remain on consent.

3
4 STAFF RECOMMENDATIONS

5
6 APPROVAL WITH CONDITIONS, based upon the following
7 application of the standards enumerated in Article 5, Section
8 5.7.E. of the Palm Beach County Unified Land Development Code
9 (ULDC), which a petitioner must meet before the Board of
10 Adjustment may authorize a variance.

11
12 ANALYSIS OF ARTICLE 5, SECTION 5.7.E VARIANCE STANDARDS

13
14 1. SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST THAT ARE
15 PECULIAR TO THE PARCEL OF LAND, BUILDING OR STRUCTURE, THAT
16 ARE NOT APPLICABLE TO OTHER PARCELS OF LAND, STRUCTURES OR
17 BUILDINGS IN THE SAME DISTRICT:

18
19 YES. There are unique circumstances surrounding the project
20 and the application of the Comprehensive Plan and ULDC
21 provision that warrants special consideration. This proposed
22 189 acre residential development is proposed in the Ag
23 Reserve. The project is located on Lyons Road, south of
24 Linton Road and east of 441. The property has AGR land use
25 and zoning classification. This project is located within
26 the area Ag Reserve Master Plan. The BCC has designated the
27 Ag Reserve as a unique area in Palm Beach County whose
28 character and land uses must be preserved and promoted. A
29 Master Plan was prepared by a consultant hired by the BCC to
30 determine how these goals could be achieved and implemented.

31
32 The applicant is proposing to develop 37 single-family lots
33 on 189 acres at a density of .2 units per 5 acres. However,
34 in order to develop this site for 37 single-family lots,
35 variances from the AGR ULDC property development regulations
36 are required. In order to meet the Comp Plan minimum
37 density, the applicant must reduce the lot size to 2.5 acres.
38 This is, in part, due to the fact the acreage that is
39 dedicated to lake maintenance easements, right-of-ways cannot
40 be included in the lot area. This reduction in land area
41 makes it impossible to meet the established minimum density
42 for the AGR land use. The applicant has met with Planning
43 and Zoning staff to review the proposal to demonstrate that
44 if this proposal was permitted to utilize the RE property
45 development regulations, the minimum density of the Comp plan
46 could be met. Also the applicant states that this project is
47 consistent with the intent of the Ag Reserve Master Plan.
48 The BCC has directed staff to do a text amendment to the ULDC
49 AGR property Residential
50 Estate regulations. This text amendment will not occur until
51 later in 2000; and, therefore, this project cannot move
52 forward unless the requested variance is approved.

53
54 Therefore, if the variance, if approved, for this project to
55 allow the RE regulations to be applied to an AGR zoned
56 property, then it can proceed through the zoning review
57 process. The project complies with the general intent of the
58 Ag Reserve Master Plan and BCC goals for maintaining and
59 establishing low intensity rural residential communities in
60 this area. Also to preserve the rural quality of life by
61 developing residential projects that preserve land, while
62 maximizing the land area to be developed for more intense

1 land use.

2

3 2. SPECIAL CIRCUMSTANCES AND CONDITIONS ARE THE RESULT OF
4 ACTIONS OF THE APPLICANT:

5

6 NO. The requested variance is not a self created situation.
7 The applicant has worked closely with staff for the past
8 several months to determine how the proposal can comply with
9 existing and proposed AGR regulations. The applicant has
10 worked closely with Planning staff in ensuring the project
11 meets the intent of the Ag Reserve Master Plan and AGR
12 minimum density. The project will support 37 acre minimum
13 2.5 acre lots. This is consistent with the land use
14 designation and Master Plan. The applicant's proposal will
15 be consistent with the property develop-ment regulations that
16 are currently being reviewed by the Zoning staff. The ULDC
17 text amendments to the AGR property development regulations
18 will not be reviewed by the BCC until later in 2000.
19 However, the Board has given staff clear direction that the
20 AGR zoning category needs to allow additional options for
21 property development regulations, if the intent and goals of
22 the Ag Master Plan can be accomplished.

23

24 3. GRANTING THE VARIANCE SHALL CONFER UPON THE APPLICANT
25 SPECIAL PRIVILEGE(S) DENIED BY THE COMPREHENSIVE PLAN AND
26 THIS CODE TO OTHER PARCELS OF LAND, BUILDINGS OR STRUCTURES,
27 IN THE SAME DISTRICT:

28

29 NO. The granting of this variance will not grant any special
30 privilege upon the applicant. The applicant is proposing a
31 project that is consistent with the general Master Plan for
32 the Ag Reserve. However, in order to comply with the minimum
33 density of the Comp. Plan, while also complying with the ULDC
34 AGR zoning regulations, a variance will be necessary. The
35 variance will allow the project to comply with the
36 development regulations similar to RE to be an option under
37 AGR zoning category. However, this text amendment to the
38 ULDC will not occur until late in 2000. The applicant's
39 client must move forward on the project and thus is applying
40 for a variance.

41

42 4. A LITERAL INTERPRETATION AND ENFORCEMENT OF THE TERMS AND
43 PROVISIONS OF THIS CODE WILL DEPRIVE THE APPLICANT OF RIGHTS
44 COMMONLY ENJOYED BY OTHER PARCELS OF LAND IN THE SAME
45 DISTRICT, AND WOULD WORK AN UNNECESSARY AND UNDUE HARDSHIP:

46

47 YES. The applicant cannot move forward with this development
48 until the ULDC AGR property development regulations are
49 amended in later 2000. However, the project is consistent
50 with the BCC direction on how property in the AGR is to be
51 developed. Also the project complies with the Ag Reserve
52 Master Plan. The applicant's client has commitments to
53 proceed with the development of this property that must move
54 forward. The granting of the variance will simply allow the
55 project to move forward, prior to the ULDC text amendments to
56 AGR being adopted.

57

58 5. THE APPROVAL OF VARIANCE IS THE MINIMUM VARIANCE THAT
59 WILL ALLOW A REASONABLE USE OF THE PARCEL OF LAND, BUILDING
60 OR STRUCTURE:

61

1 to ensure this project complies with the land use and zoning
2 regulations. Also this project was reviewed against the Ag
3 Master Plan to ensure compliance with the general intent and
4 specific goals. The project does comply with the intent of
5 all ULDC, however, cannot move forward unless the variance is
6 approved. The variance will allow the applicant to apply RE
7 property development regulations to this project. The RE
8 property development regulations will ensure the land use AGR
9 designation minimum density is met.

10
11 Therefore, the applicant is only requesting the necessary
12 variance that will allow this project to move forward in a
13 timely manner. The variance will be consistent with the text
14 amendments to the AGR that are being considered by staff and
15 the Citizen Task Force.

16
17 6. GRANT OF THE VARIANCE WILL BE CONSISTENT WITH THE
18 PURPOSES, GOALS, OBJECTIVES AND POLICIES OF THE COMPREHENSIVE
19 PLAN AND THIS CODE:

20
21 YES. The granting of this variance will be consistent with
22 the Comp Plan and ULDC provisions. As previously stated, the
23 properties AGR land use and zoning does not allow the
24 applicant to meet the required minimum density. Since land
25 that is dedicated to common uses (lake maintenance areas,
26 road right-of-ways) are excluded for the 5-acre minimum lot
27 area required under AGR zoning. Therefore, the applicant is
28 requesting that in order to comply with the land use
29 designation minimum density that RE property development
30 regulations be applied to the project.

31
32 7. THE GRANT OF THE VARIANCE WILL BE INJURIOUS TO THE AREA
33 INVOLVED OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

34
35 NO. The project is consistent with the Ag Master Plan and
36 BCC general direction on how land patterns are to be
37 developed and maintain in the Ag Reserve. The overall
38 density of 1du/5 acres will ensure this is a low intensify
39 land use in the rural agricultural area. The reduced
40 property development regulations are all internal to the
41 development and therefor will not impact adjacent land uses.

42
43 ENGINEERING COMMENT(S)

44
45 The Engineering Department has no comment regarding the
46 subject variance requests regarding lot size, setbacks,
47 building coverage, and FAR as stated in the applicant's
48 summary.

49
50 ZONING CONDITION(S)

51
52 1. The property owner shall provide the Building Division
53 with a copy of the Board of Adjustment Result Letter and a
54 copy of the Site Plan presented to the Board, simultaneously
55 with the building permit application. (BLDG PERMIT:BLDG)

56
57 2. By February 17, 2001, the property owner shall obtain a
58 building permit for the first single family dwelling in order

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Board of Adjustment time extension 200006, Lee Starkey, agent for Robert Simmons and John Christiansen.

Your name for the record?

MR. STARKEY: My name, for the record, is Lee Starkey.

CHAIR PERSON KONYK: Staff has recommended four conditions. Do you understand and agree with those conditions?

THE WITNESS: We certainly do.

CHAIR PERSON KONYK: This is not advertised?

MR. MacGILLIS: Correct.

CHAIR PERSON KONYK: Then there is no opposition.

Any board member not want to offer the extension?

(No response.)

CHAIR PERSON KONYK: Seeing none, this item will remain on consent.

MR. STARKEY: Thank you very much.

CHAIR PERSON KONYK: BofA 200007 Kilday and Associates, agent for GL Homes of Florida, et cetera, to allow one housing type in a PUD in excess of seventy-five acres and three hundred dwelling units.

Your name for the record?

MS. ANDERSON: Candy Anderson, Kilday and Associates.

CHAIR PERSON KONYK: Staff has recommended two conditions.

Do you understand and agree with those conditions?

MS. ANDERSON: Yes, we do.

CHAIR PERSON KONYK: Any letters.

MR. MacGILLIS: Four letters of opposition.

Generally, they -- they're from the same person.

CHAIR PERSON KONYK: Four letters from the same person?

MR. MacGILLIS: Mark can explain this.

MR. PENNY: There was simply some confusion over the case. And I -- he had the wrong case. Essentially, I talked to him. It was dealt with.

MS. ANDERSON: There was some confusion as to what we were doing. They thought we were doing something to Cadillac Drive, which we're not.

CHAIR PERSON KONYK: Any opposition from the public?

(No response.)

CHAIR PERSON KONYK: Any board feel this item warrants a full hearing?

(No response.)

1 CHAIR PERSON KONYK: Thank you for that correction.

2
3 STAFF RECOMMENDATIONS

4
5 APPROVAL WITH CONDITIONS, based upon the following
6 application of the standards enumerated in Article 5, Section
7 5.7.E. of the Palm Beach County Unified Land Development Code
8 (ULDC), which a petitioner must meet before the Board of
9 Adjustment may authorize a variance.

10
11 ANALYSIS OF ARTICLE 5, SECTION 5.7.E VARIANCE STANDARDS

12
13 1. SPECIAL CONDITIONS AND CIRCUMSTANCES EXIST THAT ARE
14 PECULIAR TO THE PARCEL OF LAND, BUILDING OR STRUCTURE, THAT
15 ARE NOT APPLICABLE TO OTHER PARCELS OF LAND, STRUCTURES OR
16 BUILDINGS IN THE SAME DISTRICT:

17
18 YES. The proposed 120 acre PUD is located approximately 5
19 miles north of Lantana Road and 1.5 miles south of Melaleuca
20 Road. The PUD is 120 acres and will support for (4) pods.
21 The current approved Master Plan is approved with a density
22 of 4.4445 dwelling units per acre. Only POD "D" supports
23 townhouses. All other pods support single-family dwellings.
24 Nautica Shores PUD is scheduled for annexation into the City
25 of Greenacres in September 2000. However, before annexation
26 occurs, the subject property must be platted. It is the
27 applicants intent to plat all of the subject property in Palm
28 Beach County so that an expedient annexation can occur. The
29 applicant requires a variance before the PUD can receive
30 Development Review Committee approval and move on plat
31 review. All of the plats need to be recorded in August,
32 2000, so that a logical annexation can be undertaken in
33 September.

34
35 2. SPECIAL CIRCUMSTANCES AND CONDITIONS ARE THE RESULT OF
36 ACTIONS OF THE APPLICANT:

37
38 NO. The applicant is requesting a variance to construct only
39 one housing type (single-family) within the PUD. There is a
40 demand for such housing in this area and the City of
41 Greenacres encourages the development of Single-family
42 dwelling. According to the City of Greenacres Evaluation and
43 Appraisal Report (EAR) 71% of the total number of residential
44 dwellings in the city as attached units, while only 24% are
45 detached single-family residential units. Allowing a
46 variance to permit the development of detached single-family
47 residences throughout the entire Nautica Shores PUD would
48 provide for a more balanced housing opportunities in the
49 city.

50
51 3. GRANTING THE VARIANCE SHALL CONFER UPON THE APPLICANT
52 SPECIAL PRIVILEGE(S) DENIED BY THE COMPREHENSIVE PLAN AND

1 Village cluster lots, which are actually, an alternative
2 to attached townhouse lots

3
4 Due to the fact that three (3) different models of the same
5 housing type are being offered, this development will
6 actually meet the general intent of the code requirement of
7 two (2) housing types from which a variance is being
8 requested. The lots range in size from 3,600 square feet to
9 5,500 square feet. The estimated average price ranges from
10 \$125,000 to \$185,000. This broad range of housing
11 opportunities accommodate first-time home buyers, middle
12 class families both with and without children and older
13 adults who prefer the appeal of a family-oriented community.

14
15 **4. A LITERAL INTERPRETATION AND ENFORCEMENT OF THE TERMS AND**
16 **PROVISIONS OF THIS CODE WILL DEPRIVE THE APPLICANT OF RIGHTS**
17 **COMMONLY ENJOYED BY OTHER PARCELS OF LAND IN THE SAME**
18 **DISTRICT, AND WOULD WORK AN UNNECESSARY AND UNDUE HARDSHIP:**

19
20 YES. Enforcement of the literal term of this code provision
21 would be contrary to the City of Greenacres development
22 proposals in this area and city. The city has an abundance
23 of multi-family housing within its city boundaries and it has
24 been the policy of the city to encourage detached residential
25 development, whenever possible. It has always been the
26 intent of GL Homes to annex into the city with the annexation
27 scheduled for September 2000. In order to annex platted
28 properties, it is necessary to receive Site Plan approval on
29 all the pods, one of which is currently a townhouse pod.
30 Obtaining a variance from providing two housing types would
31 allow the site plan to reflect zero lot line lots preferred
32 by the city. Once site plan approval has been obtained, the
33 plat process can begin. Once the entire project is platted
34 and approved by Palm Beach County, the project will be
35 annexed into Greenacres. Therefore, granting of this
36 variance will ensure the annexed project is consistent with
37 the city's future land use and zoning.

38
39 **5. THE APPROVAL OF VARIANCE IS THE MINIMUM VARIANCE THAT**
40 **WILL ALLOW A REASONABLE USE OF THE PARCEL OF LAND, BUILDING**
41 **OR STRUCTURE:**

42
43 YES. Granting the variance to allow only one type of
44 dwelling unit will decrease the overall density of the PUD by
45 28 units. The requested variance will allow the developer to
46 adhere to the City of Greenacres' policy to construct
47 single-family residential housing, whenever possible. Before
48 annexation begins in September 2000 the subject PUD must be
49 platted and finalized in Palm Beach County. Before plating

1 ULDC provisions will no longer affect the PUD. It is County
2 policy to encourage assist neighboring municipalities with
3 annexation efforts whenever possible.

4
5 Even with the requested variance, the PUD will provide a
6 comprehensive list of single-family housing types to
7 accommodate a wide spectrum of buyers:

- 8
- 9 One (1) and two (2) story homes
- 10 Three (3), four (4) and five (5) bedrooms
- 11 Homes ranging from 1,000 to 3,000 air conditioned square
- 12 feet
- 13 Rooms with flat, vaulted or high volume ceilings
- 14 One (1), two (2) and three (3) car garages
- 15

16 7. THE GRANT OF THE VARIANCE WILL BE INJURIOUS TO THE AREA
17 INVOLVED OR OTHERWISE DETRIMENTAL TO THE PUBLIC WELFARE:

18
19 NO. Granting this variance will provide a wider range of
20 housing within the City of Greenacres. The city currently
21 has a shortage of single-family dwellings and when this
22 project is annexed this year, the proposed 506 single-family
23 dwellings will help meet this shortage. The three
24 single-family housing types proposed for Nautica Shores PUD
25 offer a wide range of housing to potential home buyers. The
26 proposed units range from 1,000 square feet to 3,000 square
27 feet and vary in price from \$125,000 to \$185,000. Providing
28 the village cluster units as an alternative to townhouse
29 units will not be injurious to the area involved or otherwise
30 detrimental to the public welfare and will provide the City
31 of Greenacres with the type of housing they want to provide
32 in their jurisdiction.

33
34 ENGINEERING COMMENT

35
36 No Comment

37
38 ZONING CONDITION(S)

39
40 1. Prior to DRC certification of the received Master Plan
41 for Nautica Shores (Pet.#99-040), the BA condition shall be
42 attached to the certified plan. (ZONING-DRC)

43
44 2. This variance is valid for a period of one year provided:

- 45 1. A building permit for a single-family dwelling is
- 46 obtained and construction begins prior to February 17, 2001

1 Congress Venture Two, to allow bay doors to face
2 residentially zoned property.
3 Your name, for the record?
4 MS. AKERS: Cherie Akens with Kilday and
5 Associates.
6 CHAIR PERSON KONYK: Staff has recommended Three
7 conditions.
8 Do you understand and agree with those conditions?
9 MS. AKERS: Yes, we do.
10 CHAIR PERSON KONYK: Any letters?
11 MR. MacGILLIS: Bill's got several.
12 MR. CROSS: We received three phone calls on this
13 issue. Two of them were related to property owners that were
14 confused as to the location of the actual property. Their
15 concerns were addressed. The third was for the property
16 developer for the dog track located around the corner. They
17 had no concern, just wanted to know exactly what the type of
18 development is, so all concerns were addressed.
19 CHAIR PERSON KONYK: Okay. Any opposition from
20 the public?
21 (No response.)
22 CHAIR PERSON KONYK: Any board member feel this
23 item warrants a full hearing.
24 (No response.)
25 CHAIR PERSON KONYK: Seeing none, this item will
26 remain on consent.
27 So on consent we have BofA 9900092, Board of
28 Adjustment time extension 200006, BofA 200007 and BofA
29 2000009.
30 Somebody prepared to make a motion?
31 MR. WICHINSKY: So moved.
32 CHAIR PERSON KONYK: Motion by Mr. Wichinsky.
33 MR. PUZZITIELLO: Second.
34 CHAIR PERSON KONYK: Second by Mr. Puzzitiello .
35 CHAIR PERSON KONYK: All those in favor?
36 (Panel indicates aye.)
37 CHAIR PERSON KONYK: Motion carries unanimously.
38 You are free to leave.
39 MR. MacGILLIS: Madam Chair, there was another
40 item, 200010, Thoroughbred Estates, I believe, is the name of
41 the PUD.
42 They actually -- the legal ad went out on that.
43 They took a postponement. For some reason, we didn't put it

1 CHAIR PERSON KONYK: We talked about taking it
2 out, but I --
3 MR. MacGILLIS: I think we did take it out.
4 CHAIR PERSON KONYK: Well.
5 MR. BASEHART: You want to do it, again?
6 CHAIR PERSON KONYK: No.
7 MS. BEEBE: It doesn't sound like she wants to
8 anyway.
9 CHAIR PERSON KONYK: No. I think somebody else
10 should have a turn.
11 MR. PUZZITIELLO: I nominate Bob Basehart.
12 MR. WICHINSKY: I'll second that.
13 CHAIR PERSON KONYK: We have a nomination for
14 Chair for Mr. Basehart, seconded by Mr. Wichinsky.
15 Any discussion?
16 CHAIR PERSON KONYK: I guess we have to vote on it.
17 All those in favor of Mr. Basehart being Chair.
18 (Panel indicates aye.)
19 CHAIR PERSON KONYK: Motion carries unanimously.
20 MR. WICHINSKY: Does he want to be Chair.
21 CHAIR PERSON KONYK: Yeah. He wants to be the
22 Chair. You know he wants to be the Chair.
23 MR. PUZZITIELLO: We had the election so fast, he
24 couldn't say anything.
25 CHAIR PERSON KONYK: Okay. We need a Vice-Chair.
26 MR. BASEHART: Who will be Vice-Chair?
27 CHAIR PERSON KONYK: I'll be vice. I'll be in
28 charge of vice.
29 Mr. Basehart has made a motion for Chelle Konyk to
30 be the Vice-Chair.
31 Did we have a second?
32 MR. WICHINSKY: Second.
33 CHAIR PERSON KONYK: We have a second by Mr.
34 Wichinsky.
35 Any discussion?
36 (No response.)
37 CHAIR PERSON KONYK: All those in favor?
38 (Panel indicates aye.)
39 CHAIR PERSON KONYK: Motion carries unanimously.
40 Congratulations

1 C E R T I F I C A T E
2 THE STATE OF FLORIDA)
3 COUNTY OF PALM BEACH)
4 I, Rachele Lynn Cibula, Notary Public, State of Florida
5 at Large,
6 DO HEREBY CERTIFY that the foregoing proceedings were
7 taken before me at the time and place stated herein; that I
8 administered unto the witness their oath to testify the
9 truth, the whole truth, and nothing but the truth; that they
10 were there and then orally examined and testified as herein
11 set forth; and that this transcript of said proceedings,
12 numbered 1 through 12 inclusive, constitutes a true and
13 correct transcript of said hearing.
14 I FURTHER CERTIFY that I am neither related to nor
15 employed by any counsel or party to the cause pending, nor
16 interested in the event thereof.
17 IN WITNESS WHEREOF, I have hereunto affixed my hand and
18 official seal this 6th day of March, 2000.

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23 RACHELE LYNN CIBULA, NOTARY PUBLIC
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