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

**NOVEMBER 29, 2001**

**THURSDAY  
9:30 AM**

**COMMISSION  
CHAMBERS**

**1. CALL TO ORDER**

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

**2. POSTPONEMENTS AND WITHDRAWALS (Pages 1-2)**

**3. CONSENT AGENDA (Pages 3-8)**

- o Staff
- o Board
- o Public

**4. REGULAR AGENDA (Pages 9-11)**

**5. DIRECTOR COMMENTS (Page 11)**

**6. COMMISSIONER COMMENTS (Page 11)**

**7. ADJOURNMENT (Page 11)**

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

**THURSDAY NOVEMBER 29, 2001**

**1. CALL TO ORDER**

A. Roll Call – **9:30 A.M.**

B. 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 amendments to the Palm Beach County Unified Land Development Code, and the recommendations of the Land Use Advisory Board, Citizens Task Force, Land Development Regulation Commission, 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 November 29, 2001 at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

C. Proof of Publication – Motion to receive and file.

D. Swearing In – County Attorney

E. Motion to adopt Agenda.

**2. POSTPONEMENTS AND WITHDRAWALS**

**A. POSTPONEMENTS**

1. **Z/CA2001-017** Title: Resolution approving an Official Zoning Map Amendment Z2001-017 petition of BP Amoco, by Nick Nichols, Agent. Request: Rezoning from Residential High Density (RH) to General Commercial (CG) Zoning District. Title: Resolution approving a Class A Conditional Use CA2001-017 petition of BP Amoco, by Nick Nichols, Agent. Request: to allow a convenience store with gas sales. General Location: Southwest corner of Boutwell Avenue and 10th Avenue North (**10<sup>TH</sup> AVENUE/BOUTWELL AMOCO**).

N/A

Size: 1.14 acres ±

BCC District: 3

MOTION: To postpone until January 3, 2001. (Requested by petitioner. Staff supported.)

2. **PDD2001-024** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD2001-024 petition of Continental Homes of Florida, Inc., by Julian Bryan, Agent. Request: Rezoning from Agricultural Residential (AR) to Residential Planned Unit Development (PUD) Zoning District. General Location: Southwest corner of Hypoluxo Road and Lawrence Road (**DAHLGREN PUD**).

N/A

Size: 27.04 acres ±

BCC District: 3

MOTION: To postpone until January 3, 2001.

3. **EAC1997-086(A)** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration EAC1997-086(A) petition of Linton Jog Associates, by Charles Millar, Agent. Request: to modify a condition of approval. General Location: SE corner of Linton Blvd. and Jog Rd. (**ADDISON CENTER MUPD**).

Page 1

Size: 9.41 acres ±

BCC District: 5

MOTION: To postpone until January 3, 2001.

## B. WITHDRAWALS

**- END OF POSTPONEMENTS AND WITHDRAWALS -**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 4. **PDD2001-005** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD2001-005 petition of Flamboyant Enterprises and Paul Okean, by David Carpenter, Agent. Request: Rezoning from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with 2 daycares, general (one adult/one children) and congregate living facility, type III (requested uses) General Location: Approximately 600 feet north of Hypoluxo Road on the east side of Military Trail (**OKEAN OFFICE MUPD**).

Pages 2-30

Size: 19.18 acres ±

BCC District: 3

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 to a Planned Development District from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with 2 daycares, general and congregate living facility, type III.

C. ZONING PETITIONS – CONSENT

- 5. **EAC1990-030(F)** Title: Development Order Amendment /Expedited Application Consideration EAC1990-030(F) petition of Fountains of Boynton Associates, Ltd. by Robert E. Basehart, Agent. Request: to reconfigure site plan, add parking garage and increase building height. General Location: Northwest corner of Jog Road and Boynton Beach Boulevard (**FOUNTAINS OF BOYNTON**).

Pages 31-57

Size: 5 acres ± (affected); 24.13 acres ± (overall)

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/Expedited Application Consideration to reconfigure site plan, add parking garage and increase building height.

6. **DOA1998-013(B)** Title: Resolution approving a Development Order Amendment DOA1998-013(B) petition of Southern Development Services, by Land Design South, Agent. Request: to reconfigure site plan and to allow restaurant, fast food. General Location: Southwest corner of Military Trail and Lantana Road (**MILITARY LANTANA MUPD**).

Pages 58-82

Size: 0.95 acres ± (affected); 7.12 acres ± (overall)

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 to reconfigure site plan and to allow restaurant, fast food.

7. **DOA1993-021(B)** Title: Resolution approving a Development Order Amendment DOA1993-021(B) petition of Village Center Assoc. LC by Bradley Miller, Agent. Request: to reconfigure master plan, re-designate land uses, modify/delete conditions and reduce square footage. General Location: Northeast corner of Jog Road and Floral Lakes Drive (**VILLAGE CENTER MUPD**).

Pages 83-108

Size: 2.72 acres ± (affected); 9.35 acres ± (overall)

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Development Order Amendment to reconfigure master plan, re-designate land uses, modify/ delete conditions and reduce square footage.

- 8. **PDD/DOA1988-051(A)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD1988-051(A) petition of Paul Adams, Trustee, by D.J. Snapp, Agent. Request: Rezoning from Residential Estate and Residential Medium Density/Special Exception/Planned Unit Development to Residential Planned Unit Development Zoning District. Title: Resolution approving a Development Order Amendment DOA1988-051(A) petition of Paul Adams, Trustee, by D.J. Snapp, Agent. Request: to amend master plan and add units. General Location: Northwest corner of Atlantic Avenue and Simms Road (**HERITAGE PARK PUD**).

Pages 109-126

Staff Recommendation: Approval, subject to conditions.

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

Size: 12.41 acres ± (4.1 RE and 8.3 RM/SE/PUD)

BCC District: 5

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment to a Planned Development District from Residential Estate and Residential Medium Density/Special Exception/Planned Unit Development to Residential Planned Unit Development Zoning District.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to amend master plan and add units.

- 9. **CA2000-111** Title: Resolution approving a Class A Conditional Use CA2000-111 petition of Tabernacle de Salvacion Inc., by Kevin McGinley, Agent. Request: to allow a church or place of worship. General Location: Approximately 330 feet east of Kirk Road on the south side of Melaleuca Lane (**SALVATION TABERNACLE**).

Pages 127-143

Size: 3.51 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 Class A Conditional Use to allow a church or place of worship.

10. **DOA1984-130(F)** Title: Resolution approving a Development Order Amendment DOA1984-130(F) petition of Palm Beach County PREM by Kim Juran, Agent. Request: to re-designate land uses, modify/delete conditions of approval and add an access point, to revise the DRI ADA and to make a Substantial Deviation Determination. General Location: Northeast corner of Okeechobee Blvd. and Jog Road (**VISTA CENTER**).

Pages 144-176

Size: 501.0 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 a Development Order Amendment to re-designate land uses, modify/delete conditions of approval and add an access point.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to revise the DRI ADA.

MOTION: This is not a Substantial Deviation.

**D. STATUS REPORTS – CONSENT**

11. **SR 1998-34** Status Report for Resolutions R-98-1393 and R-98-1394 (Petition 98-34), the petition of Boca Raton Hotel & Club. Property owner: South Florida Water Management District. General Location: West end of Loxahatchee Rd. on the north side of Hillsboro Canal. Current zoning: Commercial Recreation (CRE) with a Class A Conditional Use to allow a Gun Club (**COUNTRY PURSUITS CENTRE**).

Pages 177-179

Size: 335 acres ±

BCC District: 5

MOTION: Adopt a resolution to revoke the Class A Conditional Use to allow a Gun Club (Resolution R-98-1394).

12. **SR 1983-120A.3** Status Report for Resolution R-94-1308 (Petition 83-120A), the petition of Richard Mercede. Property owner: Sun Enterprises Holding, Inc. General Location: Approx. 0.1 of a mile north of the Broward County line on the west side of S. R. 7. Current zoning: CG-General Commercial with a Special Exception for an auto service facility and a Development Order Amendment to increase square footage and Class A Conditional Use allowing automotive paint and body shop and vehicle sales and rental (**MERCEDE CENTER**).

Pages 180-183

Size: 1.02 acres ±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-94-1308, and approve a time extension until September 29, 2002, to commence development.

13. **SR 1989-27A** Status Report for Resolution R-98-1513 (Petition 1989-27A), the petition of Felix Fundora. Property owner: Limestone Private School, Inc. General Location: Approx. 147 feet north of Southern Blvd. on the east side of First St. Current zoning: Single Family Residential with a Class A Conditional Use to allow a Daycare, general (**PLANET KIDS IV**).

Pages 184-187

Size: 0.87 acres ±

BCC District: 6

MOTION: To approve a time extension until September 24, 2002, for Resolution R-98-1513.

14. **SR 89-69.8** Status Report for Resolutions R-90-585 and R-90-586 (Petition 89-69), the petition of Grace Roma. Property owner: J. and Grace Roma. General Location: southwest corner of Lantana Rd. and Lawrence Rd. Current zoning: Specialized Commercial with a Special Exception to permit a Planned Office Business Park (**ROMA OFFICE COMPLEX**).

Pages 188-191

Size: 5.1 acres ±

BCC District 3

MOTION: To approve a time extension until October 3, 2003, for Resolutions R-90-585 and R-90-586.

15. **SR 94-51.2** Status Report for Resolutions R-94-1310 and R-94-1311 (Petition 94-51), the petition of Federal Employees Credit Union. Property owner: Federal Employees Credit Union. General Location: Approx. 0.25 mile south of Summit Blvd. on the west side of Congress Ave. Current zoning: Community Commercial with a Class A Conditional Use allowing a financial institution (greater than 10,000 square feet) (**FEDERAL EMPLOYEES CREDIT UNION**).

Pages 192-195

Size: 2.5 acres ±

BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R- 94-1311, and approve a time extension until September 29, 2003, to commence development.

16. **SR 96-41.2** Status Report for Resolution R-96-1357 (Petition 96-41), the petition of Town of Palm Beach. Property owner: Town of Palm Beach. General Location: Approx. 0.25 mile south of Belvedere Rd. on the east side of Pike Rd. Current zoning: Light Industrial (**PALM BEACH REZONING**).

Pages 196-199

Size: 14.85 acres ±

BCC District: 6

MOTION: To approve a time extension until September 26, 2002, for Resolution R-96-1357.



- 17. **SR 96-80.2** Status Report for Resolution R-97-781 (Petition 96-80), the petition of Murray D. Logan, Clarence A. Vogel, and David A. Logan. Property owner : Tidal Wave Inv. Corp., Inc. General Location: Approx. 924 feet north of Wallis Rd. on the east side of Tall Pines Rd. Current zoning: Light Industrial (**LOGAN REZONING**).

Pages 200-203

Size: 5.10 acres ±

BCC District: 6

MOTION: To approve a time extension until June 23, 2002, for Resolution R-97-781.

- 18. **CR 1976-134A/E2** Status Report for Resolution R-2001-0962 (Petition 76-134A), the petition of Tylander Realty Corp. Property owner: Ray Tylanders Inc. General Location: northwest corner of Southern Blvd. and Kelly Dr. Current zoning: Light Industrial with a Special Exception for a Planned Industrial Development. (**PONDEROSA INDUSTRIAL PARK TRACT A**).

Pages 204-207

Size: 5 acres ±

BCC District: 6

MOTION: To approve a time extension until August 8, 2002, to comply with condition number E.2 of Resolution R-2001-0962.

**E. RECEIVE AND FILE ZONING COMMISSION RESOLUTION**

- 19. **SR 96-20.2**

Resolution for Paula Crawford (COLOR GARDEN NURSERY)

Pages 208-209

MOTION: To receive and file Zoning Resolution ZR-2001-008.

**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 AMENDMENT AND ZONING PETITION**

20. **00-SCA 83 COM 2** Let It Ride, L.C., by Robert Bentz, Land Design South of Florida, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 3 units per acre (LR-3) to Commercial Low (CL). General Location: Approx. 300 feet south of Lantana Rd. on the east side of High Ridge Rd. (**LANTANA/HIGH RIDGE**)

Pages 210-250

Size: 1.67 acre  $\pm$

BCC District: 3

Staff Recommendation: Denial of the requested future land use change from LR-3 to CL, and approval of an **alternative** recommendation for CL with cross-hatching, subject to one condition.

LPA Recommendation: Denial of the requested future land use change from LR-3 to CL, and approval of staff's recommendation for CL with cross-hatching. (7-5 vote)

MOTION: To deny the applicant's request and to adopt an ordinance approving staff's recommendation for a future land use change from LR-3 to CL with cross-hatching, subject to one condition.

21. **PDD2000-044(A)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD2000-044(A) Petition of Let It Ride L.C., by Land Design South, Agent. Request: Rezoning from Residential Single Family (RS) to Multiple Use Planned Development (MUPD) Zoning District. General Location: Southeast corner of Lantana Road and High Ridge Road (**LANTANA HIGH RIDGE MUPD**).

Pages 251-279

Size: 3.68 acres  $\pm$

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-1).

MOTION: To adopt a resolution approving the request for a Planned Development District (PDD) from Residential Single Family (RS) to Multiple Use Planned Development (MUPD).

**C. PREVIOUSLY POSTPONED ZONING PETITIONS**

22. **PDD2001-022** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District PDD2001-022 Petition of Sutton Boca One Developers Inc., by Collene Walter, Agent. Request: Rezoning from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) Zoning District with two (2) financial institutions (requested uses). General Location: Southeast corner of Clint Moore Road and SR 7/US 441 (**THE RESERVE AT BOCA RATON**).

Page 280-309

Size: 17.9 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 to (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) Zoning District with two (2) financial institutions.

23. **CA2001-025** Title: Resolution approving a Class A Conditional Use CA2001-025 Petition of Azinta Thompson, by Kevin McGinley, Agent. Request: to allow a church or place of worship. General Location: Approximately 100 feet east of Haverhill Road on the north side of Vilma Lane (**CHURCH OF GOD OF PROPHECY**).

Pages 310-325

Size: 0.92 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 a Class A Conditional Use (CA) to allow a church or place of worship.

**D. PUBLIC HEARING - [PGA BOULEVARD CRALLS](#) STIPULATED SETTLEMENT AGREEMENT**

24. This item is a Stipulated Settlement Agreement between Palm Beach County and the Florida Department of Community Affairs (DCA) which resolves the Department's findings of non-compliance regarding Comprehensive Plan Amendments adopted on December 6, 2000 by Ordinance 2000-061. The Settlement Agreement commits the County to: a) adopt amendment to the Transportation Element which will ensure that the properties utilizing this CRALLS are developing at densities and/or intensities no greater than those provided for in the forbearance agreement between City of Palm Beach Gardens and various property owners dated April 15, 1999; b) adopt mitigation criteria (in Round 02-1) to be utilized for the evaluation and approval of CRALLS amendments; and c) to be the applicant for an Interchange Justification Report (IJR) for an interchange at Interstate 95 and Central Boulevard, and to fund 50% of this IJR not to exceed \$175,000, provided the Florida Department of Transportation agrees to fund the remaining 50%.

Pages 326-342

MOTION: To: 1) **approve and execute** the Stipulated Settlement Agreement between Palm Beach County and the Florida Department of Community Affairs (DCA); and 2) **authorize staff** to schedule a public hearing on December 5, 2001, to consider adoption of the Comprehensive Plan amendment outlined in the Settlement Agreement.

**5. DIRECTOR COMMENTS**

**A. ZONING DIRECTOR**

25. [Managed Growth Tier System](#) (MGTS) Code Revision Update

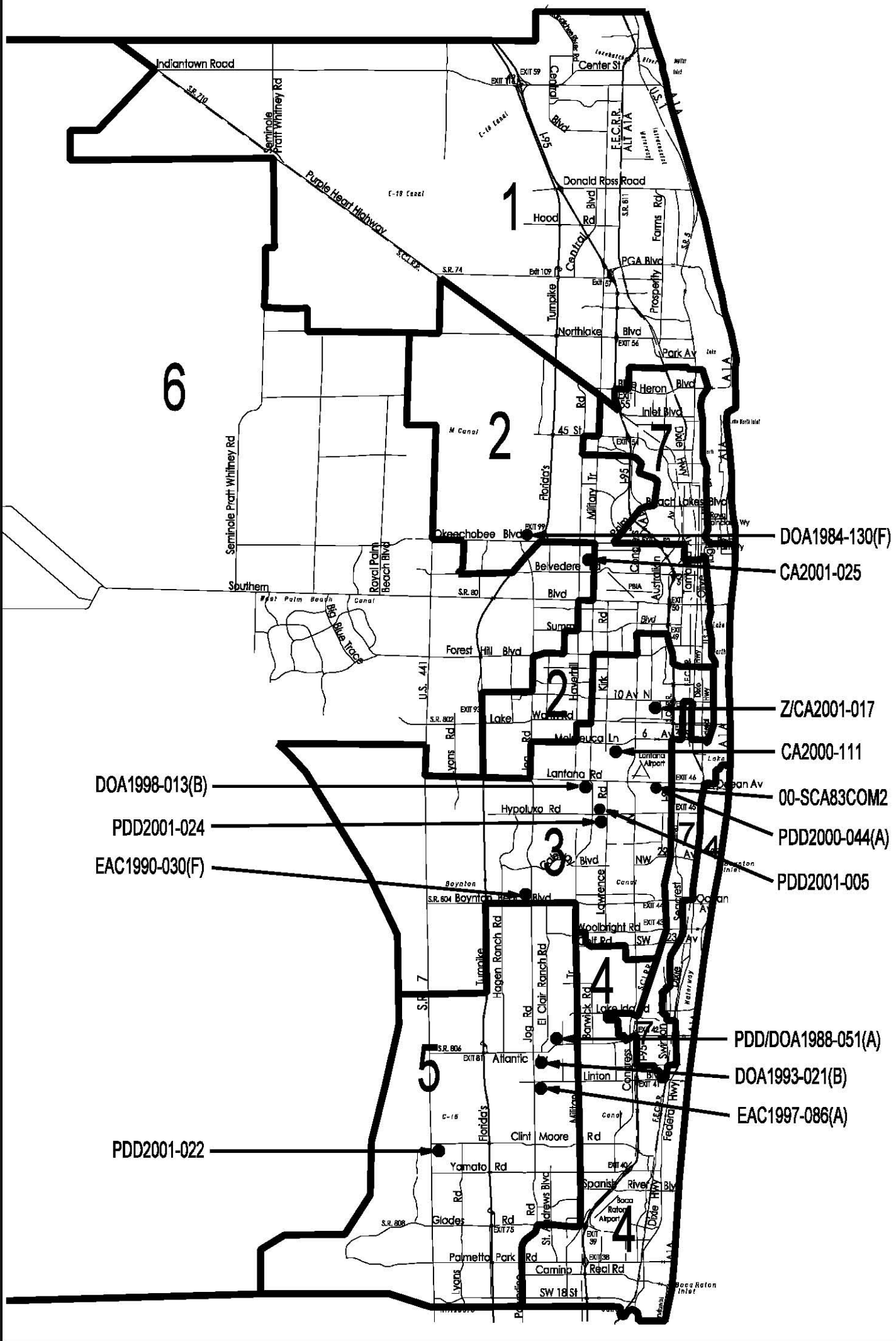
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**B. PLANNING DIRECTOR**

**6. COMMISSIONER COMMENTS**

**7. ADJOURNMENT**

# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING




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NOTE: MAP IS NOT OFFICIAL, FOR PRESENTATION PURPOSES ONLY

## THURSDAY, NOVEMBER 29, 2001


9:30 A.M. IN THE JANE M. THOMPSON  
MEMORIAL CHAMBERS  
301 N. OLIVE AVE.  
WEST PALM BEACH, FL.

In accordance with the ADA, this document may be requested in an alternative format.  
Auxiliary aids or services will be provided upon request with at least three days notice.  
Please contact Ms. Donna Adelsperger at: 233-6221.



Scale: N.T.S.

Revision Date: 11/16/01 AC  
filename: BCCPUB2.DGN  
contact: S.KUBBER



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