

**Board of County Commissioners**

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Jeff Koons, Vice Chair  
Karen T. Marcus  
Robert J. Kanjian  
Mary McCarty  
Burt Aaronson  
Jess R. Santamaria  
561-233-5165

**County Administrator**  
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**

**July 24, 2008**

**AGENDA ITEM #**                      **APPLICATION/CHANGE**  
**PAGE #**

**AMENDMENTS TO THE AGENDA**

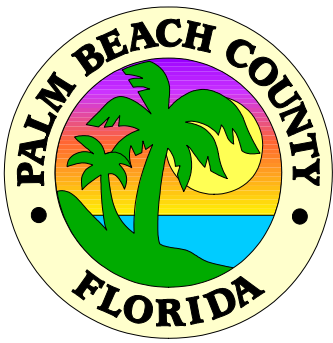
14. Pages 171-195                      **Z2008-305 – VOLVO RENTS**

Add new Engineering Condition 4 to read as follows:

4. The Property owner shall reconstruct East Grace Drive from Homewood Road north to the project entrance. Construction shall be collector street standards, 2-12 foot travel lanes. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and appropriate drainage.

A) Permits required from Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)

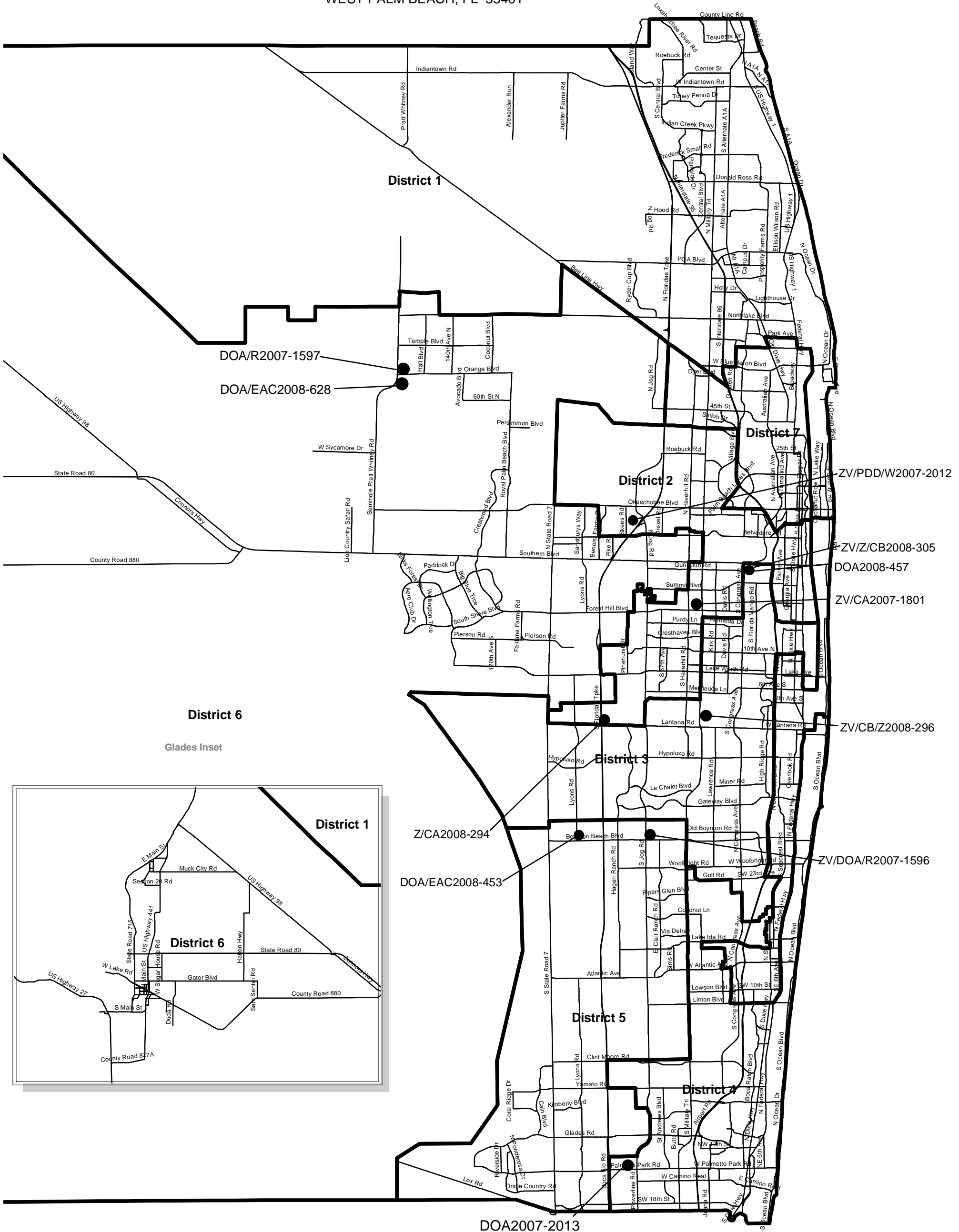
B) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)



# PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS PUBLIC HEARING

THURSDAY, JULY 24, 2008

9:30 A.M. IN THE 6TH FLOOR  
JANE M. THOMPSON MEMORIAL CHAMBERS  
301 N. OLIVE AVENUE  
WEST PALM BEACH, FL 33401



Website: [www.pbcgov.com/pzb](http://www.pbcgov.com/pzb)

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. Lorraine Cuppi at 233-5041.

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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**THURSDAY JULY 24, 2008**

**9:30 AM 6<sup>TH</sup> FLOOR**

**JANE M. THOMPSON MEMORIAL CHAMBERS**

**CALL TO ORDER**

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

**POSTPONEMENTS/WITHDRAWALS/REMANDS**

**CONSENT AGENDA**

**REGULAR AGENDA**

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

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

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

**JULY 24, 2008**

**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

**POSTPONEMENTS/WITHDRAWALS/REMANDS**

**A. POSTPONEMENTS**

- 1. **ZV/DOA/R-2007-01596** Title: a Type II Zoning Variance application of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: To allow a reduced front setback for a tower and to allow 24 hour operation for commercial adjacent to residential for the drug store drive-thru lane.

Title: a Development Order Amendment of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: To reconfigure the site plan, amend conditions of approval, to add an access point and to revised the development timeline(restart the commencement clock).

Title: a Requested Use of Kerekes Land Trust # 9 by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to allow a daycare, general and a Type I Restaurant.

General Location: Northeast Corner of Jog Road and Boynton Beach Boulevard. **(Fountains East at Boynton Beach)** (Control 1997-00004)

Pages

Project Manager: William Cross

Size: 24.84 acres ±

BCC District: 5

(affected area 24.57 acres ±)

MOTION: To postpone thirty (30) days to Thursday August 28, 2008.

- 2. **Z/CA-2008-00294** Title: an Official Zoning Map Amendment application of Florida Sevashram Sangha Inc by Jon E Schmidt & Associates, Agent. Request: rezoning from the Residential Transitional Urban (RTU) Zoning District to the Residential Single-family (RS) Zoning District

Title: a Class A Conditional Use of Florida Sevashram Sangha Inc by Jon E Schmidt & Associates, Agent. Request: to allow a Place of Worship.

General Location: Northeast corner of Lantana Road and Bentbrook Boulevard. **(Florida Sevashram Sangha)** (Control 1995-00044)

Pages

Project Manager: Carol Glasser

Size: 1.65 acres ±

BCC District: 2

Staff Recommendation: approval

MOTION: None Required. (Postponed thirty (30) days to Thursday, August 28, 2008)

3. **ZV/DOA/R-2007-01597** Title: a Type II Zoning Variance application of Publix Super Markets Inc by Ruden McClosky, Agent. Request: To allow a reduction on the foundation planting along the north, south, east, and west sides of the proposed Auto Service Station.  
Title: a Development Order Amendment of Publix Super Markets Inc by Ruden McClosky, Agent. Request: To reconfigure the site plan and modify conditions of approval (Building and Site Design, Planning, Use Limitation).  
Title: a Requested Use of Publix Super Markets Inc by Ruden McClosky, Agent. Request: To allow an Auto Service Station.  
General Location: On the northeast corner of Orange Boulevard and Seminole Pratt Whitney Road. (**Pratt and Orange MUPD**) (Control 1998-00023)

Pages

Project Manager: Ronald Sullivan

Size: 15.38 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request for a Type II Variance and approval of the requests for a DOA to reconfigure the site plan and for a Requested Use to allow an Auto Service Station subject to 79 conditions as found in Exhibit C and 5 conditions as found in Exhibit C-1.

MOTION: To postpone thirty (30) days to Thursday August 28, 2008.

4. **DOA-2007-02013** Title: a Development Order Amendment application of Ms Woolbright Del Mar Llc by Miller Land Planning, Agent. Request: to reconfigure site plan, add square footage and modify a condition of approval (square footage limitation)  
General Location: West side of Powerline Rd., S of Palmetto Circle North. (**Del Mar Plaza**) (Control 1989-00117)

Pages

Project Manager: Autumn Sorrow

Size: 13.26 acres ±

BCC District: 4

(affected area 0.21 acres ±)

Zoning Commission Recommendation: 7-0

MOTION: To postpone sixty (60) days to Monday September 29, 2008.

5. **SR 1999-029.2** Status Report for Resolution R-2000-0120 (Control # 1999-029), the application of Monadylina Properties, Inc. Property Owner: BDG Delray General Location: Southwest corner of SR7/US 441 and West Atlantic Avenue Current Zoning: AGR - Agricultural Reserve with a Special Exception to allow Conditional Use A to allow a convenience store with gas sales and expansion of indoor entertainment and office use (**Stop & Shop**)

Pages

Size: 5.11 acres ±

BCC District: 5

MOTION: To postpone sixty (60) days to Monday September 29, 2008 (owner requested).

6. **SR 1979-148C.2** Status Report for Resolution R-2002-2196 (Control # 1979-148), the application of the Craig Collection, Inc. Property Owner: Craig Collection, Inc. General Location: Approximatley 500 feet west of Jog Road on the south side of Okeechobee Boulevard. Current Zoning: MUPD with a Development Order Amendment (DOA) to reconfigure the site plan to add square feet, modify/delete conditions of approval, and add an automotive paint and body facility (requested use) **(Palm Beach Acura)**

Pages

Size: 10.44 acres ±

BCC District: 2

MOTION: To Postpone sixty (60) days to Monday September 29, 2008 (owner requested).

**CONSENT AGENDA**

- A. REQUESTS TO PULL ITEMS FROM CONSENT**
- B. DISCLOSURES FOR THE CONSENT ITEMS**
- D. STATUS REPORTS**

7. **SR 2003-061** Status Report for Resolution R-2005-0816 (Control # 2003-061), the application of Kirk and Susan Angelocci. Property Owner: K Angelocci, LLC. General Location: Approximately 0.5 mile west of Haverhill Road on the south side of Purdy Lane. Current Zoning: Residential Planned Unit Development (**Angelocci Property PUD**)

Pages 1 - 5

Size: 12.92 acres ±

BCC District: 2

MOTION: To approve a time extension until December 31, 2010, for Resolution R-2005-0816.

- E. PREVIOUSLY POSTPONED ZONING APPLICATION**
- F. ZONING APPLICATIONS**

8. **ZV/CA-2007-01801** Title: a Class A Conditional Use application of Jomar Florida Enterprises LLC by Land Design South Inc., Agent. Request: to allow Repair and Maintenance, General; Dispatching Office for four or more vehicles; and Restaurant, Type I  
General Location: Northwest corner of Military Trail and Forest Hill Blvd. (**1747 South Military Trail**) (Control 2007-00407)

Pages 6 - 30

(11) Conditions of Approval (23 - 25)

Project Manager: Carol Glasser

Size: 0.46 acres ±

BCC District: 2

Staff Recommendation: approval of three Class A Conditional Uses subject to 12 Conditions of Approval

Zoning Commission Recommendation: Approval as amended

MOTION: To adopt a resolution approving a Class A Conditional Use to allow Repair and Maintenance, General; Dispatching Office; and Restaurant, Type I.



9. **ZV/CB/Z-2008-00296** Title: an Official Zoning Map Amendment application of Homes By Design Inc by Miller Land Planning, Agent. Request: Rezoning from the Neighborhood Commercial (CN) and Single Family Residential (RS) Zoning Districts to the General Commercial (CG) Zoning District  
General Location: Approximately 300 feet north of Lantana Road on the east side of Military Trail. (**Palm Center Car Wash**) (Control 2007-00378)

Pages 31 - 52

(18) Conditions of Approval (45 - 48)

Project Manager: Autumn Sorrow

Size: 0.65 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval subject to twenty (20) Conditions of approval.

Zoning Commission Recommendation: Approval as advertised

MOTION: To adopt a resolution approving an Official Zoning Map Amendment rezoning from the Neighborhood Commercial (CN) and Single Family Residential (RS) Zoning Districts to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ).

10. **ZV/PDD/W-2007-02012** Title: an Official Zoning Map Amendment to a Planned Development District application of Realty Duke by Miller Land Planning, Agent. Request: rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District  
Title: a Waiver of Realty Duke by Miller Land Planning, Agent. Request: to allow reduction of required frontage for a Planned Development District (PDD).  
General Location: At the terminus of Meathe Drive on the west side of the Florida Turnpike. (**Jog Distribution**) (Control 2007-00482)

Pages 53 - 84

(19) Conditions of Approval (68 - 71)

Project Manager: Douglas Robinson

Size: 18.18 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval subject to 20 Conditions of approval.

Zoning Commission Recommendation: Approved as advertised

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District.

MOTION: To adopt a resolution approving a Waiver to allow a reduction of required frontage for a Planned Development District (PDD).

11. **DOA-2008-00457** Title: A Development Order Amendment application of Flagler System Mgmt Inc by Kilday & Associates Inc., Agent. Request: To amend the site plan for Pod B, to change uses for Pod B, to modify a condition of approval for Pod B (Height Limitation and Wall Signage) and to request extension of commencement for the next phase  
General Location: Northeast corner of Congress Avenue/Australian Avenue Flyover and Ranch House Road. **(CHS PROPERTIES MUPD)** (Control 1998-00089)

Pages 85 - 125

(68) Conditions of Approval (104 - 116)

Project Manager: David McGuire

Size: 6.77 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 74 Conditions of Approval

Zoning Commission Recommendation: Approval as amended

MOTION: To adopt a resolution approving of a Development Order Amendment to amend the site plan, change the uses, modify a condition of approval for Pod B (Height Limitation and Wall Signage) and to request extension of commencement for the next phase.

12. **DOA/EAC-2008-00453** Title: A Development Order Amendment application of Marc Schlosser by Land Design South Inc., Agent. Request: To modify and delete conditions of approval (Landscape and Use Limitation - hours of operation).  
General Location: Northeast Corner of Boynton Beach Boulevard and the Florida Turnpike. **(Boynton Commons Medical Offices MUPD (aka The Grove MUPD))** (Control 2006-00367)

Pages 126 - 148

(32) Conditions of Approval (138 - 144)

Project Manager: Joyce Lawrence

Size: 10.19 acres ±

BCC District: 5

Staff Recommendation: Staff recommends approval of the request subject to 37 Conditions of Approval.

MOTION: To adopt a resolution approving an Expedited Consideration of a Development Order Amendment to modify and delete Landscape and Use Limitation conditions of approval.

13. **DOA/EAC-2008-00628** Title: a Development Order Amendment application of Loxahatchee Venture LLC by Kilday & Associates Inc., Agent. Request: to modify/delete a condition of approval (Engineering)  
General Location: Southeast corner of Orange Boulevard and Seminole Pratt Whitney Road. (**Seminole Orange Plaza**) (Control 2006-00012)

Pages 149 - 170

(37) Conditions of Approval (159 - 166)

Project Manager: Anthony Wint

Size: 11.88 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the request, subject to thirty-three (33) Conditions as indicated in Exhibit C.

MOTION: To adopt a resolution approving a Development Order Amendment to modify an Engineering condition of approval.

**REGULAR AGENDA**

- A. ITEMS PULLED FROM CONSENT (DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA)**
- B. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS**
- D. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**
- E. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION**
- F. PREVIOUSLY POSTPONED ZONING APPLICATIONS**
- G. ZONING APPLICATIONS - NEW**

14. **ZV/Z/CB-2008-00305**      Title: an Official Zoning Map Amendment application of Casco Rental LLC by Land Design South Inc., Agent.  
Request: Rezoning from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District  
General Location: East of East Grace Drive, south of the Southern Boulevard/ Australian Avenue overpass. **(Volvo Rents)** (Control 2004-00550)

Pages 171 - 195  
 (21) Conditions of Approval (188 - 188)  
 Project Manager: Ora Owensby

Size: 1.76 acres ± BCC District: 3

Staff Recommendation: Staff recommends approval of the request subject to 5 Conditions of Approval

Zoning Commission Recommendation: Approval as amended

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Residential High Density (RH) Zoning District to the Light Industrial (IL) Zoning District with a Conditional Overlay Zone (COZ).

- H. ULDC AMENDMENTS**

15. First Reading and advertise for Adoption - Unified Land Development Code (ULDC) - AMENDMENT ROUND 2008-01

TITLE: 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 E - PRIOR APPROVALS; CHAPTER F - NON-CONFORMITIES; CHAPTER I - DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCESS; CHAPTER E - MONITORING; ARTICLE 3- OVERLAYS & ZONING DISTRICTS; CHAPTER B - OVERLAYS; CHAPTER C - STANDARDS DISTRICTS; CHAPTER D - PROPERTY DEVELOPMENT REGULATIONS (PDRs); CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); ARTICLE 4- USE REGULATIONS; CHAPTER A - USE CLASSIFICATIONS; CHAPTER B - SUPPLEMENTARY USE STANDARDS; CHAPTER D - EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B - ACCESSORY AND TEMPORARY USES; CHAPTER C - DESIGN STANDARDS; CHAPTER D - PARKS & RECREATION - RULES AND RECREATION STANDARDS; CHAPTER E - PERFORMANCE STANDARDS; CHAPTER G - DENSITY BONUS PROGRAM; CHAPTER H - MASS TRANSIT STANDARDS; ARTICLE 6- PARKING; CHAPTER A - PARKING; CHAPTER B - LOADING STANDARDS; ARTICLE 7- LANDSCAPING; CHAPTER E - INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION; ARTICLE 8- SIGNAGE; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; ARTICLE 9- ARCHAEOLOGICAL AND HISTORIC PRESERVATION; CHAPTER A - ARCHAEOLOGICAL RESOURCES PROTECTION; CHAPTER B - HISTORIC PRESERVATION PROCEDURES; ARTICLE 14 - ENVIRONMENTAL STANDARDS; CHAPTER C - VEGETATION PRESERVATION AND PROTECTION; ARTICLE 17- DECISION MAKING BODIES; CHAPTER D - STAFF OFFICIALS; 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.

Pages 196 - 259

MOTION: Staff recommends a motion to approve on First Reading and advertise for Adoption on August 28, 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 E - PRIOR APPROVALS; CHAPTER F - NON-CONFORMITIES; CHAPTER I - DEFINITIONS AND ACRONYMS; ARTICLE 2- DEVELOPMENT REVIEW PROCESS; CHAPTER E - MONITORING; ARTICLE 3- OVERLAYS & ZONING DISTRICTS; CHAPTER B - OVERLAYS; CHAPTER C - STANDARDS DISTRICTS; CHAPTER D - PROPERTY DEVELOPMENT REGULATIONS (PDRS); CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); ARTICLE 4- USE REGULATIONS; CHAPTER A - USE CLASSIFICATIONS; CHAPTER B - SUPPLEMENTARY USE STANDARDS; CHAPTER D - EXCAVATION; ARTICLE 5- SUPPLEMENTARY STANDARDS; CHAPTER B - ACCESSORY AND TEMPORARY USES; CHAPTER C - DESIGN STANDARDS; CHAPTER D - PARKS & RECREATION - RULES AND RECREATION STANDARDS; CHAPTER E - PERFORMANCE STANDARDS; CHAPTER G - DENSITY BONUS PROGRAM; CHAPTER H - MASS TRANSIT STANDARDS; ARTICLE 6- PARKING; CHAPTER A - PARKING; CHAPTER B - LOADING STANDARDS; ARTICLE 7- LANDSCAPING; CHAPTER E - INSTALLATION, MAINTENANCE, PRUNING AND IRRIGATION; ARTICLE 8- SIGNAGE; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; ARTICLE 9- ARCHAEOLOGICAL AND HISTORIC PRESERVATION; CHAPTER A - ARCHAEOLOGICAL RESOURCES PROTECTION; CHAPTER B - HISTORIC PRESERVATION PROCEDURES; ARTICLE 14- ENVIRONMENTAL STANDARDS; CHAPTER C - VEGETATION PRESERVATION AND PROTECTION; ARTICLE 17- DECISION MAKING BODIES; CHAPTER D - STAFF OFFICIALS; 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.

**DIRECTOR COMMENTS**

**COMMISSIONER COMMENTS**

**ADJOURNMENT**