



BOARD OF COUNTY COMMISSIONERS ZONING MEETING AGENDA

January 6, 2000

1. CALL TO ORDER.

- A. Roll Call - **9:30 AM**.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Board of County Commissioners has convened to consider the following applications for Future Land Use Map Amendments, Official Zoning Map Amendments, Conditional Uses, Planned Developments, Development Order Amendments, Waiver Requests, Status Reports for Compliance with Time Limitations and Conditions of Approval, and the recommendations of the Land Use Advisory Board and Zoning Commission pursuant to Chapter 163, Florida Statutes; Chapter 125, Florida Statutes; the Palm Beach County Comprehensive Plan; the Palm Beach County Unified Land Development Code; and other authority vested in the Board. This meeting is being held on January 6, at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication.
- E. Swearing In.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **PDD99-065** Official Zoning Map Amendment to a Planned Development District (PDD) petition of H.C. Summers (Estate), by Bradley Miller, Agent. Request: Rezoning from Agricultural Residential (AR) to Planned Unit Development (PUD) with congregate living facility, type III (requested use). General Location: Approx. 0.5 mile south of Boynton Beach Blvd. on the west side of Jog Rd. (**JOG PINES (PUD) CLF**).

Size: 5.3 acres ±

BCC District: 5

MOTION: None required. (Petitioner requested postponement to January 27, 2000. By right postponement).

2. **DOA
82-002(B)**

Development Order Amendment (DOA) petition of WCI Communities Ltd., by Robert Higgins, Agent. Request: Reconfigure and expand excavation area, type IIIB Excavation. General Location: Approx. 5.8 miles west of US 441 and 0.25 mile south of Lox Rd. (**BISHOP PROPERTY**).

Page N/A

Size: 413.1 acres ±

BCC District: 5

MOTION: None required. (Staff postponement until January 27, 2000)

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. WARRANT LIST - Administrative matter not subject to public comment.

Page N/A

MOTION: To approve the warrant list.

C. ZONING PETITIONS - CONSENT

3. **EAC**
75-011(A) Development Order Amendment /Expedited Application Consideration (EAC) petition of PBC BCC, by John Wisneski and Helen LaValley, Agent. Request: Delete Condition 1 of Resolution R-75-0089. General Location: Approx. 1.5 mile south of Boynton Beach Blvd. on the east side of SR 7/US 441 (**ETERNAL LIGHT MEMORIAL GARDENS**).

Pages 2-15

Size: 48.82 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to delete Condition 1 of Resolution R-75-0089.

4. **PDD**
99-059 Official Zoning Map Amendment to a Planned Development District (PDD) petition of Schmier and Feurring Properties Inc., by Marvin Sanders, Agent. Request: Rezoning from Agricultural Reserve (AGR) to Agricultural Reserve Planned Unit Development (AGR-PUD). General Location: NE corner Clint Moore Rd. and Lyons Rd. (**LE RIVAGE PUD**).

Pages 16-35

Size: 40.7 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Reserve (AGR) to Agricultural Reserve Planned Unit Development (AGR-PUD).

CONSENT AGENDA

5. **DOA 77-129(A)** Development Order Amendment (DOA) petition of Albertson's, by Sara Lockhart, Agent. Request: Reconfigure site plan, add building square footage and delete Condition 4 of Resolution R-77-1188. General Location: NE corner of Lake Worth Rd. and Military Trail (**ALBERTSON'S LAKE WORTH/MILITARY**).

Pages 36-56

Size: 5.9 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to reconfigure site plan, add building square footage and delete Condition 4 of Resolution R-77-1188.

D. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS

6. **CB99-073** Class B Conditional Use (CB) petition of Glades Media Co. (**WAFC TOWER**)

Pages 57-62

BCC District: 6

MOTION: To receive and file Zoning Resolution ZR-99-20.

7. **CB99-050** Corrective resolution petition of David and Brenda Englert. (**ENGLERT WHOLESALE NURSERY**).

Page 63

BCC District: 3

MOTION: To receive and file Zoning Resolution ZR-99-21.

E. STATUS REPORTS - CONSENT

8. **SR 89-53.6** Status Report for Resolutions R-90-62 and R-90-63 (Petition 89-53). Property owner: Lake Worth Turnpike Associates Inc. Location: northwest corner of Lake Worth Rd. and the Florida Turnpike. Current zoning: CG-General Commercial with a Special Exception for a Planned Commercial Development to include 1) an auto service station (no repairs); and 2) a car wash.

Pages 64-67

Size: 1.0 acre

BCC District: 6

Original Petitioner: Interchange Partners

MOTION: To approve a time extension until June 30, 2001, to commence development and for condition number 2 of Resolution R-90-63.

9. **SR 89-54.6** Status Report for Resolutions R-90-64 and R-90-65 (Petition 89-54). Property owner: Lake Worth Turnpike Associates Inc. Location: northwest corner of Lake Worth Rd. and the Florida Turnpike. Current zoning: CG-General Commercial with a Special Exception for 1) a hotel, and 2) an existing public and private utility service (telephone exchange building and substation).

Pages 68-71

CONSENT AGENDA

10. **SR 78-253A** Status Report for Resolution R-96-1742 (Petition 78-253(A)). Property owner: Glades Pike East, Ltd. Location: northwest corner of Glades Rd. and Florida Turnpike. Current zoning: General Commercial with a Development Order Amendment to allow an auto service station (requested use).

Pages 72-74

Size: 8.7 acres

BCC District:5

Original Petitioner: Glades Pike East, Ltd. and Glade Pike Inv., Ltd.

MOTION: To approve a time extension until October 24, 2000, for Resolution R-96-1742

11. **SR 84-99F** Status Report for Resolution R-95-1467 (Petition 84-99(F)). Property owner: Mission Bay Plaza Assoc. and Centrum Mission Bay Ltd. Location: northwest corner of Glades Rd. and S.R. #7. Current zoning: CG-General Commercial with a Development Order Amendment to increase square feet limitation to 305,928.

Pages 75-77

Size: 24.28

BCC District:5

Original Petitioner: Mission Bay Plaza Associates

MOTION: To approve a time extension until October 26, 2000, for Resolution R-95-1467.

12. **SR 85-89.4** Status Report for Resolutions R-90-1440 and R-90-1441 (Petition 85-89(A)). Property owner: Robert W. Mc Donald, Palm Beach Apt. Ltd., and Golden Lakes Village Assn. A Inc. Location: south side of Okeechobee Blvd. and north side of Belvedere Rd., on the east and west sides of Golden Lakes Blvd. Current zoning: RS-Single Family Residential with a Special Exception for a Planned Unit Development (Golden Lakes PUD).

Pages 78-81

Size: 18.58 acres

BCC District:2

Original Petitioner: William Boose, III, Trustee

MOTION: To approve a time extension until October 23, 2000, for Resolutions R-90-1440 and R-90-1441.

13. **SR 87-103E** Status Report for Resolution R-97-518 (Petition 87-103(E)). Property owner: Military Six L. C. Location: east side of Military Trail approximately 1.0 mile south of Golf Rd. Current zoning: Multiple Use Planned Development with a Development Order Amendment to revise the site plan and add square footage.

Pages 82-85

Size: 6.16 acres

BCC District:4

Original Petitioner: Military 6, Inc

CONSENT AGENDA

14. **SR 91-30.2** Status Report for Resolution R-91-1186 (Petition 91-30). Property owner: Central Baptist Church of Jupiter Florida, Inc. Location: southwest corner of the intersection of Loxahatchee River Rd. and Roebuck Rd. Current zoning: RS-Single Family Residential with a Special Exception to allow a church/sanctuary and accessory buildings.

Pages 86-88

Size: 4.5

BCC District:1

Original Petitioner: Central Baptist Church

MOTION: To approve a time extension until November 9, 2001, for Resolution R-91-1186

15. **SR 91-42.4** Status Report for Resolution R-92-364 (Petition 91-42). Property owner: Faith United Methodist Church of Boynton Beach of Florida Inc. Location: south side of Boynton Beach Blvd., approximately 600 feet east of Jog Rd. Current zoning: AR-Agricultural Residential with a Special Exception to allow a church, accessory buildings and structures, and day care center (max 60 children).

Pages 89-92

Size: 10.17 acres

BCC District: 5

Original Petitioner: Methodist Church Board of Missions and Church Extension, Inc.

MOTION: To approve a time extension until November 2, 2001, for Resolution R-92-364.

16. **SR 92-44A** Status Report for Resolution R-96-1741 (Petition 92-44(A)). Property owner: Sunshine Wireless Co. Location: northwest corner of Glades Rd. and Florida Turnpike. Current zoning: General Commercial.

Pages 93-96

Size: 8.96 acres

BCC District:5

Original Petitioner: Glades Pike East, Ltd./Glades Pike Inv. Ltd.

MOTION: To exempt Resolution R-96-1741 from further Unified Land Development Code (ULDC) Section 5.8 review.

17. **SR 96-81** Status Report for Resolution R-96-1748 (Petition 96-81). Property owner: Inversiones Yamanic Limitada and Towne Park Joint Venture. Location: between SR7/US 441 and Florida Turnpike, north and south of Hypoluxo Rd. Current zoning: Residential Planned Unit Development (Villages of Windsor PUD).

Pages 97-99

Size: 533.68

BCC District:3

CONSENT AGENDA

18. **SR 96-84** Status Report for Resolution R-96-1944 (Petition 96-84). Property owner: Centex Homes. Location: east side of SR 7, north of Forest Hill Blvd. Current zoning: Planned Unit Development (Wellington Glen Lakes PUD).

Pages 100-103

Size: 127.774 acres

BCC District:6

Original Petitioner: Jeffery Rosenberg, Trustee

MOTION: To approve a time extension until December 2, 2000 to record a plat and April 1, 2000 to comply with conditions F.1. and F.4. of Resolution R-96-1944.

F. **CORRECTIVE RESOLUTIONS**

19. **DOA 80-212(H)** Corrective Resolution: To correct Condition H.1.a of Resolution R-99-2071 (PIPERS GLEN COMMERCIAL)

Pages 104-105

BCC District: 5

MOTION: To adopt a resolution to correct Condition H.1.a of Resolution R-99-2071.

20. **PDD99-040** Corrective Resolution: To correct Conditions D.2, G.1.b, J.1.b, J.2.b, L.6 and L.12 of Resolution R-99-2074. (NAUTICA SHORES PUD)

Pages 106-108

BCC District: 3

MOTION: To adopt a resolution to correct Conditions D.2, G.1.b, J.1.b, J.2.b, L.6 and L.12 of Resolution R-99-2074.

MOTION: To approve all items on the Consent Agenda (as amended) and adopt resolutions affirming the applicable actions.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA:

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED SMALL SCALE LAND USE AMENDMENT AND CONCURRENT ZONING PETITION

21. 99-SCA

32 COM 1 Dr. John Humphries, by Kevin McGinley, Land Research Management, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 3 units per acre (LR-3) to Commercial Low-Office, with an underlying 3 units per acre (CL-O/3). General Location: East side of State Road Alternate A-1-A, 600 feet north of Richard Rd. **(HUMPHRIES 2)**

Pages 109-134

Size: 0.34 acre

BCC District:1

Staff Recommendation: Approval of the applicant's request for a future land use change from LR-3 to CL-O/3.

LPA Recommendation: Denial of the applicant's request for a future land use change from LR-3 to CL-O/3 (7-6 vote).

MOTION: To approve the request for a future land use change from LR-3 to CL-O/3 and adopt an ordinance affirming that action.

22. Z/CA

99-022 Official Zoning Map Amendment (Z) and Class A Conditional Use (CA) petition of John Humphries, by Kevin McGinley, Agent. Request: Rezoning from Residential Medium Density (RM) to Commercial Low Office (CLO). Request: Medical/dental clinic. General Location: Approx. 600 feet north of Richard Rd. on the east side of Alternate A1A **(HUMPHRIES DENTAL)**.

Pages 135-149

Size: 0.34 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to Commercial Low Office (CLO).

C. CONCURRENT SMALL SCALE LAND USE AMENDMENT AND ZONING PETITION

23. **99-SCA 37
COM 1**

Gaeta Limited Partnership #1, by Brian Waxman, Lou Gaeta Development Co. Small Scale Land Use Amendment (SCA): Amend land use from High Residential, 8 units per acre (HR-8) to Commercial High, with an underlying 8 units per acre (CH/8) with cross-hatching. General Location: southwest corner of the I-95 and Northlake Blvd. interchange. **(DIVER'S OUTLET)**

Pages 150-172

Size: 0.32 acre ±

BCC District: 1

Staff Recommendation: Approval of the requested future land use change from HR-8 to CH/8 with cross-hatching, subject to two conditions.

LPA Recommendation: Approval of the requested future land use change from HR-8 to CH/8 with cross-hatching, subject to two conditions (10-0 vote).

MOTION: To approve the request for a future land use change from HR-8 to CH/8 with cross-hatching, subject to two conditions, and adopt an ordinance affirming that action.

24. **Z/COZ
99-069**

Official Zoning Map Amendment (Z) petition of GAETA Ltd. Partnership #1, by Neil J. Gaeta and Louis A. Gaeta, Jr., Agent. Request: Rezoning from Residential Medium Density (RM) to General Commercial (CG) with a Conditional Overlay Zone (COZ). General Location: SW corner of I-95 and Northlake Blvd. **(NORTHLAKE DIVERS OUTLET)**.

Pages 173-184

Size: 0.32 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to General Commercial (CG) with a Conditional Overlay Zone (COZ).

D. SMALL SCALE LAND USE AMENDMENTS (PLANNING DIVISION)

25. **99-SCA
71 CHX 1** County Initiated Small Scale Corrective Land Use Amendment (SCA): Modifying page 71 of the FLUA by removing the cross-hatching from a parcel of land, totaling approximately 5.50 acres (extending approximately 1000 feet east of the rear property line). General Location: Approximately 250 feet west of Military Trail and approximately 0.30 mile south of Forest Hill Blvd. **(MILITARY TRAIL CROSS-HATCHING).**

Pages 185-193

Size: 5.50 acres ±

BCC District: 2

Staff Recommendation: Approval of the proposed change to remove cross-hatching.

LPA Recommendation: Approval of the proposed change to remove cross-hatching (10-0 vote).

MOTION: To approve the proposal to remove cross-hatching and adopt an ordinance affirming that action.

26. **99-SCA
71 RES 1** John and Joyce Murray, by Robert E. Basehart, Basehart Consulting, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Medium Residential, 5 units per acre (MR-5) to Low Residential, 3 units per acre (LR-3). General Location: approximately 1000 feet south of Summit Blvd., on the west side of Ranchette Rd. **(MURRAY)**

Pages 194-217

Size: 5.32 acre ±

BCC District: 6

Staff Recommendation: Approval of the requested future land use change from MR-5 to LR-3.

LPA Recommendation: Approval of the requested future land use change from MR-5 to LR-3 (10-0 vote).

MOTION: To approve the request for a future land use change from MR-5 to LR-3, and adopt an ordinance affirming that action.

E. PREVIOUSLY POSTPONED ZONING PETITION

27. **PDD
99-004**

Official Zoning Map Amendment to a Planned Development District (PDD) petition of Admind Ansin, Trustee, by Kilday & Associates, Inc, Agent. Request: Rezoning from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with convenience store with gas sales, repair and maintenance, general, and restaurant, fast food (requested uses). General Location: SE corner of Lake Worth Rd. and SR 7/US 441. (**LAKE WORTH ROAD & SR 7 MUPD**).

Pages 218-238

Size: 11.35 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with convenience store with gas sales, general repair and maintenance and fast food restaurant.

F. ZONING PETITION

28. **Z/CA
99-044**

Official Zoning Map Amendment (Z) and Class A Conditional Use (CA) petition of Forest Hill Congregation of Jehovah's Witness, Inc., by Harvey Castro, Agent. Request: Rezoning from Residential Medium Density (RM) to Residential Single Family (RS). Request: Church or place of worship. General Location: Approx. 800 feet east of Haverhill Rd. on the south side of Purdy Ln. (**PURDY LANE KINGDOM HALL**).

Pages 239-256

Size: 5.14 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to Residential Single Family (RS).

MOTION: To adopt a resolution approving the request for a Class A Conditional Use (CA) to allow a church or place of worship.

5. DIRECTOR COMMENTS.

A. ZONING DIRECTOR