

**Board of County Commissioners**

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**County Administrator**

Robert Weisman

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**ORDER OF BUSINESS  
ZONING COMMISSION  
PALM BEACH COUNTY, FLORIDA**

**SEPTEMBER 4, 2003**

**THURSDAY  
9:00 AM**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Opening Prayer and Pledge of Allegiance
  - C. Remarks of the Chair
  - D. Proof of Publication
  - E. Swearing In
  - F. Disclosures
  
- 2. POSTPONEMENTS/WITHDRAWALS/REMANDS (Pages 1-2)**
  
- 3. CONSENT AGENDA (Page 3)**
  
- 4. REGULAR AGENDA (Pages 4-6)**
  
- 5. DIRECTOR COMMENTS (Page 6)**
  
- 6. COMMISSIONER COMMENTS (Page 6)**
  
- 7. ADJOURNMENT (Page 6)**

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**AGENDA**  
**PALM BEACH COUNTY ZONING COMMISSION**  
**THURSDAY, SEPTEMBER 4, 2003**

**1. CALL TO ORDER**

- A. Roll Call – 9:00 A.M.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Zoning Commission of Palm Beach County has convened at 9:00 A.M. in the Jane M. Thompson Memorial Chambers, 301 N. Olive Avenue, West Palm Beach, FL, to consider applications for Official Zoning Map Amendments, Planned Developments, Conditional Uses, Development Order Amendments and other actions permitted by the Palm Beach County Unified Land Development Code and to hear the recommendations of staff on these matters. The Commission may take final action or issue an advisory recommendation on accepting, rejecting or modifying the recommendations of staff. The Board of County Commissioners of Palm Beach County will conduct a public hearing in this room at 9:30 A. M. on **Wednesday, September 17, 2003**, to take final action on the applications listed below.

- D. Proof of Publication – Motion to receive and file.
- E. Swearing In – County Attorney.
- F. Disclosures.

**2. POSTPONEMENTS**

**A. POSTPONEMENTS**

- 1. **PDD2002-028** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Fred Keller Trust by Land Design South. Request: Rezoning from the Light Industrial (IL) Zoning District to the Multiple Use Planned Development (MUPD) District and to allow 3 fast food restaurants and a convenience store with gas sales (requested uses). General Location: Northwest corner of Pike Rd. and Southern Blvd. (**KELLER MUPD**).

Page 1

Size: 5.66 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to October 2, 2003, (Petitioner requested).

2. **DOA1977-013P** Title: Resolution approving a Development Order Amendment petition of Wendy's of N.E. Florida, Inc., by Corporate Property Services, Inc. Request: To reconfigure site plan, add square footage, and allow a restaurant, fast food (requested use). General Location: Northwest corner of Kimberly Blvd. and SR 7/US 441 (**WENDY'S @ BOCA GREENS PUD**).

Page 2

Size: 19.64 acres ±

BCC District: 5

MOTION: To postpone sixty (60) days to November 6, 2003, (Petitioner requested).

**- END OF POSTPONEMENTS**

3. CONSENT AGENDA

- A. REQUESTS TO PULL ITEMS FROM CONSENT
- B. PREVIOUSLY POSTPONED ITEMS - CONSENT
- C. ZONING PETITIONS – CONSENT

- 3. **DOA2001-009A** Title: Resolution approving a Development Order Amendment petition of Weiss Group, Inc., by CH2M Hill, Audrey Huggins, Agent. Request: To allow a general daycare, (requested use) within POD A and to reconfigure the parking area of a previously approved Multiple Use Planned Development. General Location: Approx. 7.5 miles west of PGA Blvd. on the west side of the Beeline Hwy. **(WEISS GROUP)**.

Pages 3-24

Size: 70.97 acres ±

BCC District: 1

MOTION: To recommend approval of the request to allow a general daycare, within POD A and to reconfigure the parking area of a previously approved Multiple Use Planned Development.

D. STATUS REPORTS – CONSENT

- 4. **CR 2001- 010** Status Report for Resolution ZR-2001-005 (Petition 2001-010), the petition of Bank Atlantic. Property Owner: Atlantic Federal Savings & Loan. Location: Northeast corner of West Atlantic Ave. and Jog Rd. Current zoning: Conditional Use B to allow an existing financial institution to add 3 drive thru lanes, in the Community Commercial (CC) Zoning District. **(Bank Atlantic)**

Pages 25-28

Size: 1.03 acres ±

BCC District: 5

MOTION: To recommend approval of the request for a time extension, until February 15, 2004, for compliance with Condition E.1 of resolution ZR-2001-005.

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ITEMS

5. **PDD/TDR2003-013** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of E.B. Developers, Inc., by Land Design South. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of E.B. Developers, Inc., by Land Design South. Request: To allow the Transfer of Development Rights for 48 units and to designate this petition as the receiving area. General Location: Approx. 1,200 feet north of Lantana Rd. on the east side of Haverhill Rd. (**BELMONT AT HAVERHILL PUD**).

Pages 29-63

Size: 24.86 acres ±

BCC District: 3

MOTION: To recommend approval of the request for a rezoning from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: to recommend approval of the request to allow the Transfer of Development Rights for 48 units and to designate this petition as the receiving area.

6. **PDD2003-023** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Engle Homes by Land Design South. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approx. 600 feet east of Jog Rd. on the south side of Linton Blvd. (**LINTON JOG PUD**).

Pages 64-88

Size: 15.24 acres ±

BCC District: 5

MOTION: To recommend approval of the request for a rezoning from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

C. ZONING PETITIONS

- 7. **CA2001-077** Title: Resolution approving a Class A Conditional Use petition of James K. Johnson by CM Design Group, Inc. Request: To allow a general daycare. General Location: Northwest corner of Murcott Blvd. and Seminole Pratt Whitney Rd. (**PLANET KIDS IX**).

Pages 89-109

Size: 2.02 acres ±

BCC District: 6

MOTION: To recommend approval of the request to allow a general daycare.

- 8. **PDD1998-073(4)** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Herbert F. Kahlert & Karl A. Kahlert by Kilday and Associates. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District with a restaurant, fast food (requested use). General Location: Southwest corner of Hagen Ranch Rd. and Boynton Beach Blvd. (**NEW ALBANY PO D E**).

Pages 110-138

Size: 23.88 acres ±

BCC District: 5

MOTION: To recommend approval of the request for a rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District with a restaurant, fast food.

- 9. **DOA1999-028B** Title: Resolution approving a Development Order Amendment petition of Belvedere Commerce Center LLC by Basehart Planning, Inc. Request: To reconfigure master plan, redesignate land uses, reduce square footage and restart commencement clock. General Location: Southeast corner of Belvedere Rd. and Sansbury's Way (**BELVEDERE COMMERCE CENTER**).

Pages 139-168

Size: 8.77 acres ±

BCC District: 6

MOTION: To recommend denial.

10. **PDD2003-025** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Exist 93, LLC by Kilday and Associates. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) District and to allow a convenience store with gas sales, a hotel and a restaurant, fast food (requested uses). General Location: Northwest corner of Florida's Turnpike and Lake Worth Rd. (**TURNPIKE PCD**).

Pages 169-193

Size: 4.58 acres ±

BCC District: 6

MOTION: To recommend approval of the request for a rezoning from the General Commercial Zoning District to the Multiple Use Planned Development District and to allow a convenience store with gas sales, a hotel and a restaurant, fast food.

11. **Z/COZ2002-056** Title: Resolution approving an Official Zoning Map Amendment petition of J.P.B. Lemontree Plaza LLC by Land Research Management. Request: Rezoning from the Residential Medium Density (RM) Zoning District to the General Commercial Zoning District with a Conditional Overlay Zone (CG/COZ). General Location: Southeast corner of Military Trail and Summit Blvd. (**SUMMIT BLVD. ANIMAL HOSPITAL**).

Pages 194-217

Size: 0.4 affected acres/1.83 acres overall ±

BCC District: 2

MOTION: To recommend denial.

## 5. DIRECTOR COMMENTS

The Zoning Division is in the final stages of the MGTS ULDC Code project and would like to provide the Zoning Commission with an update on the project. Also, under separate cover, an Executive Summary and CD of the ULDC for your review and comments.

## 6. COMMISSIONER COMMENTS

## 7. ADJOURNMENT