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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

September 30, 2010

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

POSTPONEMENTS TO THURSDAY OCTOBER 28, 2010

- | | | | |
|----|---------|-------------------------------------|--------------------|
| 8. | (36-68) | ZV/ABN/PDD/R-2009-3943 | Kendall Industrial |
| 9. | (69-98) | EAC-2010-1426
(Control 2003-033) | Parcel 32 |

AMENDMENTS

- | | | | |
|----|--------|--|------------------------------|
| 7. | (9-35) | CB/DOA-2010-0404
(Control 1981-216) | Jack Turner/Office Warehouse |
|----|--------|--|------------------------------|

Add Engineering Conditions to Exhibit C- 2

3. The property owner shall provide by warranty deed submitted to Palm Beach County Land Development Division for a 25 foot corner clip at the southeast corner of the intersection of Westgate Avenue and Osceola Drive prior to January 22, 2011. Right of way conveyance shall be free and clear of all encumbrances and encroachments. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. The Property Owner shall not record these required deeds or related documents. Palm Beach County will prepare a tax pro-ration. A check, made payable to the Tax Collector's Office, shall be submitted by the property owner for the pro-rated taxes. After final acceptance, Palm Beach County shall record all appropriate deeds and documents. (DATE: MONITORING-Eng)
4. Prior to October 22, 2010, the property owner shall remove the existing fence and any landscaping that does not comply with Engineering Department height standards within the 25 foot corner clip on the northwest corner of the property. (DATE: MONITORING-Eng)
5. Prior to July 22, 2011, the property owner shall combine the property into a single lot of record in accordance with provisions of Article 11 of the Unified Land Development Code. (DATE: MONITORING-Eng)

Amend Planning Exhibit 1 to read as follows:

Future Land Use Map (Exhibit 1)

Amendment No.:	Lantana Square Plaza Two Commercial (SCA 2010-020)
FLUA Page No.:	82
Amendment:	Medium Residential (MR-5) to Commercial High (CH)
Property No.:	00-42-45-03-00-000-3010
Size:	2.41 total acres (approximately)
Location:	West side of Jog Road, 1000 feet south of Lantana Road
Conditions:	<ol style="list-style-type: none"> 1. The applicant shall secure interconnectivity with the shopping center to the north prior to final DRO. 2. The applicant shall provide an expanded landscape buffer in addition to any retention area to the west and south within the site's property line. 3. The applicant shall not include a Drive up Window restaurant on the south side of the south building. 4. The development shall be limited to 14,750 square feet of commercial use.

Amend Engineering Condition 3 to read as follows:

3. copy of a recorded ingress/egress easement agreement, as approved by the County Engineer, to allow...

Amend Planning Conditions 3 & 4 to read as follows:

- ~~1. The development shall not include a use with a Drive THRU window on the south side of the south building. (Ongoing: PLANNING-Planning)~~
- ~~2. The development shall be limited to 14,750 square feet of commercial use. (Ongoing: PLANNING-Planning)~~



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

THURSDAY SEPTEMBER 30, 2010

9:30 A.M. 6TH 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/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

REGULAR AGENDA

DIRECTOR COMMENTS

COMMISSIONER COMMENTS

ADJOURNMENT

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**

SEPTEMBER 30, 2010

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/REMANDS/WITHDRAWALS AGENDA

A. POSTPONEMENTS

1. **EAC-2010-01204** Title: an Expedited Application Consideration application of Bellaggio Residents Association Inc by Lewis Longman & Walker PA, Agent. Request: to delete a Condition of Approval (Planning)

General Location: North side of Hypoluxo Road west of Lyons Road (**Bellaggio PUD**) (Control 1995-00116)

Pages: 1 - 1

Project Manager: Carol Glasser

Size: 0.29 acres ±

BCC District: 3

(affected area 0.65 acres ±)

Staff Recommendation: To postpone the application to Thursday, October 28, 2010.

MOTION: To postpone the application to Thursday, October 28, 2010.

2. **DOA-2010-00143** Title: a Development Order Amendment application of Boynton Hagen LLC - Ram Realty Assoc by Land Design South Inc., Agent. Request: to modify the site plan and add square footage.

General Location: Northwest corner of Boynton Beach Boulevard and Hagen Ranch Road. (**Hagen Ranch/Boynton Beach MUPD**) (Control 2006-00520)

Pages: 2 - 2

Project Manager: Joyce Lawrence

Size: 3.70 acres ±

BCC District: 5

(affected area 3.63 acres ±)

Staff Recommendation: Staff recommends to postpone the application to Thursday October 28, 2010.

Zoning Commission Recommendation: Approved 8-0

MOTION: To postpone the application to Thursday October 28, 2010.

3. **DOA-2010-00982** Title: a Development Order Amendment application of Atl 441 W LLC by ATL 441 W LLC, Agent. Request: to delete land area and modify Condition of Approval (Planning)
General Location: north of W. Atlantic Ave. between Smith Sundry Road and SR7/US441 (**441-Atlantic PUD (aka Tivoli Isles)**) (Control 2004-00206)

Pages: 3 - 3

Project Manager: Carol Glasser

Size: 330.60 acres ±

BCC District: 5

(affected area 103.90 acres ±)

Staff Recommendation: Staff recommends to postpone the application to January 6, 2011.

Zoning Commission Recommendation: Denied 9-0

MOTION: To postpone the application to January 6, 2011.

4. **Z-2010-00981** Title: an Official Zoning Map Amendment application of Atl 441 W LLC by ATL 441 W LLC, Agent. Request: to allow a rezoning from the Agricultural Reserve Planned Unit Development (AGR/PUD) Zoning District to the Agricultural Reserve (AGR) Zoning District.
General Location: northwest corner of W. Atlantic Ave. and SR7/US441 (**Atlantic 441 West**) (Control 2010-00176)

Pages: 4 - 4

Project Manager: Carol Glasser

Size: 5.00 acres ±

BCC District: 5

Staff Recommendation: Staff recommends to postpone the application to January 6, 2011.

Zoning Commission Recommendation: Denied 9-0

MOTION: To postpone the application to January 6, 2011.

5. **DOA/R-2010-00144** Title: a Development Order Amendment application of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to modify/delete Conditions of Approval (Building and Site Design, MUPD, Signs, and Use Limitations), to reconfigure the site plan and add square footage.

Title: a Requested Use of Costco Wholesale Corp by BOHLER Engineering, Agent. Request: to allow an auto service station.

General Location: Approximately 0.8 mile north of the intersection of Clint Moore Road and Congress Avenue, on the east side of Congress Avenue. **(Boca Congress Center/ Costco Gas)** (Control 1995-00063)

Pages:

Project Manager: Autumn Sorrow

Size: 21.02 acres ±

BCC District: 4

Staff Recommendation: Staff recommends to postpone the application to Thursday October 28, 2010.

MOTION: To postpone the application to Thursday October 28, 2010.

B. REMANDS

C. WITHDRAWALS

END OF POSTPONEMENTS/REMANDS/WITHDRAWALS AGENDA

CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS - NEW

- 6. **CR-1994-00078-1** Status Report for Resolution R-95-1119 (Control #1994-078)
Property Owner: Palm Beach County Solid Waste Authority General Location: SW
 Corner of Beeline Highway and Haverhill Road Current Zoning: Public Ownership
 (PO) **(Dyer Park)**

Pages: 5 - 8

Size: 445.00 acres ±

BCC District: 2

MOTION: to approve a resolution to amend conditions of approval ENG.2 and ENG.3 of Resolution 1995-1119.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 7. **CB/DOA-2010-00404** Title: a Development Order Amendment application of APTEK Communications Products Inc by Land Research Management Inc., Agent.
Request: to reconfigure the site plan and modify uses
General Location: Southeast corner of the Intersection of Westgate Avenue and
 Oceola Drive. **(Jack Turner/Office Warehouse)** (Control 1981-00216)

Pages: 9 - 35

Conditions of Approval (26 - 29)

Project Manager: David McGuire

Size: 1.01 acres ±

BCC District: 2

Staff Recommendation: Staff recommends approval of the request subject to 21 Conditions of Approval as indicated in Exhibit C-1 and C-2.

Zoning Commission Recommendation: Approved 8-0

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure the site plan and modifying the uses subject to the Conditions of Approval as indicated in Exhibit C-2.

8. **ZV/ABN/PDD/R-2009-03943** Title: a Development Order Abandonment application of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to abandon the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276
Title: an Official Zoning Map Amendment to a Planned Development District of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow a rezoning from the Light Industrial (IL) and the Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) District.
Title: a Requested Use of Ronald Kendall by Jon E Schmidt & Associates, Agent. Request: to allow Gas and Fuel, Wholesale
General Location: Northwest corner of Benoist Farms Road and Wallis Road (**Kendall Industrial**) (Control 1975-00060)

Pages: 36 - 68

Conditions of Approval (52 - 56)

Project Manager: Autumn Sorrow

Size: 10.43 acres ±

BCC District: 6

Staff Recommendation: Staff recommends approval of the rezoning request subject to 18 Conditions of Approval as indicated in Exhibit C-2 and approval of the Request Use subject to 2 Conditions of Approval as indicated in Exhibit C-3.

Zoning Commission Recommendation: Denied 9-0

MOTION: To adopt a resolution approving a Development Order Abandonment abandoning the Special Exceptions granted under Resolutions R-1975-768 and R-1978-276.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District to allow a rezoning from the Light Industrial (IL) and Agricultural Residential (AR) Zoning Districts to the Multiple Use Planned Development (MUPD) Zoning District Subject to the Conditions of Approval as indicated in Exhibit C-2.

MOTION: To adopt a resolution approving a Requested Use to allow Gas and Fuel, Wholesale Subject to the Conditions of Approval as indicated in Exhibit C-3.

E. ZONING APPLICATIONS - NEW

9. **EAC-2010-01426** Title: an Expedited Application Consideration application of Toll FI V Limited Partnership by Gentile Holloway O'Mahoney & Assoc, Agent. Request: to redesignate the housing type, and to modify a condition of approval (Engineering)
General Location: Southwest corner of Donald Ross Road and Ellison Wilson Road (**Parcel 32 PUD**) (Control 2003-00033)

Pages: 69 - 98

Conditions of Approval (84 - 93)

Project Manager: Joyce Lawrence

Size: 76.29 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 43 Conditions of Approval as indicated in Exhibit C.

MOTION: To adopt a Resolution approving a Development Order Amendment to redesignate the housing type, and to modify a condition of approval (Engineering) subject to the Conditions of Approval as indicated in Exhibit C.

10. **ZV/Z/CA-2010-01211** Title: an Official Zoning Map Amendment application of Lost Tree Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a rezoning from the Residential Single Family (RS) Zoning District and the Residential High (RH) Zoning District to the Residential Transitional (RT) Zoning District

Title: a Conditional Use Class A of Lost Tree Club Inc by Cotleur & Hearing Inc., Agent. Request: to allow a golf course

General Location: North side of A1A, east of Lost Tree Way and west of Turtle Beach Road (**Lost Tree Village Golf Course**) (Control 1999-00083)

Pages: 99 - 122

Conditions of Approval (117 - 118)

Project Manager: Carrie Rechenmacher

Size: 145.88 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the Official Zoning Map Amendment subject to no Conditions of Approval and a Class A Conditional Use for a Golf Course Facility subject to 5 Conditions of Approval as indicated in Exhibit C-1.

Zoning Commission Recommendation: Approved 8-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Single Family (RS) Zoning District and the Residential High (RH) Zoning District to the Residential Transitional (RT) Zoning District for a 145.89 acre site subject to no conditions of approval.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a Golf Course Facility Subject to Conditions of Approval as indicated in Exhibit C-1.

11. **ZV/DOA-2010-00661** Title: a Development Order Amendment application of FL Conference Assoc of 7th Day Adventist by Jon E Schmidt & Associates, Agent. Request: to delete land area and to modify Conditions of Approval (Landscape)

General Location: Located on the northwest corner of Melaleuca Lane and Kirk Road (**Lake Worth & Lantana 7th Day Adventist Church**) (Control 1998-00066)

Pages: 123 - 147

Conditions of Approval (139 - 143)

Project Manager: Joyce Lawrence

Size: 3.21 acres ±

BCC District: 3

Staff Recommendation: Staff recommends approval of a Development Order Amendment to delete land area and to modify a Landscape Condition of Approval, subject to 21 Conditions of Approval as indicated in Exhibit C-2.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to delete land area and to modify a Landscape Condition of Approval, subject to the Conditions of Approval as indicated in Exhibit C-2.

12. **DOA-2010-00146** Title: a Development Order Amendment application of Gerald Barbarito by Anna S. Cottrell & Associates, Agent. Request: to add square footage and reconfigure the site plan

General Location: West side of Prosperity Farms Road, approximately 0.5 mi. south of Donald Ross Road (**St. Patrick Catholic Church**) (Control 1989-00041)

Pages: 148 - 177

Conditions of Approval (166 - 172)

Project Manager: Autumn Sorrow

Size: 10.96 acres ±

BCC District: 1

Staff Recommendation: Staff recommends approval of the request subject to 42 Conditions of Approval as indicated in Exhibit C.

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving a Development Order Amendment to add square footage and reconfigure the site plan subject to the Conditions of Approval as indicated in Exhibit C.

F. CORRECTIVE RESOLUTIONS

G. ABANDONMENTS

END OF CONSENT AGENDA

REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. PUBLIC OWNERSHIP ZONING DISTRICT - DEVIATIONS

D. PREVIOUSLY POSTPONED STATUS REPORTS

E. STATUS REPORTS - NEW

F. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS

13. **SCA-2010-00020** Title: Lantana Square Plaza Two Commercial, Small Scale Land Use Amendment application of Masoud Sanati by Frogner Consulting LLC, Agent. Request: From Medium Residential, 5 units per acre (MR-5) to Commercial High (CH).

General Location: 1000' south of Lantana Road on the west side of Jog Rd. **(Lantana Square Plaza Two Commercial)** (Control 2002-00034)

Pages: 178 - 231

Project Manager: Edward Fernandez

Size: 2.39 acres \pm

BCC District: 3

(affected area 2.41 acres \pm)

Staff Recommendation: Approval of the proposed amendment from Medium Residential, 5 units per acre (MR-5) to Commercial High (CH) with conditions.

Planning Commission Recommendation: Approval passed in an 8-5 vote at the May 14, 2010 LPA Public Hearing with three conditions.

MOTION: To adopt an ordinance approving the proposed amendment from Medium Residential, 5 units per acre (MR-5) to Commercial High (CH) with conditions.

- 14. **ZV/Z-2010-00655** Title: an Official Zoning Map Amendment application of Masoud Sanati, Mike Soueid, Mohammed Eftekhari by Frogner Consulting Inc., Agent. Request: to allow a rezoning from the Residential Transitional Urban (RTU) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ)

General Location: Approximately 500 feet south of Lantana Road on the west side of Jog Road (**Lantana Square Plaza Two**) (Control 2002-00034)

Pages: 232 - 262

Conditions of Approval (251 - 254)

Project Manager: Carrie Rechenmacher

Size: 2.41 acres ±

BCC District: 3

DISCLOSURE

Staff Recommendation: Staff recommends approval of the request subject to 19 Conditions of Approval in Exhibit C-2 (Rezoning) with a Conditional Overlay Zone (COZ).

Zoning Commission Recommendation: Approved 9-0

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to allow a rezoning from the Residential Transitional Urban (RTU) Zoning District to the General Commercial (CG) Zoning District with a Conditional Overlay Zone (COZ) subject to Conditions of Approval as indicated in Exhibit C-2.

G. LARGE SCALE LAND USE PLAN AMENDMENT ADOPTION

H. PREVIOUSLY POSTPONED ZONING APPLICATIONS

I. ZONING APPLICATIONS - NEW

J. ULDC AMENDMENTS

K. COMPREHENSIVE PLAN TEXT AMENDMENTS

L. OTHER ITEMS

END OF REGULAR AGENDA

DIRECTOR COMMENTS

A. EXECUTIVE DIRECTOR

B. COUNTY ATTORNEY

C. PLANNING DIRECTOR

D. ZONING DIRECTOR

COMMISSIONER COMMENTS

ADJOURNMENT