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

**JULY 25, 2002**

**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 3-12)**

- o Staff
- o Board
- o Public

**4. REGULAR AGENDA (Pages 13-15)**

**5. DIRECTOR COMMENTS (Page 15)**

**6. COMMISSIONER COMMENTS (Page 15)**

**7. ADJOURNMENT (Page 15)**

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

**THURSDAY JULY 25, 2002**

**1. CALL TO ORDER**

- A. Roll Call – **9:30 A.M.**
- 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 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 July 25, 2002 at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication – Motion to receive and file.
- E. Swearing In – County Attorney
- F. Adoption of Agenda

**2. POSTPONEMENTS AND WITHDRAWALS**

**A. POSTPONEMENTS**

- 1. **DOA1997-012(C)** Title: Resolution approving a Development Order Amendment petition of Palm Beach County by Kim Juran, Agent. Request: To modify/delete conditions of approval. General Location: On the north side of Summit Blvd. bound on the east by Congress Ave. and on the west by Kirk Rd. (**TRUMP INTERNATIONAL GOLF COURSE (aka PBIA GOLF COURSE)**).

N/A

Size: 214 acres ±

BCC District: 2

MOTION: None required. Postponed by right to August 22, 2002. (Petitioner requested 30 days.)

2. **PDD2001-043** Title Resolution approving an Official Zoning Map Amendment petition of Garden Oaks Center Ltd, by Donaldson Hearing & Brian Chequis, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Multiple Use Planned Development District (MUPD). General Location: NW corner of Square Lakes Dr. and Military Trail (**SQUARE LAKES NORTH**).

Page 1

Size: 3.06 acres ±

BCC District: 1

MOTION: To postpone to August 22, 2002. (Petitioner requested 30 days.)

3. **DOA1987-006(D)** Title: Resolution approving a Development Order Amendment, petition of Auto Nation Imports Palm Beach Inc. and Taurus Assoc. Inc., by Kim Juran, Agent. Request: To add land area and display spaces. General Location: SW corner of Okeechobee Blvd. and Congress Ave. (**LEXUS OF PALM BEACH**)

Page 2

Size: 4.04 acres ± (overall)

BCC District: 2

MOTION: To postpone to August 22, 2002. (Petitioner requested 30 days.)

4. **Z/COZ1976-101(A)** Title: Resolution approving an Official Zoning Map Amendment petition of PBC BCC, Warren H. Newell Chairman by PBC Zoning Division, Agent. Request: Rezoning from the Preservation/Conservation to the Public Ownership Zoning District. General Location: Approx. 1,000 feet northeast of the Port of Palm Beach, and approx. 1,500 feet due west of Lake Worth Inlet, 0.1 mile south of Blue Heron Blvd. (**PEANUT ISLAND REZONING**).

N/A

Size: 84 acres ±

MOTION: To postpone to August 22, 2002. (Staff postponement.)

## B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 5. **DOA1976-006(B)** Title: Resolution approving a Development Order Amendment petition of 8190 Investment by James Exline, Agent. Request: To reconfigure site plan and add square footage. General Location: SW corner of Okeechobee Blvd. and Benoist Farms Rd. (**SEDONA COMMONS**).

Pages 3-32

Size: 2.63 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (6-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment to reconfigure site plan and add square footage.

C. ZONING PETITIONS – CONSENT

- 6. **CA1984-094(A)** Title: Resolution approving a Class A Conditional Use petition of RB Graves and Son Inc. by Ken Kruger, Agent. Request: to allow a convenience store with gas sales and an accessory car wash. General Location: SE corner of Okeechobee Blvd. and Meridian Rd. (**OKEECHOBEE MOBILE**).

Pages 33-56

Size: 0.82 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (6-0).

MOTION: To adopt a resolution approving the request a Class A Conditional Use to allow a convenience store with gas sales and an accessory car wash facility.

7. **Z2002-010** Title: Resolution approving an Official Zoning Map Amendment petition of Herbert Kahlert & Heinz Kahlert by Candy Anderson, Agent. Request: Rezoning from the Agricultural Residential to the Residential Transitional Suburban Zoning District. General Location: Approx. 1,780 feet west of Jog Rd. on the north side of Woolbright Rd. (**MADISON ESTATES**).

Pages 57-77

Size: 10.35 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Residential Transitional Suburban Zoning District with a COZ.

8. **Z/DOA1973-216(B)** Title: Resolution approving an Official Zoning Map Amendment petition of Palm Beach Baptist Temple Inc. by Kevin McGinley, Agent. Request: Rezoning from the Agricultural Residential to the Residential Single Family Zoning District. Title: Resolution approving a Development Order Amendment petition of Palm Beach Baptist Temple Inc. by Kevin McGinley, Agent. Request: To expand an existing church or place of worship and to reconfigure site plan. General Location: Approx. 0.2 mile south of Lantana Rd. on the west side of Military Trail (**PALM BEACH BAPTIST CHURCH**).

Pages 78-97

Size: 7.55 acres ± (existing)  
14.27 acres ± (proposed)

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Residential Single Family Zoning District.

MOTION: To adopt a resolution approving the request to reconfigure site plan and add square footage.

**D. PREVIOUSLY POSTPONED STATUS REPORTS**

9. **SR 1984-163A.5** Status Report for Resolution R-94-358 (Petition 84-163A), the petition of Arcadia Properties. Property owner: Arcadia Properties, Inc. General Location: Approx. 2 miles north of West Atlantic Ave., south of Steiner Rd., west side of Military Trail. Current zoning: Community Commercial with a Conditional Overlay Zone (**ARCADIA PROPERTIES**).

Pages 98-101

Size: 4.04 acres ±

BCC District: 5

MOTION: To approve a time extension until March 24, 2004, for Resolution R-94-358.

10. **CR 1979-148B/E3** Status Report for Resolution R-98-1297 (Petition 1979-148B), the petition of Irving Dobbs. Property owner: Craig Collection Inc. General Location: Approx. 500 feet west of Jog Rd. on the south side of Okeechobee Blvd. Current zoning: General Commercial with a Development Order Amendment to add land area, modify site plan, in a Special Exception for a Planned Commercial Development. (**PALM BEACH ACURA**).

Pages 102-105

Size: 10.4 acres ±

BCC District: 2

MOTION: To approve a time extension until May 1, 2003, to comply with condition number E.3. of Resolution R-98-1297.

**E. STATUS REPORTS – CONSENT**

11. **SR 1977-141A** Status Report for Resolution R-1999-965 (Petition 1977-141A), the petition of Chevron Products Company. Property owner: Standard Oil Co. General Location: northwest corner of Camino Real and Powerline Rd. Current zoning: General Commercial with a Development Order Amendment to allow a convenience store with gas sales (Requested Use) in a Special Exception for a Planned Commercial Development (**CHEVRON #47205**).

Pages 106-109

Size: 1.08 acres ±

BCC District: 5

MOTION: To approve a time extension until May 27, 2004, for Resolution R-1999-965, and to revoke concurrency reservation #98-9000696-C.

12. **SR 1978-154A** Status Report for Resolution R-1999-0964 (Petition 78-154A), the petition of Northlake Corp. Park Partnership. Property owner: McKay International Prop., Inc. and Northlake Corporate Park LLC. General Location: southwest corner of Military Trail and Northlake Blvd. Current zoning: Multiple Use Planned Development (**NORTHLAKE CORP. PARK**).

Pages 110-113

Size: 7.3 acres ±

BCC District: 1

MOTION: To adopt a resolution to amend conditions of approval (architectural guidelines) in Resolution R-1999-0964, and approve a time extension until May 27, 2003, to commence development.

13. **SR 1978-239A.2** Status Report for Resolutions R-97-659 and R-97-660 (Petition 78-239A), the petition of St. Herman Orthodox Church. Property owner: St. Herman Orthodox Church. General Location: Approx. 600 ft. south of Hypoluxo Rd. on the west side of Military Trail. Current zoning: Residential Transitional Suburban with a Special Exception for a church and accessory buildings and structures to allow Daycare, general (100 children and 30 adults) (requested use) and add square footage (+3,708) (**ST. HERMAN ORTHODOX CHURCH**).

Pages 114-116

Size: 0.91 acres ±

BCC District: 3

MOTION: To approve a time extension until May 22, 2004, for Resolutions R-97-659 and R-97-660.

14. **SR 1980-187F** Status Report for Resolution R-1998-0738 (Petition 1980-187F), the petition of Trustees of International Church. Property owner: International Church Trust #1. General Location: Approx. 0.3 mile south of Hypoluxo Rd. on the west side of Military Trail. Current zoning: Residential Transitional Suburban with a Conditional Use A to allow a Congregate Living Facility, Type 3 and a DOA to add land area (+16 acres); add Retreat House (10 units) and reconfigure site. (**TRINITY CHURCH**).

Pages 117-119

Size: 33.33 acres ±

BCC District: 3

MOTION: To approve a time extension until May 28, 2004, for Resolution R-1998-0738.

15. **SR 1984-173C** Status Report for Resolutions R-92-1102 and R-92-1103 (Petition 84-173B), the petition of Scott P. and Carol J. Lewis. Property owner: Medina, LLC. General Location: Approx. 0.1 mile east of Tallahassee Dr. on the south side of Westgate Ave., bound on the south by Nokomis Ave. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development including vehicle sales and rental service, an auto service station (with major repairs) (amend the site plan for a previously approved PCD to increase land area, increase building square footage and redesign the site) and Development Order Amendment to modify site plan, to add square footage and to allow an auto paint and body shop approved. (**WESTWARD AUTO SERVICE PCD**).

Pages 120-123

Size: 1.2 acres ±

BCC District: 2

MOTION: To approve a time extension until April 23, 2004, for Resolutions R-92-1102 and R-92-1103.

16. **SR 1986-008C.9** Status Report for Resolution R-90-838 and R-90-839 (Petition 86-8C), the petition of Radnor/Higier Partnership #3. Property owner: MDN Lantana, Ltd. General Location: SE corner of Lantana Rd. and Jog Rd. Current zoning: General Commercial with a Special Exception to amend the site plan for an existing Planned Commercial Development to 1) increase the land area 2) permit an auto service station (tire center) 3) add a financial institution with five (5) drive up teller windows (**PINEWOOD SQUARE PCD**).

Pages 124-127

Size: 4.65 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-90-839, and approve a time extension until May 22, 2003, to commence development.

17. **SR 1989-132.8** Status Report for Resolution R-90-858 and R-90-859 (Petition 89-132), the petition of Sami, Roni, and Rozanne Sehayik. Property owner: Sami, Roni and Rozanne Sehayik. General Location: NE corner of the intersection of S.R. A1A and Richard Rd. Current zoning: Specialized Commercial with a Special Exception to permit a Planned Office Business Park, including a restaurant and lounge (**SEHAYIK CENTRE PCD**).

Pages 128-131

Size: 1.9 acres ±

BCC District: 1

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-90-859, and approve a time extension until May 22, 2004, to commence development.

18. **SR 1993-002.4** Status Report for Resolution R-93-647 (Petition 1993-002), the petition of Joy of Living Church of God. Property owner: Eustace and Iris A. Douglas. General Location: Approx. 200 ft. south of the intersection of Haverhill Rd. and Pinebreeze Ct., approx. 0.5 mile north of S.R. #80 on the west side of Haverhill Rd. Current zoning: RM-Multiple Family Residential (Medium Density) with a Class A Conditional Use allowing a church or place of worship (**JOY OF LIVING CHURCH OF GOD**).

Pages 132-135

Size: 1.8 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-93-647, and approve a time extension until May 27, 2004, to commence development.

19. **SR 1993-19.3** Status Report for Resolution R-93-1025 (Petition 1993-19), the petition of Serge Jerome. Property owner: Lake Worth Haitian Church of God. General Location: Approx. one block west of Congress Ave. on the south side of Melaleuca Lane. Current zoning: RM-Multiple Family Residential (Medium Density) with a Class A Conditional Use allowing a church or place of worship with accessory day care (30 children) (**HATIAN CHURCH OF GOD**).

Pages 136-139

Size: 1.49 acres ±

BCC District: 3

MOTION: To approve a time extension until May 12, 2003, for Resolution R-93-1025.

20. **SR 1995-014.2** Status Report for Resolution R-95-716 (Petition 1995-014), the petition of Mary Mother of Light Maronite Catholic Church. Property owner: Eparchy of St. Maron of Brooklyn. General Location: Approx. 600 feet north of Forest Hill Blvd. at the northern terminus of Lone Pine Way. Current zoning: RM-Multiple Family Residential (Medium Density) with a Class A Conditional Use to allow a church or place of worship (**MARY MOTHER OF LIGHT PARISH HALL**).

Pages 140-142

Size: 4.7 acres ±

BCC District: 2

MOTION: To approve a time extension until May 25, 2004, for Resolution R-95-716.



21. **SR 1999-003** Status Report for Resolutions R-1999-073 and R-1999-0974 (Petition 1999-003), the petition of Mary Thomas, Trustee. Property owner: MN Corporation of USA. General Location: S.E. corner of Haverhill Rd. and Lake Worth Rd. Current zoning: General Commercial with a Conditional Use A to allow a convenience store with gas sales (Requested Use) (**THOMAS C-STORE**).

Pages 143-145

Size: 0.52 acres ±

BCC District: 2

MOTION: To approve a time extension until May 27, 2004, for Resolutions R-1999-073 and R-1999-0974.

22. **SR 1999-019** Status Report for Resolutions R-1999-0967 and R-1999-0968 (Petition 1999-019), the petition of Elbert and Melodies Abell. Property owner: Elbert R. and Melody S. Abell. General Location: Approx. 2,700 feet west of Military Tail on the south side of Hypoluxo Rd. Current zoning: RTS - Residential Transitional Suburban with a Class A Conditional Use to allow a Nursery, retail. (**ABELL'S NURSERY**).

Pages 146-149

Size: 9.41 acres ±

BCC District: 3

MOTION: To approve a time extension until May 27, 2004, for Resolutions R-1999-0967 and R-1999-0968.

23. **CR 1992-048B/E5** Status Report for Resolution R-2000-1704 (Petition 1992-048B), the petition of Muslim Community of Palm Beach County, Inc. Property owner: Muslim Community of Palm Beach County, Inc. General Location: Approx. 300 feet east of Haverhill Rd. on the north side of Purdy Lane. Current zoning: Residential Single Family with a Conditional Use A which allows a church or place of worship (**MUSLIM COMMUNITY**).

Pages 150-153

Size: 1.4 acres ±

BCC District: 2

MOTION: To approve a time extension until June 1, 2003, to comply with condition number E.5. of Resolution R-2000-1704.

24. **CR 1999-055/E1** Status Report for Resolution R-99-2254 (Petition 1999-055), the petition of Esfandiar Behboudi and George Koncir. Property owner: Esfandiar Behboudi & George Koncir. General Location: Approx. 1200 feet west of Congress Ave. on the north side of Lake Worth Rd. Current zoning: General Commercial with a Class A Conditional Use to allow repair and general maintenance (**ATLANTIS AUTO**).

Pages 154-157

Size: 1.65 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (architectural, TPS) in Resolution R-99-2254, and approve a time extension until June 1, 2003, to commence development.

- 25. **SR 1988-33E** Status Report for Resolution R-98-1130 (Petition DOA88-33E), the petition of Harold Murphy. Property owner: Tallman. General Location: Approx. 330 ft. east of Cleary Rd. on the north side of Southern Blvd. Current zoning: Light Industrial with a Special Exception for a Planned Industrial Development (**MURPHY'S TOWING**).

Pages 158-161

Size: 4.08 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (architectural, TPS) in Resolution R-98-1130, and approve a time extension until May 22, 2004, to commence development.

**F. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS**

- 26. **CB1977-077(B)**

Resolution for Atlantis Investment Group, LLC (**ATLANTIS OUTPATIENT CENTER**)

Pages 162-171

MOTION: To receive and file Zoning Resolution ZR-2002-006.

- 27. **CB2002-018**

Resolution for The King's Academy, Inc.; Palm Beach County PREM (**KING'S ACADEMY & PBC PARK AT SANBURY WAY**)

Pages 172-176

MOTION: To receive and file Zoning Resolution ZR-2002-007.

**G. REQUEST TO AMEND PERMITTED USES (PLANNING DIVISION)**

- 28. Agent: Charles W. Millar, Moyle, Flanigan, Katz, Raymond & Sheehan, P.A. Request for expansion and/or modification of permitted uses in a restrictive covenant associated with Ordinance 96-67: General Location: Southeast corner of Linton Blvd. and Jog Rd. (**LINTON/JOG**)

Pages 177-195

Size: 9.7 acres ±

BCC District: 5

Staff Recommendation: The Planning Division recommends approval to expand and/or modify the list of allowed uses in the restrictive covenant.

MOTION: To approve the applicant's request to expand and/or modify the list of allowed uses in the restrictive covenant.

**H. TDR CONTRACTS, ESCROW AGREEMENTS AND DEEDS**

29. **PDD/TDR**  
**1986-087(B)** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Centex Homes, for the sale and purchase of 11 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$10,399.00 per unit as approved by the Palm Beach County Board of County Commissioners on June 19, 2002 by Resolution No. R-2002-1006. Request: Approve an escrow agreement between Palm Beach County, Centex Homes and Commerce Title, (escrow agent) for the sale and purchase of 11 TDR units from the Palm Beach County TDR Bank at a purchase price of \$10,399.00 per unit, as approved by the Palm Beach County Board of County Commissioners on June 19, 2002. **(SIERRA PALMS PUD)**

Pages 196-203

MOTION: To approve a contract for the sale and purchase of 11 development rights at a purchase price of \$10,399.00 per unit for a total price of \$114,389.00.

MOTION: To approve an escrow agreement for 11 development rights at a purchase price of \$10,399.00 per unit for a total price of \$114,389.00.

30. **PDD/TDR**  
**1986-087B** Execute a deed conveying 11 Development Rights units to Centex Homes as authorized in Resolution No. R-2002-1006 which approved the purchase of 11 Development Rights from the County's TDR Bank at a cost of \$10,399.00 per unit and the designation of the Sierra Palms PUD as a TDR Receiving Area for those units. **(SIERRA PALMS PUD)**

Pages 204-205

MOTION: To execute a deed conveying 11 Development Rights units to Centex Homes as authorized in Resolution No. R-2002-1006.

- 31. **PDD/TDR 1997-121** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Town & Country Builders Inc., for the sale and purchase of 66 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$9,883.00 per unit as approved by the Palm Beach County Board of County Commissioners on June 29, 2000 by Resolution No. R-2000-0900. Request: Approve an escrow agreement between Palm Beach County, Town & Country Builders Inc. and Boose, Casey, Ciklin, Lubitz, Martens, McBane & O'Connell, (escrow agent) for the sale and purchase of 66 TDR units from the Palm Beach County TDR Bank at a purchase price of \$9,883.00 per unit, as approved by the Palm Beach County Board of County Commissioners on June 29, 2000. **(DIAMOND C RANCH)**

Pages 206-215

MOTION: To approve a contract for the sale and purchase of 66 development rights at a purchase price of \$9,883.00 per unit for a total price of \$652,278.00.

MOTION: To approve an escrow agreement for 66 development rights at a purchase price of \$9,883.00 per unit for a total price of \$652,278.00.

- 32. **PDD/TDR 1997-121** Execute a deed conveying 66 Development Rights units to Town & Country Builders Inc. as authorized in Resolution No. R-2000-0900 which approved the purchase of 66 Development Rights from the County's TDR Bank at a cost of \$9,883.00 per unit and the designation of the Diamond C Ranch as a TDR Receiving Area for those units. **(DIAMOND C RANCH)**

Pages 216-217

MOTION: To execute a deed conveying 66 Development Rights units to Town & Country Builders Inc. as authorized in Resolution No. R-2000-0900.

**I. CORRECTIVE RESOLUTIONS**

- 33. **Z/COZ1998-073(3)**

Corrective Resolution: To correct Condition G.2 of Resolution R-2002-0611. **(MONTEREY PROFESSIONAL CENTER)**

Pages 218-219

MOTION: To adopt a resolution to correct Condition G.2 of Resolution R-2002-0611.

- 34. **DOA1990-017(B)**

Corrective Resolution: To correct Exhibit C of Resolution R-2002-0620. **(BOYNTON SELF-STORAGE)**

Pages 220-233

MOTION: To adopt a resolution to correct Exhibit C of Resolution R-2002-0620.

**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 ZONING PETITIONS**

35. **CA2001-027** Title: Resolution approving a Class A Conditional Use, petition of True Tabernacle Ministries, by Ron Uphoff, Agent. Request: To allow a church or place of worship and a daycare, general. General Location: Approximately 1,600 feet east of Congress Ave. on the north side of 2<sup>nd</sup> Ave. (**TRUE TABERNACLE**).

Pages 234-256

Size: 4.8 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 and a daycare, general.

36. **CA2001-067** Title: Resolution approving a Class A Conditional Use petition of Gator Leasing, by Land Design South, Agent. Request: To allow truck rental with accessory wholesale fuel. General Location: South side of Prospect Ave. bound on the east and west by Enterprise Ave. and Central Industrial Ave. (**GATOR LEASING**)

Pages 257-276

Size: 2.73 acres ±

BCC District: 1

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 truck rental with accessory wholesale fuel.

37. **DOA1998-078(C)** Title: Resolution approving a Development Order Amendment petition of Herbert Kahlert and Karl Kahlert, by Kilday & Associates, Inc., Agent. Request: To reconfigure master plan; add square footage and to allow a convenience store with gas sales, a car wash and a restaurant, fast food. General Location: NW corner of Jog Rd. and Woolbright Rd. (**SHOPPES OF MADISON**)

Pages 277-316

Size: 23.84 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (5-1).

MOTION: To adopt a resolution approving the request for a Development Order Amendment to reconfigure master plan; add square footage and to allow a convenience store with gas sales, a car wash and a restaurant, fast food.

### C. ZONING PETITIONS

38. **Z/CA2002-018** Title: Resolution approving an Official Zoning Map Amendment petition of Kings Academy and PBC PREM by Kieran J. Kilday, Agent. Request: Rezoning from the Agricultural Residential to the Residential Single Family, and to the Public Ownership Zoning Districts; and rezoning from the Public Ownership to the Institution and Public Facilities Zoning District. Title: Resolution approving a Class A Conditional Use petition of Kings Academy and PBC PREM by Kieran J. Kilday, Agent. Request: to allow a private school. General Location: NE corner of Belvedere Rd. and Sansbury's Way (**KING'S ACADEMY & PBC PARK AT SANSBURY WAY**).

Pages 317-353

Size: 206.7 total acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Residential Single Family Zoning District for 12.96 acres.

MOTION: To adopt a resolution approving the request for a rezoning from the Public Ownership to the Institution and Public Facilities Zoning District for 46.94 acres.

MOTION: To adopt a resolution approving the request for a Class A Conditional Use to allow a private school.

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Public Ownership Zoning District for 5 acres.

MOTION: To adopt a resolution approving a Conditional Overlay Zone for the 146.89 acre Park site

- 39. **Z2002-019** Title: Resolution approving an Official Zoning Map Amendment petition of Indian Trail Improvement District by Kieran J. Kilday, Agent. Request: Rezoning from the Agricultural Residential to the Public Ownership Zoning District. General Location: Approx. 2,200 feet south of Orange Ave. and on the west side of 140<sup>th</sup> Ave. (**ACREAGE COMMUNITY PARK**).

Pages 354-369

Size: 28.9acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions of approval.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Public Ownership Zoning District with a COZ.

- 40. **Z/CA2002-003** Title: Resolution approving an Official Zoning Map Amendment petition of Magdalene Carney Baha'I Institute Inc. by Kevin McGinley, Agent. Request: Rezoning from the Agricultural Residential to the Residential Single Family Zoning District. Title: Resolution approving a Class A Conditional Use petition of Magdalene Carney Baha'I Institute Inc. by Kevin McGinley, Agent. Request: To allow a church or place of worship. General Location: Approx. 0.5 mile east of Jog Rd. on the south side of Summit Blvd. (**BAHA'I INSTITUTE**).

Pages 370-388

Size: 5.0 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (4-2).

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential to the Residential Single Family Zoning District.

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

**5. DIRECTOR COMMENTS**

**A. ZONING DIRECTOR**

**6. COMMISSIONER COMMENTS**

**7. ADJOURNMENT**