

**Board of County Commissioners**

Tony Masilotti, Chairman  
Addie L. Greene, Vice Chairperson  
Karen Marcus  
Jeff Koons  
Warren H. Newell  
Mary McCarty  
Burt Aaronson

**County Administrator**

Robert Weisman

**Department of Planning, Zoning & Building**  
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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA**

April 28, 2005

**AGENDA  
ITEM #**

**PETITION/CHANGE**

**MOVE TO CONSENT**

- 20. **PDD/R/TDR2003-061 – ANGELOCCI PROPERTY PUD**

**AMENDMENTS TO THE AGENDA**

- 7. **PDD2004-443 – ROYAL WAREHOUSE**

Delete Engineering Condition 5.a.

- 9. **SR 2001-042 – SILOE BAPTIST CHURCH**

Modify Condition A.1 to read as follows:

A.1 All previously approved conditions of approval to for the subject property, as contained in Resolution No. R-2002-0135, Petition 2001-042, have been consolidated as contained herein. The property owner shall comply with all previous conditions of approval unless expressly modified herein. (ONGOING: ZONING)

- 24. Delete previous resolution title and motion and add this new resolution title and motion:

Title: Resolution by the Board of County Commissioners of Palm Beach County, Florida, encouraging the Florida Legislature to adopt into law legislation that would establish a dedicated funding source of sufficient amount in Miami-Dade, Broward, and Palm Beach Counties, with the proceeds going to the South Florida Regional Transportation Authority (SFRTA).

MOTION: To adopt a resolution encouraging the Florida Legislature to adopt into law legislation that would establish a dedicated funding source for the South Florida Regional Transportation Authority.

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

**APRIL 28, 2005**

**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 (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)**

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

**APRIL 28, 2005**

**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. **DOA2005-025** Title: Resolution approving a Development Order Amendment petition of Heritage at Green Cay Ltd., by Greenberg Traurig, PA, Agent. Request: To modify conditions of approval for a Planned Unit Development. General Location: Southwest corner of Flavor Pict Road and Jog Road (**WINSBERG FARMS PUD**).

N/A

Size: 287.7 acres ±

BCC District: 5

MOTION: None required (by right postponement to May 26, 2005).

- 2. **PDD/R/TDR/W2004-227** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Polo Realty, Inc., by Land Design South, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District and the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of Polo Realty, Inc., by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 235 units and to designate this petition as the receiving area. Title: Waiver. Request: Deviation from cul-de-sac restrictions. General Location: Northeast corner of Old Clint Moore Road and Jog Road (**ROYAL PALM POLO PUD**).

N/A

Size: 122.88 acres ±

BCC District: 5

MOTION: None required (by right postponement to May 26, 2005).

3. **DOA/R2004-293** Title: Resolution approving a Development Order Amendment petition of Chimu, Inc., by DLCA, Agent. Request: To reconfigure the site plan for a Special Exception to allow a Planned Commercial Development. Title: Requested Use. Request: To allow a financial institution. General Location: Approximately 650 feet west of Military Trail on the north side of Hypoluxo Road (**CHIMU SHOPPING CENTER**).

N/A

Size: 8.68 acres ±

BCC District: 3

MOTION: None required (by right postponement to May 26, 2005).

4. **PDD2004-664** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Centex Homes, by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and the Neighborhood Commercial (CN) Zoning Districts to the Residential Planned Unit Development (PUD) District. General Location: Approximately 1,300 feet south of Okeechobee Boulevard on the west side of Drexel Road (**MEADOWBROOK PUD**).

N/A

Size: 83.26 acres ±

BCC District: 2

MOTION: None required (by right postponement to May 26, 2005).

5. **PDD/R/TDR/W2004-661** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of ANSCA Communities LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of ANSCA Communities LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 14 units and to designate this petition as the receiving area. Title: Waiver. Request: Deviation from cul-de-sac restrictions. General Location: Approximately .25 mile west of Military Trail on the south side of Hypoluxo Road (**NICOLA PUD**).

N/A

Size: 53.68 acres ±

BCC District: 3

MOTION: None required (Postponed thirty (30) days by the Zoning Commission).

6. **Z2004-496** Title: Resolution approving an Official Zoning Map Amendment petition of Seminole Improvement District, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 0.8 mile east of Seminole Pratt Whitney Road and approximately 0.6 mile north of Persimmon Boulevard (**SEMINOLE IMPROVEMENT DISTRICT**).

Pages 1-36

Size: 40 acres ±

BCC District: 6

MOTION: To postpone sixty (60) days to June 15, 2005 (Petitioner requested).

**– END OF POSTPONEMENTS –**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS

- 7. **PDD2004-443** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Robert Jones, by Basehart Consulting, Inc., Agent. Request: Rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Northeast corner of Pike Road and Florida's Turnpike (**ROYAL WAREHOUSE**).

Pages 37-53

Size: 14.85 acres ± BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Light Industrial Zoning District to the Multiple Use Planned Development District.

C. PREVIOUSLY POSTPONED STATUS REPORTS

- 8. **SR 1977-168A** Status Report for Resolutions R-2001-1863 and R-2001-1864 (Petition 1977-168A), the petition of Copart of Connecticut. Property owner: Copart of Connecticut, Inc. General Location: Approximately 700 feet east of Benoist Farms Road on the south side of Belvedere Road. Zoning District: General Industrial with a Class A Conditional Use to allow a salvage yard (**COPART**).

Pages 54-59

Size: 3.65 acres ± BCC District: 6

MOTION: To adopt a resolution to revoke Resolution No. R-2001-1864 (Petition 1977-168A), which approved a Class A Conditional Use to allow a salvage yard.

- 9. **SR 2001-042** Status Report for Resolutions R-2002-0134 and R-2002-0135 (Petition 2001-042), the petition of Palm Lakes Baptist Association, Inc. Property owner: Palm Lakes Baptist Association, Inc. General Location: Northeast corner of Haverhill Road and 45th Street. Zoning District: Multifamily Residential with a Class A Conditional Use to allow two (2) churches or places of worship (**SILOE BAPTIST CHURCH**).

Pages 60-73

Size: 8.68 acres ± BCC District: 7

MOTION: To 1) adopt a resolution to approve a Development Order Amendment to amend conditions of approval in Resolution R-2002-0135, and 2) revoke concurrency reservation 01-5001452-C.

D. STATUS REPORTS – CONSENT

- 10. **SR 1975-011B** Status Report for Resolution R-2001-0432 (Petition 1975-011B), the petition of Mil-Dell Ltd. Property owner: Mil Dell Ltd. General Location: Approximately 0.5 mile south of Boynton Beach Boulevard on the east side of SR 7/US441. Zoning District: Agricultural Reserve with a Special Exception to allow a cemetery and mausoleum. Last BCC Approval: Development Order Amendment to add land area, reconfigure site plan, delete crypts and add grave sites (**ETERNAL LIGHT MEMORIAL GARDENS**).

Pages 74-78

Size: 48.82 acres ± BCC District: 5

MOTION: To approve a time extension until March 22, 2007, for Resolution R-2001-0432.

- 11. **SR 1998-066** Status Report for Resolution R-1999-0701 (Petition 1998-066), the petition of Lake Worth 7th Day Adventist Church. Property owner: Florida Conference Association of Seventh-day Adventist. General Location: Northwest corner of Kirk Road and Melaleuca Lane. Zoning District: Multifamily Residential with a Class A Conditional Use to allow a church or place of worship (**LAKE WORTH 7TH DAY ADVENTIST CHURCH**).

Pages 79-84

Size: 3.18 acres ± BCC District: 3

MOTION: To 1) adopt a resolution to approve a Development Order Amendment to amend conditions of approval (architectural guidelines) in Resolution R-1999-0701, and 2) approve a time extension until February 27, 2007, for Resolution R-1999-0701.

E. CORRECTIVE RESOLUTION

- 12. **Z2004-225**

Corrective Resolution: To correct Engineering Condition E.5 of Resolution R-2005-0389 (**MID COUNTY CENTER**).

Pages 85-86

BCC District: 3

MOTION: To adopt a resolution to correct Engineering Condition E.5 of Resolution R-2005-0389.

F. RECEIVE AND FILE ZONING RESOLUTION

- 13. **CB2003-040** Resolution repealing Resolution ZR-2003-004, affirming the administrative abandonment of Zoning Petition CB2003-040 (**TURTLE COVE PROFESSIONAL**).

Pages 87-90

BCC District: 3

MOTION: To receive and file Zoning Resolution ZR-2005-001.

**G. ABANDONMENT RESOLUTION**

14. **ABN2005-535** Request: To abandon the Special Exceptions granted under Resolution R-1978-1275 to allow a restaurant with a drive-in window facility and on-site water treatment facility and Resolution R-1981-1594 to allow an office/warehouse. (Con 1978-215)

Pages 91-93

BCC District: 3

MOTION: To adopt a resolution approving the abandonment of the Special Exceptions to allow a restaurant with a drive-in window facility and on-site water treatment facility granted under Resolution R-1978-1275 and to allow an office/warehouse granted under Resolution R-1981-1594.

**– END OF CONSENT AGENDA –**



## – START OF REGULAR AGENDA –

## 4. REGULAR AGENDA

## A. ITEMS PULLED FROM CONSENT

## B. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION

15. **SCA 2004-00043** Darrin Shapiro, by Miller Land Planning Consultants, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 2 units per acre (LR-2) on 2.01 acres to Commercial Low - Office, with an underlying 2 units per acre (CL-O/2). General Location: Approximately 0.5 mile north of LeChalet Boulevard on the west side of Military Trail (**SHAPIRO II** a.k.a. **SHAPIRO PROPERTY**).

Pages 94-121

Size: 2.01 acres ±

BCC District: 3

Staff Recommendation: Approval of the requested future land use change from LR-2 to CL-O/2.

LPA Recommendation: Approval of the applicant's request for a future land use change from LR-2 to CL-O/2 (12-0 vote).

MOTION: To adopt an ordinance approving the request for a future land use change from LR-2 to CL-O/2.

16. **Z/CA2004-404** Title: Resolution approving an Official Zoning Map Amendment petition of Darrin Shapiro, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Darrin Shapiro, by Miller Land Planning Consultants, Inc., Agent. Request: To allow a medical office. General Location: Approximately 0.5 mile north of LeChalet Boulevard on the west side of Military Trail (**SHAPIRO PROPERTY**).

Pages 122-136

Size: 2.01 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Commercial Low Office Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a medical office.

**C. PREVIOUSLY POSTPONED STATUS REPORT**

17. **SR 1998-058.2** Status Report for Resolution R-1999-0706 (Petition 1998-058), the petition of Hovsons, Inc. Property owner: Melrose Land Holding Enterprises, Inc. General Location: Approximately 1 mile south of Hypoluxo Road on the east side of Florida's Turnpike. Zoning District: Residential Transitional (**MELROSE EAST REZONING**).

Pages 137-142

Size: 12.73 acres ±

BCC District: 3

MOTION: To 1) revoke concurrency reservation number 98-8000806-C, and 2) exempt Resolution R-1999-0706 from further Unified Land Development Code Article 2.E. review.

**D. STATUS REPORT**

18. **SR-1994-16A** Status Report for Resolutions R-95-859 and R-2003-1401 (Petition 1994-016A), the petition of Interdevco and School Board of Palm Beach County. Property owner: School Board of Palm Beach County and Palm Beach County. General Location: Northeast corner of Jog Road and Joe De Long Boulevard. Zoning District: Residential Planned Unit Development with a Requested Use to allow a school, elementary or secondary. Last BCC Approval: Development Order Amendment to allow government services (**JOG ROAD RESIDENTIAL PUD**).

Pages 143-151

Size: 165.7 acres ±

BCC District: 3

MOTION: To 1) approve a time extension until December 31, 2006, to record a plat; and 2) approve a time extension until December 31, 2006, for condition number E.14. of Resolution R-2003-1401.

**E. PREVIOUSLY POSTPONED ZONING PETITIONS**

19. **CA2004-216** Title: Resolution approving a Class A Conditional Use petition of Church of God of Lantana, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship, an elementary or secondary school, and a general daycare. General Location: Southwest corner of Mariner Way and Congress Avenue (**CORNERSTONE CHURCH**).

Pages 152-170

Size: 2.25 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 Class A Conditional Use to allow a church or place of worship, an elementary or secondary school, and general daycare.

20. **PDD/R/TDR2003-061** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Kirk & Susan Angelocci, by Land Design South, Inc., Agent. Request: Rezoning from the Multifamily Residential (RM) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of Kirk & Susan Angelocci, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights for 37 units and to designate this petition as the receiving area. General Location: Approximately 0.5 mile west of Haverhill Road on the south side of Purdy Lane (**ANGELOCCI PROPERTY PUD**).

Pages 171-199

Size: 12.5 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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

MOTION: To adopt a resolution approving a Requested Use to allow the Transfer of Development Rights for 37 units and to designate this petition as the receiving area.

21. **DOA2004-296** Title: Resolution approving a Development Order Amendment petition of Town Commons LLC, by Land Design South, Inc., Agent. Request: To delete land area and reconfigure the site plan for a Multiple Use Planned Development (MUPD). General Location: Northeast corner of Hypoluxo Road and Lyons Road (**TOWN COMMONS MUPD #1**).

Pages 200-228

Size: 15.47 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 delete land area and reconfigure the site plan for a Multiple Use Planned Development.

22. **PDD2004-298** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Town Commons LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 1,100 feet east of Lyons Road on the north side of Hypoluxo Road (**TOWN COMMONS MUPD #2**).

Pages 229-254

Size: 3.23 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

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

23. **PDD2004-297** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Town Commons LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District and the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 654 feet north of Hypoluxo Road on the east side of Lyons Road (**TOWN COMMONS PUD**).

Pages 255-286

Size: 21.28 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

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

**5. DIRECTOR COMMENTS**

**A. COUNTY ATTORNEY**

**B. COUNTY ADMINISTRATION**

24. Title: Resolution encouraging the Florida legislature to adopt into Law House Bill 1409, establishing a one hundred dollar fee on the registration of all new vehicles in Miami-Dade, Broward, and Palm Beach Counties, with the proceeds going to the South Florida Regional Transportation Authority (SFRTA).

(under separate cover)

MOTION: To adopt a resolution encouraging the Florida Legislature to adopt into Law House Bill 1409.

**C. ZONING DIRECTOR**

**D. PLANNING DIRECTOR**

**6. COMMISSIONER COMMENTS**

**7. ADJOURNMENT**