

Board of County Commissioners

Addie L. Greene, Chairperson
Jeff Koons, Vice Chair
Karen T. Marcus
Robert J. Kanjian
Mary McCarty
Burt Aaronson
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Robert Weisman

Department of Planning, Zoning & Building
2300 N. Jog Road
West Palm Beach, FL 33411
Phone: 561-233-5200
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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

JANUARY 3, 2008

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

POSTPONEMENT

11
Page 39

DOA/R2007-528 – YAMATO COURT MUPD

MOTION: To postpone to January 24, 2008. (Requested by the applicant)

AMENDMENTS TO THE AGENDA

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Page 105

**AMENDED RESTRICTIVE COVENANTS FOR VIVENDI WORKFORCE
HOUSING PROJECT**

Add motion to read as follows:

MOTION: To approve the Amended Restrictive Covenants for Vivendi Workforce Housing Project.

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**BOARD OF COUNTY COMMISSIONERS
DECEMBER ZONING MEETING**

AGENDA INDEX

JANUARY 3, 2008

THURSDAY

9:30 AM

COMMISSION CHAMBERS

1. CALL TO ORDER

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

2. POSTPONEMENTS/WITHDRAWALS/REMANDS (Pages 1-3)

3. CONSENT AGENDA (Pages 4-6)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 7-11)

5. DIRECTOR COMMENTS (Page 11)

6. COMMISSIONER COMMENTS (Page 11)

7. ADJOURNMENT (Page 11)

Web address: www.pbcgov.com/pzb/

Disclaimer: Agenda subject to changes at or prior to the public hearing.

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

JANUARY 3, 2008

1. CALL TO ORDER

- A. Roll Call – **9:30 A.M.**
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication - Motion to receive and file
- D. Swearing In – County Attorney
- E. Motion to Adopt Agenda

2. POSTPONEMENTS

A. POSTPONEMENTS

- 1. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. **(LAKE HARBOR QUARRY)** (Control 2007-054)

N/A

Project Manager-Douglas Robinson

Size: 7351.24 acres ±
Affected area 640.0 acres ±

BCC District: 6

MOTION: None required. Postponed to January 24, 2008.

- 2. **CA/TDR2007-509** Title: Resolution approving a Class A Conditional Use application of Situ Group, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights application of Situ Group, LLC, by Seminole Bay Land Company, Inc., Agent. Request: To allow the Transfer of Development Rights for 3 units. Title: Resolution approving a reduced price for Transfer of Development Rights units. Request: To allow a reduced cost of \$1.00 per each Transfer of Development Rights unit. General Location: Approximately 950 feet south of Lake Worth Road on the west side of Gulfstream Road. **(GULFSTREAM VILLAS)** (Control 2007-053)

N/A

Project Managers-Donna Adelsperger/Joyce Lawrence

Size: 0.98acres ±

BCC District: 3

MOTION: None required. Postponed to January 24, 2008.

3. **PDD/DOA/W2006-1934** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD) Zoning District. Title: Resolution approving a Development Order Amendment application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: To add land area; restart the commencement clock; re-designate preserve to development area; modify conditions of approval (Engineering); add units and to allow a model row. Title: Resolution approving a Waiver from performance standards application of Boynton Beach Associates, XXII, LLLP, by Kilday & Associates, Inc., Agent. Request: To allow more than 25% of the streets to end in cul-de-sacs or deadends. General Location: Northwest corner of Boynton Beach Boulevard and Lyons Road. **(AMESTOY AGR PUD)** (Control 2005-162)

N/A

Project Manager-Ora Owensby

Size: 793.04 acres ±

BCC District: 3 & 5

MOTION: None required. Postponed to January 24, 2008.

4. **CA2006-1930** Title: Resolution approving a Class A Conditional Use application of King Ranch, Inc., by Greenberg Traurig, PA, Agent. Request: To allow a Type III B Excavation. General Location: Approximately 10 miles south of Belle Glade on the east side of SR827. **(SOUTH BAY QUARRY)** (Control 2006-554)

Page 1

Project Manager – Carrie Rechenmacher

Size: 3773.42 acres ±

BCC District: 6

MOTION: To postpone to March 27, 2008. (Requested by the owner)

5. **SR 1999-036** Status Report for Resolution R-2002-0007 (Control #1999-036), the application of Joe Fearnley, Tr. Property owners: Riverside National Bank of Florida and CVS 4785 FL LLC. General Location: Southeast corner of Military Trail and Coconut Lane. Zoning District and Approved Requested Use: Multiple Use Planned Development with a financial institution. **(COCONUT PLAZA MUPD)**

Pages 2-7

Project Manager: Linda Monroe

Size: 3.99 acres ±

BCC District: 4

MOTION: To postpone to February 28, 2008. (Requested by staff)

6. **SR 1991-042A** Status Report for Resolutions R-2004-1373 and R-2004-1374 (Petition 1991-042A), the petition of Faith United Methodist Church of Boynton Beach, FL. Property owner: Faith United Methodist Church of Boynton Beach of Florida, Inc. General Location: Approximately 0.25 mile east of Jog Road on the south side of Boynton Beach Boulevard. Zoning District and Approved Uses: Residential Single Family with a Special Exception to allow a church, accessory buildings, structures and a day care center. **(FAITH UNITED METHODIST CHURCH)**

Pages 8-13

Project Manager: Linda Monroe

Size: 10.18 acres ±

BCC District: 5

MOTION: To postpone to February 28, 2008. (Requested by owner)

B. WITHDRAWALS

C. REMANDS

- END OF POSTPONEMENTS/WITHDRAWALS/REMANDS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. PREVIOUSLY POSTPONED STATUS REPORT

7. **SR 1984-058D.5** Status Report for Resolution R-96-1192.1 (Petition 1984-058D), the petition of U-Haul Co. of Florida. Property owner: Dixie Arbors LLC. General Location: Approximately 0.6 mile east of Jog Road on the south side of West Atlantic Avenue. Zoning District and Approved Requested Uses: General Commercial with a Development Order Amendment to allow a self-storage and vehicle rental in a Special Exception for a Planned Commercial Development). **(PEACHTREE PLAZA)**

Pages 14-18

Project Manager: Linda Monroe

Size: 7.49 acres ±

BCC District: 5

MOTION: To adopt a resolution approving a Development Order Amendment to revoke a Development Order Amendment which allowed a self-storage and vehicle rental (requested uses) by the adoption of Resolution R-96-1192.1.

D. STATUS REPORTS

8. **SR 1999-028B** Status Report for Resolution R-2003-1397 (Petition 1999-028B), the petition of Belvedere Commerce Center, LLC. Property owner: Belvedere Commerce Center, LLC. General Location: Southeast corner of Belvedere Road and Sansbury Way. Zoning District: Multiple Use Planned Development. **(BELVEDERE COMMERCE CENTER)**

Pages 19-23

Project Manager: Linda Monroe

Size: 8.13 acres ±

BCC District: 6

MOTION: To approve a time extension until September 17, 2009 for Resolution R-2003-1397.

9. **CR 2005-323** Status Report for Resolution R-2006-0932 (Control # 2005-323) (Application #2005-1460), the application of J. Lendacki, Kit Shiotani, Marion Bailey, South Florida Water Management District, Swaney Properties LLC, William Chinnick Charitable Foundation Inc. Property owners: Kit Shiotani, Tr, et al, South Florida Water Management District, Ravello LLC, Marion Bailey, Tr., Swaney Properties LLC, William Chinnick Charitable Foundation Inc., Donald Korbel, et al, Judy and William Hill, Jim Bowman, Beverly Bryant, and Catherine and Jason Kleinrichert. General Location: Approximately 0.2 mile east of Lyons Road on the north side of Boynton Beach Boulevard. Zoning District: Agricultural Reserve Residential Planned Unit Development. **(RAVELLO AGR/PUD)**

Pages 24-33

Project Manager: Linda Monroe

Size: 253.87 acres ±

BCC District: 5

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

10. **CR 2005-594** Status Report for Resolution R-2006-1551 (Control #2005-594) (Application #2005-1724), the application of Gulfstream Land Investments Corp. Property Owner: Florida Polo Trust, Margaret R. Chase, Barbara and Lihan Uskup, Morning Mist Farms LLC, Lantana Land A, Inc. & Tuttle Land Holding Corporation, TLH BOS Corporation & Tuttle Land Holding Corporation, Tuttle Land Holding Corporation, Stephen A. Orthwein Tr, Theodore Brinkmann and Standard Pacific of South Florida GP, Inc.. General Location: Approximately 2,150 feet south of Lake Worth Road on the west side of Florida's Turnpike. Zoning District: Planned Unit Development. **(GULFSTREAM GROVES PUD)**

Pages 34-38

Project Manager: Linda Monroe

Size: 136.24 acres ±

BCC District: 6

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

E. PREVIOUSLY POSTPONED ZONING APPLICATION

- 11. **DOA/R2007-528** Title: Resolution approving a Development Order Amendment application of Harvey Geller, by Land Design South, Inc., Agent. Request: To reconfigure site plan. Title: Resolution approving a Requested Use application of Harvey Geller, by Land Design South, Inc., Agent. Request: To allow a Daycare, General; an Assembly-Non-Profit Institutional; and a Veterinary Clinic. General Location: Southeast corner of Yamato Road and SR 7/US 441. **(YAMATO COURT MUPD)** (Control 2005-597)

Pages 39-75
 Conditions of Approval (39) Pages 55-75
 Project Manager-Ron Sullivan

Size: 24.98 acres ± BCC District: 5
 (affected area 15.0 acres ±)

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan.

MOTION: To adopt a resolution approving a Requested Use to allow a Daycare, General; an Assembly-Non-Profit Institutional; and a Veterinary Clinic.

F. ZONING APPLICATION

- 12. **DOA2007-896** Title: Resolution approving a Development Order Amendment application of Town Commons, LLC, by Michael Clanton, Agent. Request: To reconfigure site plan; to increase square footage, and to modify the use. General Location: Approximately 325 feet east of Lyons Road on the north side of Hypoluxo Road. **(TOWN COMMONS MUPD #2)** (Control 2004-248)

Pages 76-104
 Conditions of Approval (32) Pages (91-104)
 Project Manager-Anthony Wint

Size: 3.10 acres ± BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan; to increase square footage, and to modify the use.

G.13 AMENDED RESTRICTIVE COVENANTS FOR VIVENDI WORKFORCE HOUSING PROJECT (FROM COUNTY ATTORNEY'S OFFICE)

Pages 105-113

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. STATUS REPORTS

14. **SR 1994-080B.2** Status Report for Resolutions R-2001-1861 and R-2001-1860 (Petition 1994-080B), the petition of Royal Palm Presbyterian Church. Property owner: Royal Palm Presbyterian Church, Inc. General Location: Approximately 0.1 mile east of Jog Road on the south side of Hypoluxo Road. Zoning District and Approved Conditional Use: Residential Transitional with a Class A Conditional Use allowing a daycare, general. **(ROYAL PALM PRESBYTERIAN CHURCH)**

Pages 114-118

Project Manager: Linda Monroe

Size: 4.65 acres ±

BCC District: 3

MOTION: To approve a time extension until October 25, 2009 for Resolutions R-2001-1861 and R-2001-1860.

15. **SR 2001-012.2** Status Report for Resolution R-2001-1859 (Petition 2001-012), the petition of New Light Fellowship Church. Property owner: Richard L. Scott. General Location: Approximately 1,000 feet east of Military Trail on the south side of Lakewood Road. Zoning District and Approved Conditional Use: Residential Multi-family with a Class A Conditional Use to allow a church or place of worship and accessory daycare. **(NEW LIGHT FELLOWSHIP CHURCH)**

Pages 119-124

Project Manager: Linda Monroe

Size: 5.13 acres ±

BCC District: 3

MOTION: To approve a time extension until October 25, 2009 for Resolution R-2001-1859.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

16. **Z/CA2007-184** Title: Resolution approving an Official Zoning Map Amendment application of Florida Hindu Cultural & Religious Associates, by Land Research Management, Inc., Agent. Request: Rezoning from the Residential Estates (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Florida Hindu Cultural & Religious Associates, by Land Research Management, Inc., Agent. Request: To allow a Place of Worship. General Location: Northwest corner of the intersection of Pioneer Road and Benoist Farms Road. **(FLORIDA HINDU CULTURAL & RELIGIOUS ASSOCIATES)** (Control 1979-044)

Pages 125-144

Conditions of Approval (19) Pages 141-144

Project Manager-Ora Owensby

Size 2.74 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

DISCLOSURE

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential Estates Zoning District to the Residential Transitional Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Place of Worship.

E. ZONING APPLICATIONS

- 17. **DOA2007-981** Title: Resolution approving a Development Order Amendment application of Gerald Barbarito, by Colome and Associates, Agent. Request: To delete land area. General Location: West side of State Road 7/US 441 on the north and south sides of Yamato Road. **(LAKES AT BOCA RATON PUD)** (Control 1983-121)

Pages 145-165

Conditions of Approval (25) Pages 157-165

Project Manager-Douglas Robinson

Size: 8.93 acres ±

BCC District: 5

Staff Recommendation: Denial.

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

DISCLOSURE

MOTION: To adopt a resolution denying a Development Order Amendment to delete land area.

- 18. **Z/CA2006-1933** Title: Resolution approving an Official Zoning Map Amendment application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: Rezoning from the Residential Transitional Suburban (RTS) Zoning District and the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving A Class A Conditional Use application of Gerlad Barbarito, by Colome & Associates, Inc., Agent. Request: To allow a Place of Worship. General Location: Southwest corner of SR 7/US441 and Yamato Road. **(ST. JOHN THE EVANGELIST-EAST)** (Control 2006-555)

Pages 166-183

Conditions of Approval (18) Pages 180-183

Project Manager- Douglas Robinson

Size: 20.45 acres ±

BCC District: 5

Staff Recommendation: Denial.

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

DISCLOSURE

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Residential Transitional Suburban Zoning District and the Agricultural Residential Zoning District to the Residential Transitional Zoning District.

MOTION: To adopt a resolution denying a Class A Conditional Use to allow a Place of Worship.

19. **Z2007-1080** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County by PBC Facilities Development & Operations, Agent. Request: Rezoning from the Planned Industrial Park Development (PIPD) Zoning District to the Agricultural Residential (AR) Zoning District. General Location: Terminus of Seminole Pratt Whitney Road (**MECCA REZONING**) (Control 2004-269)

Pages 184-193

Project Manager – Maryann Kwok

Size: 1919.23 acres ±

BCC District: 1

Staff Recommendation: Approval.

DISCLOSURE

MOTION: To recommend approval of the request from the Planned Industrial Park Development Zoning District to the Agricultural Residential Zoning District, and to convene a second hearing on January 24, 2008.

20. **Z2007-1083** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County by Palm Beach County, Agent. Request: Rezoning from Public Ownership (PO) Zoning District to the Preservation/Conservation (PC) Zoning District. General Location: Approximately 0.5 mile north of Northlake Boulevard on the west side of Seminole Pratt Whitney Road. (**ACCESSORY MULTI USE SITE REZONING**) (Control 2004-259)

Pages 194-203

Project Manager – Maryann Kwok

Size: 347.00 ± acres
(affected area 28.93 ± acres)

BCC District: 1

Staff Recommendation: Approval.

DISCLOSURE

MOTION: To recommend approval of the request from the Public Ownership Zoning District to the Preservation/Conservation Zoning District, and to convene a second hearing on January 24, 2008.

F.21. REQUEST FOR FIRST READING AND ADVERTISE FOR ADOPTION – UNIFIED LAND DEVELOPMENT CODE (ULDC) – AMENDMENT ROUND 2007-02

Pages 204-256

MOTION: Staff recommends a motion to approve on First Reading and advertise for Adoption on January 24, 2008 at 9:30 a.m.: AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067, AS AMENDED, AS FOLLOWS: **ARTICLE 1** - GENERAL PROVISIONS; CHAPTER I - DEFINITIONS AND ACRONYMS; **ARTICLE 2** - DEVELOPMENT REVIEW PROCESS; CHAPTER A - GENERAL; CHAPTER B - PUBLIC HEARING PROCEDURES; CHAPTER D - ADMINISTRATIVE PROCESS; CHAPTER E - MONITORING; **ARTICLE 3** - OVERLAYS & ZONING DISTRICTS; CHAPTER B - OVERLAYS; CHAPTER C - STANDARD DISTRICTS; CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER B - SUPPLEMENTARY USE STANDARDS; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER B - ACCESSORY AND TEMPORARY USES; CHAPTER D - PARKS & RECREATION - RULES AND RECREATION STANDARDS; CHAPTER G - DENSITY BONUS PROGRAM; **ARTICLE 7** - LANDSCAPING; CHAPTER D - GENERAL STANDARDS; CHAPTER F - PERIMETER BUFFER LANDSCAPE REQUIREMENTS; **ARTICLE 8** - SIGNAGE; CHAPTER B - EXEMPTIONS; CHAPTER C - PROHIBITIONS; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; CHAPTER G - STANDARDS FOR SPECIFIC SIGN TYPES; CHAPTER I - ADMINISTRATION AND ENFORCEMENT; **ARTICLE 12** - TRAFFIC PERFORMANCE STANDARDS; CHAPTER B - STANDARD; **ARTICLE 14** - ENVIRONMENTAL STANDARDS; CHAPTER C - VEGETATION PRESERVATION AND PROTECTION; **ARTICLE 16** - AIRPORT REGULATIONS; CHAPTER C - AIRPORT LAND USE REGULATIONS; **ARTICLE 17** - DECISION MAKING BODIES; CHAPTER C - APPOINTED BODIES; **ARTICLE 18** - FLOOD DAMAGE PREVENTION; CHAPTER A - FLOOD DAMAGE PREVENTION; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

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