

**Board of County Commissioners**

Tony Masilotti, Chairman  
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Jeff Koons  
Warren H. Newell  
Mary McCarty  
Burt Aaronson

**County Administrator**

Robert Weisman

**Department of Planning, Zoning & Building**  
100 Australian Avenue  
West Palm Beach, FL 33406  
Phone: 561-233-5200  
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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA**

**MAY 25, 2006**

**AGENDA ITEM #**  
**PAGE #**

**APPLICATION/CHANGE**

**MOVE TO CONSENT**

32. **SR 1984-123A.9 – WILCOX OFFICE/WAREHOUSE**  
Page 429

33. **SR 1984-160.11 – SUMMIT PINES PUD**  
Page 435

**AMENDMENTS TO THE AGENDA**

13. **CA2005-1464 – ST. MARY’S COPTIC ORTHODOX CHURCH**  
Page 26

Modify Engineering Condition 1.B to read as follows:

1. In order to comply with the mandatory Traffic Performance Standards, the Property owner shall be restricted to the following phasing schedule:

B) No Building Permits for the site may be issued after January 1, ~~2009~~ 2010. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2, Section E of the Unified Land Development Code. (DATE: MONITORING-Eng)

17. **PDD/R2006-017 – WEST PALM BEACH AUTO AUCTION**  
Page 98

Engineering Conditions 15, 16 and 17 on the previous add/delete sheet are deleted.

18. **PDD/R2006-019 – PALMS WEST INDUSTRIAL PARK**  
Page 120

Add under Zoning - Use Limitations Condition 26:

26. Is hereby deleted. [REASON: No longer applies.]

34.  
Page 440

**PDD/W/TDR2005-977 – OSPREY OAKS PUD**

Delete Health Condition 1.

Modify Zoning – Landscaping-Along the Perimeter Property Lines  
Condition 1.d to read as follows:

1. In addition to the proposed landscaping and code requirements, landscaping and buffer width along the perimeter property lines shall be upgraded to include:
  - d. a six (6) foot high opaque concrete panel wall along the north, south, east and west property lines directly abutting residential uses with a Future Land Use (FLU) of LR-1 and also along the eastern property line of lots 39 through 45. Height of the wall shall be measured from the highest grade of the two adjoining properties (i.e. subject property and the adjoining residential property). (BLDG PERMIT:LANDSCAPE Zoning)

Modify Site Design Conditions 2 to read as follows:

2. Prior to final approval by the Development Review Officer (DRO), the site plan shall be revised to indicate that lots 12, 13, 15, 16, ~~and~~ 19 through 27, and 41 through 45 shall be restricted to one-story homes. (DRO: ZONING - Zoning)

36.  
Page 495

**PDD/W2005-1460 – RAVELLO AGR PUD**

Delete Architectural Review Condition 1.

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

**MAY 25, 2006**

**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/REMANDS/WITHDRAWALS (Pages 1-4)**
- 3. CONSENT AGENDA (Pages 5-11)**
  - o Staff
  - o Board
  - o Public
- 4. REGULAR AGENDA (Pages 12-17)**
- 5. DIRECTOR COMMENTS (Page 17)**
- 6. COMMISSIONER COMMENTS (Page 17)**
- 7. ADJOURNMENT (Page 17)**

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**

**MAY 25, 2006**

**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/REMANDS/WITHDRAWALS**

**A. POSTPONEMENTS**

- 1. **CA2006-178** Title: Resolution approving a Class A Conditional Use application of Florida Power and Light by Kilday & Associates, Inc., Agent. Request: To allow an electric transmission facility. General Location: South side of Atlantic Avenue and approximately 0.5 mile west of State Road 7. **(FLORIDA POWER AND LIGHT GREEN SUBSTATION)** (2006-094)

N/A

Size: 30.45 acres ±

BCC District: 5

MOTION: None required. (Postponed by Zoning Commission to June 22, 2006)

- 2. **PDD/R2005-1122** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Amoco Oil by MDM Services, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Amoco Oil by MDM Services, Inc., Agent. Request: To allow a convenience store with gas sales. General Location: Southwest corner of Congress Avenue and Melaleuca Lane **(AMOCO OIL COMPANY)**. (1988-094)

N/A

Size: 1.56 acres ±

BCC District: 3

MOTION: None required. (Postponed by Zoning Commission to June 22, 2006)

3. **CA2005-1130** Title: Resolution approving a Class A Conditional Use application of Beacon Baptist Tabernacle Inc., by Land Design South, Inc., Agent. Request: To allow a place of worship. General Location: Southeast corner of Indiantown Road and Haynie Lane (**BEACON BAPTIST CHURCH**). (Control 2003-405)

N/A

Size: 18.98 acres ±

BCC District: 1

MOTION: None required. (Postponed by Zoning Commission to June 22, 2006)

4. **Z/CA2005-1461** Title: Resolution approving an Official Zoning Map Amendment application of Sandy Costello, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Sandy Costello, by Land Research Management, Inc., Agent. Request: To allow a place of worship. General Location: Northwest corner of Lantana Road and Fernley Road (**PALM BEACH CHINESE CHRISTIAN CHAPEL**). (Control 2005-508)

N/A

Size: 3.16 acres ±

BCC District: 2

MOTION: None required. (Postponed by Zoning Commission to June 22, 2006)

5. **PDD/TDR/R/W2005-1730** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Westbrooke Homes, by Sara Lockhart, Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow the transfer of development rights. Title: Resolution approving a Requested Use application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow 22 Workforce Housing units. Title: Resolution approving a Waiver application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow deviation from cul-de-sac or dead-end restrictions. General Location: Southwest corner of Belvedere Road and Cleary Road (**WD GARDENS PUD**). (Control 2002-011)

N/A

Size: 54.63 acres ±

BCC District: 6

MOTION: None required. (Postponed by Zoning Commission to June 22, 2006)

6. **Z2004-496** Title: Resolution approving an Official Zoning Map Amendment application 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**). (Control 2004-348)

Page 1

Size: 40.0 acres ±

BCC District: 6

MOTION: To postpone to June 22, 2006. (Requested by Applicant)

7. **Z/COZ2005-1123** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone application of Beatrice Riley, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Community Commercial (CC) Zoning District with a Conditional Overlay Zone (COZ). General Location: Northwest Corner of Tall Pines Road and Southern Boulevard (**RILEY REZONING**). (Control 2005-375)

N/A

Size: 0.78 acres ±

BCC District: 6

MOTION: None required. (Postponed by Zoning Commission to August 24, 2006)

8. **SR 1999-029.2** Status Report for Resolution R-2000-0120 (Petition 1999-029), the petition of Monadylina Properties, Inc. Property owner: BDG Delray. General Location: Southwest corner of State Road 7/US 441 and West Atlantic Ave. Zoning District: Agricultural Reserve with a Class A Conditional Use to allow a convenience store with gas sales and expansion of indoor entertainment and office use. (**STOP & SHOP**).

Pages 2-7

Size: 5.11 acres ±

BCC District: 5

MOTION: To postpone to June 22, 2006. (Requested by Owner)

9. **SR 1989-132.10** Status Report for Resolutions R-1990-858 and R-1990-859 (Petition 1989-132), the petition of Sami, Roni, and Rozanne Sehayik. Property owner: Sami, Roni and Rozanne Sehayik. General Location: Northeast corner of State Road A1A and Richard Road. Zoning District: Specialized Commercial with a Special Exception to permit a Planned Office Business Park, including a restaurant and lounge (**SEHAYIK CENTRE PCD**).

Pages 8-13

Size: 1.9 acres ±

BCC District: 1

MOTION: To postpone to August 24, 2006. (Requested by Owner)

10. **SR 2002-034** Status Report for Resolutions R-2002-1963 and R-2002-1964 (Petition 2002-034), the petition of Lawrence Fisher. Property owners: Mike S. Soueid, Masoud Sanati and Mohammed Eftekhari. General Location: Approximately 1,000 feet south of Lantana Road on the west side of Jog Road. Zoning District: Residential Transitional Urban with a Class A Conditional Use to allow a general daycare (**THE CAMBRIDGE SCHOOL**).

Pages 14-19

Size: 2.39 acres ±

BCC District: 3

MOTION: To postpone to August 24, 2006. (Requested by Owner)

## B. REMANDS

11. **Z/CA2005-477** Title: Resolution approving an Official Zoning Map Amendment application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: To allow a private school. General Location: Southeast corner of Bates Road and Northlake Boulevard (**LEVY LEARNING CENTER**). (Control 2005-193)

Page N/A

Size: 0.98 acres ±

BCC District: 1

MOTION: To remand to the June 14, 2006 Development Review Officer meeting.

## C. WITHDRAWALS

12. **SR 2002-049** Status Report for Resolution R-2003-0427 (Petition 2002-049), the petition of Don and Susan Delucia. Property owner: RPG of South Florida, Inc. General Location: Approximately 300 feet south of Avenida Del Rio on the west side of State Road 7/US 441. Zoning District: Community Commercial with a Conditional Overlay Zone (**DELRAY PLAZA**).

Pages 20-25

Size: 0.61 acres ±

BCC District: 5

MOTION: None required.

**- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS -**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

13. **CA2005-1464** Title: Resolution approving a Class A Conditional Use application of St. Mary Coptic Orthodox Church, by Land Research Management, Inc., Agent. Request: To allow a place of worship. General Location: Approximately 0.5 mile south of West Atlantic Avenue on the east side of Lyons Road (**ST. MARY COPTIC ORTHODOX CHURCH**). (Control 2005-509)

Pages 26-50

Size: 9.75 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a place of worship.

D. ZONING APPLICATIONS

14. **Z2006-181** Title: Resolution approving an Official Zoning Map Amendment application of David and Heidi Setaro, by RTG Construction, Inc., Agent. Request: Rezoning from the Single Family Residential (RS) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 130 feet east of Akron Road on the south side of Springdale Road (**SPRINGDALE ROAD SETARO REZONING**). (Control 2005-572)

Pages 51-61

Size: 0.84 acres ±

BCC District: 6

Staff Recommendation: Approval

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

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



15. **Z2005-1323** Title: Resolution approving an Official Zoning Map Amendment application of West Atlantic Properties Associates LLC, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District General Location: Approximately 600 feet west of Lyons Road on the north side of West Atlantic Avenue (**FREEDOM INDUSTRIAL**). (Control 1984-112)

Pages 62-76

Size: 2.76 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

16. **DOA/R2005-1727** Title: Resolution approving a Development Order Amendment application of Commerce Bank, by Ruden, McClosky, Agent. Request: To re-designate land uses. Title: Resolution approving a Requested Use application of Commerce Bank, by Ruden, McClosky, Agent. Request: to allow a financial institution. General Location: Southwest corner of Okeechobee Boulevard and Military Trail. (**COMMERCE BANK AT PINE TRAIL SHOPPING CENTER**). (Control 1978-273)

Pages 77-97

Size: 28.06 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving a Development Order Amendment to re-designate land uses.

MOTION: To adopt a resolution approving a Requested Use to allow a financial institution.

17. **PDD/R2006-017** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Florida Auto Auction of Orlando, JMC IV Real Estate Company, Palm Beach Newspapers, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR), the Light Industrial (IL) and the Public Ownership (PO) Zoning Districts to the Multiple Use Planned Development (MUPD) District Title: Resolution approving a Requested Use application of Florida Auto Auction of Orlando, JMC IV Real Estate Company, Palm Beach Newspapers, Inc., by Kilday & Associates, Inc., Agent. Request: To allow an expansion to an existing auto auction and a new auto paint and body shop. General Location: Approximately 600 feet south of Belvedere Road on the east side of Sansbury's Way. **(WEST PALM BEACH AUTO AUCTION MUPD)** (Control 2005-641)

Pages 98-119

Size: 71.97 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District from the Agricultural Residential, the Light Industrial and the Public Ownership Zoning Districts to the Multiple Use Planned Development District.

MOTION: To adopt a resolution approving a Requested Use to allow an expansion to an existing auto auction and a new auto paint and body shop.

MOTION: To adopt a resolution approving the abandonment of the Special Exception to allow a Planned Industrial Park Development granted under R-1987-1121-A.

18. **PDD/DOA2006-019** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Five Friends Properties, Inc., West Palms Industrial Park II Association, Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Development Order Amendment application of Five Friends Properties, Inc., West Palms Industrial Park II Association, Inc., by Kilday & Associates, Inc., Agent. Request: To add and delete land area; reconfigure the site plan and add square footage. General Location: Approximately 600 feet east of Sansbury's Way on the south side of Belvedere Road (**PALMS WEST INDUSTRIAL PARK II**). (Control 1985-055)

Pages 120-144

Size: 12.62 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions

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

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

MOTION: To adopt a resolution approving a Development Order Amendment to add and delete land area; reconfigure the site plan and add square footage.

19. **PDD2005-1692** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of TOUSA Homes, Inc., by Sanders Planning Group, P.A., Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 0.5 mile south of Hypoluxo Road on the east side of State Road 7/US 441 (**LADERA PUD**). (Control 2005-585)

Pages 145-163

Size: 43.00 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

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

CONSENT AGENDA

- 20. **Z/CA2005-1720** Title: Resolution approving an Official Zoning Map Amendment application of K Hovnanian, T&C Homes at Florida LLC, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use application of K Hovnanian, T&C Homes at Florida LLC, by Kilday & Associates, Inc., Agent. Request: To allow Townhouses. General Location: Approximately 0.25 mile west of Military Trail on the south side of Lantana Road (**SABAL GROVE**). (Control 2005-535)

Pages 164-190

Size: 10.47 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

Planning Staff Recommendation: Approval of the proposed Workforce Housing Program petition.

LPA Recommendation: Approval of the proposed Workforce Housing Program petition at the April 21, 2006 LPA Hearing, 8-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment rezoning from the Agricultural Residential Zoning District to the Single Family Residential Zoning District.

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

**E. PREVIOUSLY POSTPONED STATUS REPORTS**

- 21. **SR 1994-013.6** Status Report for Resolutions R-95-435 and R-2005-1122 (Petition 1994-013), the petition of Chimu, Inc. Property owner: Chimu, Inc. General Location: Approximately 0.25 mile west of Military Trail on the north side of Hypoluxo Road. Zoning District: Multiple Use Planned Development District (**CHIMU SHOPPING CENTER**).

Pages 191-195

Size: 8.55 acres ±

BCC District: 3

MOTION: To adopt a resolution approving a Development Order Amendment to amend conditions of approval (time extension) in Resolution R-2005-1122.

**F. STATUS REPORTS**

22. **SR 1997-085A** Status Report for Resolution R-2003-0321 (Petition 1997-085A), the petition of Meadowland Development Corp. Property owner: Gateway Partners, LLC. General Location: Approximately 3,400 feet north of Gateway Boulevard bound on the east by Military Trail and the west by Haverhill Road. Zoning District: Planned Unit Development (**GATEWAY GARDENS PUD**).

Pages 196-200

Size: 39.3 acres ±

BCC District: 3

MOTION: To direct Code Enforcement to cite property owner for failure to comply with Condition 3 of Resolution R-2003-0321.

23. **SR 1998-051** Status Report for Resolution R-98-1512 (Petition 1998-051), the petition of Loxahatchee Baptist Mission Church. Property owner: Loxahatchee Baptist Mission Church. General Location: Northeast corner of Orange Boulevard and 140th Avenue North. Zoning District: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship (**LOXAHATCHEE BAPTIST MISSION CHURCH**).

Pages 201-206

Size: 6.12 acres ±

BCC District: 6

MOTION: To approve a time extension until March 22, 2008, for Resolution R-98-1512.

**G. ABANDONMENTS**

24. **ABN2006-088** Request: To revoke Resolution R-1974-0344 which approved the Special Exception to allow a Commercial Stable for the Maintenance and Training of Thoroughbred Race Horses including Grooms' Housing. General Location: Approximately 800 feet north of Atlantic Avenue on the west side of Smith Sundry Road (Control 1974-061) (**TRIPLE C**)

Pages 207-209

BCC District: 5

MOTION: To adopt a resolution approving the abandonment of Resolution R-1974-0344.

H. TDR CONTRACT, ESCROW AGREEMENT AND DEED

25. **DRO**  
**2006-278** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Gun Club, LLC for the sale and purchase of 5 Transfer of Development Right (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit as approved by the Palm Beach County, Zoning Division, Development Review Officer. Request: Approve an escrow agreement between Palm Beach County, Gun Club LLC, and AM South Bank, (escrow agent) for the sale and purchase of 5 TDR units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit, as approved by the Palm Beach County, Zoning Division, Development Review Officer. (**SARDINA**) (Control 1986-013)

Pages 210-217

BCC District: 2

LOCATION: Approximately 200 feet west of Military Trail on the south side of Gun Club Road

MOTION: To approve a contract for the sale and purchase of 5 development rights at a purchase price of \$125,000.00 per unit for a total price of \$125,000.00.

MOTION: To approve an escrow agreement for 5 development rights at a purchase price of \$25,000.00 per unit for a total price of \$125,000.

26. **DRO**  
**2006-728** Execute a deed conveying 5 Development Rights units to Gun Club LLC as authorized by Palm Beach County, Zoning Division, Development Review Officer which approved the purchase of 5 Development Rights from the County's TDR Bank at a cost of \$25,000.00 per unit and the designation of the Sardina as a TDR Receiving Area for those units. (**SARDINA**) (Control 1986-013)

Pages 218-219

BCC District: 2

LOCATION: Approximately 200 feet west of Military Trail on the south side of Gun Club Road

MOTION: To execute a deed conveying 5 Development Right units to Gun Club LLC, as authorized by Palm Beach County, Zoning Division, Development Review Officer.

– END OF CONSENT AGENDA –

## – START OF REGULAR AGENDA –

## 4. REGULAR AGENDA

- A. 9:30 A.M. - TRANSMITTAL PUBLIC HEARING FOR ROUND 06-D1 - CALLERY JUDGE GROVE DEVELOPMENT OF REGIONAL IMPACT (DRI) RELATED AMENDMENTS.

## 27. TRADITIONAL TOWN DEVELOPMENT OVERLAY

Callery Judge Grove, L.P. by Kieran J. Kilday and Robert P. Diffenderfer, Application to amend the Future Land Use Element to: Establish the Traditional Town Development Overlay on the Callery Judge Grove site and define allowable uses and characteristics of this overlay; Identify the Traditional Town Development Overlay as a Limited Urban Service Area (LUSA); Modify policies related to the Traditional Town Development Future Land Use Designation; Modify Table 2.2.10-1 to restrict its applicability to Traditional Town Developments of 600 acres or less; Modify policies related to limited urban service areas; Modify the implementation section to modify requirements of the Traditional Town Development Future Land Use Designation, by establishing that the Traditional Town Development Future Land Use Designation may be located outside of any tier and provide a description of the purpose of the Traditional Town Development Overlay; and Revising Map LU 1.1, Managed Growth Tier System, to remove the Callery Judge Grove site from the Rural Tier; and Revise Map LU 2.1, Service Areas, and Map LU 3.1, Special Planning Areas, to identify the Traditional Town Development Overlay as a Limited Urban Service Area (LUSA).

Pages 220-238

Staff Recommendation: Denial of the applicant's request.

LPA Recommendation: Approval of the applicant's request (6-5 vote).

MOTION: To deny the proposed amendment.

## 28. FLUE POLICY 3.5-D MODIFICATIONS

Callery Judge Grove, L.P. by Kieran J. Kilday and Robert P. Diffenderfer, Application to modify Future Land Use Element Policy 3.5-d (Traffic Analysis Requirements) to exempt the proposed Traditional Town Development Overlay (Callery Judge Grove site) from the requirements of this policy.

Pages 239-266

Staff Recommendation: Denial of the applicant's request.

LPA Recommendation: Denial of the applicant's request (6-5 vote).

MOTION: To deny the proposed amendment.



29. **CALLERY JUDGE GROVE FUTURE LAND USE ATLAS (FLUA) AMENDMENT**

**LGA 2006-00015:** Callery Judge Grove, L.P. by Kieran J. Kilday and Robert P. Diffenderfer, Application to amend the Future Land Use Atlas from Residential, 1 unit per 10 acres (RR-10) to Traditional Town Development with underlying 5 units per acre (TTD/5), and to remove the site from the Rural Tier. General Location: East and west of Seminole Pratt-Whitney Rd., south of 60<sup>th</sup> St. N and north of 50<sup>th</sup> St. N, east of Mead Hill Dr. and 44<sup>th</sup> St. N, east of 190<sup>th</sup> Terrace N, and west of 140<sup>th</sup> Avenue.

Pages 267-359

Size: 3,923.71 acres ±

BCC District: 6

Staff Recommendation: Denial of the applicant's request for a future land use change from RR-10 to TTD/5, and removal from the Rural Tier.

LPA Recommendation: Approval of the applicant's request for a future land use change from RR-10 to TTD/5, and removal from the Rural Tier (6-5 vote).

MOTION: To deny the proposed amendment.

30. **CALLERY JUDGE GROVE CRALLS**

Callery Judge Grove, L.P. by Kieran J. Kilday and Robert P. Diffenderfer, Application to amend the Transportation Element & Map Series (Map TE 15.1) to designate four intersections as Constrained Roadways at a Lower Level of Service (CRALLS) facility exclusively for the purpose of concurrency for the proposed Callery Judge Groves DRI: State Road 7/Okeechobee Boulevard; Beeline Highway/Northlake Boulevard; Jog Road/Okeechobee Boulevard and Royal Palm Beach Boulevard/Okeechobee Boulevard

Pages 360-396

Staff Recommendation: Denial of the applicant's request.

LPA Recommendation: Denial of the applicant's request (6-5 vote).

MOTION: To deny the proposed amendment.



31. **CALLERY JUDGE GROVE TIM AND 2020 MAP AMENDMENTS**

Callery Judge Grove, L.P. by Kieran J. Kilday and Robert P. Diffenderfer, Application to amend the Transportation Element & Map Series to: Increase the laneage for Seminole Pratt-Whitney Road from Orange Boulevard to Southern Boulevard on the 2020 Roadway System by Number of Lanes Map (Figure TE 1.1) from 4 to 6 lanes; Increase the laneage for Persimmon Boulevard from 140th Avenue to Royal Palm Beach Boulevard on the 2020 Roadway System by Number of Lanes Map (Figure TE 1.1) from 2 to 4 lanes; Designate the intersection of Beeline Highway and Northlake Boulevard on the 2020 Roadway System by Number of Lanes Map (Figure TE 1.1) as an Urban Interchange; Designate the intersection of Beeline Highway and Northlake Boulevard on the Thoroughfare Right-of-Way Identification Map (Figure TE-14.1), as an Urban Interchange; and Designate the intersection of SR7 and Okeechobee Boulevard on the Thoroughfare Right-of-Way Identification Map (Figure TE-14.1), as an Urban Interchange.

Pages 397-428

Staff Recommendation: Denial of the applicant's request.

LPA Recommendation: Denial of the applicant's request (6-5 vote).

MOTION: To deny the proposed amendment.

**B. ITEMS PULLED FROM CONSENT****C. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA****D. STATUS REPORTS**

32. **SR 1984-123A.9** Status Report for Resolution R-90-374 (Petition 1984-123(A)), the petition of Old Dixie Partners. Property owner: Old Dixie Joint Venture, Inc. General Location: Southeast corner of Richard Road and Old Dixie Highway, bounded on the east by the Florida East Coast Railroad right-of-way. Zoning District: General Commercial with a Special Exception to amend the site plan for an office/warehouse combination, to redesign the site (**WILCOX OFFICE/WAREHOUSE**).

Pages 429-434

Size: 1.9 acres ±

BCC District: 1

MOTION: To approve a time extension until February 27, 2008, for Resolution R-90-374.

33. **SR 1984-160.11** Status Report for Resolutions R-1985-292 and R-1985-293 (Petition 1984-160), the petition of Forest Hill Ventures. Property owner: Palm Beach Habilitation Center, Inc. General Location: Approximately 0.5 mile west of Military Trail on the south side of Summit Boulevard and the west side of Haverhill Rd. Zoning District: Single Family Residential with a Special Exception to allow a Planned Unit Development (**SUMMIT PINES PUD**).

Pages 435-439

Size: 2.82 acres ±

BCC District: 2

MOTION: To approve a time extension until April 27, 2007, for Resolutions R-1985-292 and R-1985-293.

**E. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

34. **PDD/W/TDR2005-977** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Hypoluxo Jog 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 Waiver application of Hypoluxo Jog LLC, by Land Design South, Inc., Agent. Request: To allow deviation from cul-de-sac or dead-end restrictions. Title: Resolution approving a Transfer of Development Rights application of Hypoluxo Jog LLC, by Land Design South, Inc., Agent. Request: To allow the Transfer of Development Rights and to designate this petition as the receiving area. General Location: Approximately 0.25 miles south of Hypoluxo Road on the east side of Jog Road (**OSPREY OAKS PUD**). (Control 2005-130)

Pages 440-471

Size: 85.78 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions

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

DISCLOSURE

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

MOTION: To adopt a resolution approving a Waiver to allow deviation from cul-de-sac or dead-end restrictions.

MOTION: To adopt a resolution approving a Transfer of Development Rights and to designate this petition as the receiving area.

**F. ZONING APPLICATIONS**

35. **CA2005-1331** Title: Resolution approving a Class A Conditional Use application of Stewart Mining, by Gary M. Brandenburg and Associates, PA, Agent. Request: To allow a Type III B Excavation. General Location: Approximately 2.5 miles north of US 441 on the east side of US 98 (**STEWART MINING INDUSTRIES**). (Control 2005-450)

Pages 472-494

Size: 5,419.93 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 a Class A Conditional Use to allow a Type III B Excavation.

36. **PDD/W2005-1460** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of J. Lendacki, Kit Shiotani, Marion Bailey, South Florida Water Management District, Swaney Properties LLC, William Chinnick Charitable Foundation Inc., by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR/PUD) District. Title: Resolution approving a Waiver application of J. Lendacki, Kit Shiotani, Marion Bailey, South Florida Water Management District, Swaney Properties LLC, William Chinnick Charitable Foundation Inc., by Kilday & Associates, Inc., Agent. Request: To allow deviation from the cul-de-sac or dead-end restrictions. General Location: Approximately 0.2 mile east of Lyons Road on the north side of Boynton Beach Boulevard. (**RAVELLO AGR PUD**) (Control 2005-323)

Pages 495-526

Size: 253.87 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions

Zoning Commission Recommendation: Approved as amended, 5-0.

DISCLOSURE

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

MOTION: To adopt a resolution approving a Waiver to allow deviation from the cul-de-sac or dead-end restrictions.

**G. ULDC AMENDMENTS - PLACES OF ASSEMBLY**

Pages 527-537

37. **MOTION: TO APPROVE ON FIRST PUBLIC HEARING AND ADVERTISE FOR ADOPTION HEARING ON JUNE 22, 2006:** 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 RELATED TO PLACES OF ASSEMBLY, AS FOLLOWS: **ARTICLE 1** – GENERAL PROVISIONS; CHAPTER I – DEFINITIONS AND ACRONYMS; **ARTICLE 3** – OVERLAYS & ZONING DISTRICTS; CHAPTER E – PLANNED DEVELOPMENT DISTRICTS (PDDs); CHAPTER F – TRADITIONAL DEVELOPMENT DISTRICTS (TDDs); **ARTICLE 4** – USE REGULATIONS; CHAPTER A – USE CLASSIFICATION; CHAPTER B – SUPPLEMENTARY USE STANDARDS; **ARTICLE 6** – PARKING; CHAPTER A – PARKING; 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**