

**All items on the
September 2, 2004
Zoning Commission Agenda
will be re-scheduled to the
October 7 & 8, 2004 Agenda.**

**Please see the Agenda as soon as
it becomes available.**

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



Robert Weisman
Department of Planning, Zoning & Building
100 Australian Ave
West Palm Beach, FL 33406
Phone: 561-233-5200
Fax: 561-233-5165

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

SEPTEMBER 2, 2004

**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 (Pages 1-2)**

- 3. CONSENT AGENDA (Pages 3-5)**

- 4. REGULAR AGENDA (Pages 6-10)**

- 5. COMMISSIONER COMMENTS (Page 10)**

- 6. DIRECTOR COMMENTS (Page 10)**

- 7. ADJOURNMENT (Page 10)**

Web address: www.pbcgov.com/pzb/

**AGENDA
PALM BEACH COUNTY ZONING COMMISSION**

THURSDAY, SEPTEMBER 2, 2004

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 Thursday, September 30, 2004, 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. **CA/DOA1986-064B** Title: Resolution approving a Class A Conditional Use petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Title: Resolution approving a Development Order Amendment petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To reconfigure site plan and add square footage. General Location: Approximately 0.6 of a mile south of Donald Ross Road on the west side of Ellison Wilson Road (**HOLY SPIRIT LUTHERAN CHURCH**).

Page 1

Size: 5.25 acres ±

BCC District: 1

MOTION: To postpone thirty (30) days to Thursday, October 7, 2004 (petitioner requested).

2. [Z/DOA/CA1988-006A](#) Title: Resolution approving an Official Zoning Map Amendment petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: Rezoning from the Single Family Residential (RS) and Specialized Commercial (CS) Zoning Districts to the Commercial Low Office (CLO) Zoning District. Title: Resolution approving a Development Order Amendment petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: To add land area and add square footage. Title: Resolution approving a Class A Conditional Use petition of Maria Romanelli Trust, by Richard W. Carlson, Jr., Esq., Agent. Request: To allow medical office use. General Location: Approximately 300 feet west of Ohio Road on the south side of Lake Worth Road (**ROMANELLI OFFICE EXPANSION**).

Pages 2-29

Size: 1.36 acres ±

BCC District: 6

MOTION: To postpone thirty (30) days to Thursday, October 7, 2004 (petitioner requested).

- END OF POSTPONEMENTS

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 3. **DOA2004-294** Title: Resolution approving a Development Order Amendment petition of DR Horton, by Julian Bryan & Associates, Agent. Request: To modify a condition of approval for a previously approved Residential Planned Unit Development. General Location: Approximately 660 feet south of Belvedere Road on the west side of Jog Road (**JOHNSON PUD**).

Pages 30-63

Size: 181.79 acres ±

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to modify a condition of approval for a Residential Planned Unit Development.

- 4. **Z2003-072** Title: Resolution approving an Official Zoning Map Amendment petition of Leonidas Alfaro, by Levy, Kneen, Mariani, Curtin, Wiener, Kornfeld, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approximately 660 feet north of Belvedere Road on the east side of Skees Road (**1150 SKEES ROAD**).

Pages 64-76

Size: 1.0 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Light Industrial Zoning District.

- 5. **Z/COZ2004-303** Title: Resolution approving an Official Zoning Map Amendment petition of John Kelleher. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ). General Location: Southwest corner of Ranches Road and Saddle Road (**KELLEHER REZONING**).

Pages 77-89

Size: 4.41 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

6. **Z2003-089** Title: Resolution approving an Official Zoning Map Amendment petition of Pine Run Developers, LLC, by Joseph Khaller & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multifamily Residential (RM) Zoning District. General Location: Approximately 1,000 feet west of Haverhill Road on the north side of Melaleuca Lane (**PINE RUN TOWNHOMES**).

Pages 90-106

Size: 9.63 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multifamily Residential Zoning District.

7. **DOA2004-218** Title: Resolution approving a Development Order Amendment petition of Land Passages, Inc., by Jeff Iravani, Inc., Agent. Request: To allow an assembly non-profit, membership and reconfigure site plan for a previously approved Special Exception to allow a Planned Commercial Development. General Location: Southwest corner of Indiantown Road and Jupiter Farms Road (**JUPITER FARMS SHOPPING CENTER**).

Pages 107-147

Size: 37.89 acres ±

BCC District: 1

MOTION: To recommend approval a Development Order Amendment to allow an assembly non-profit, membership and reconfigure site plan for a Special Exception to allow a Planned Commercial Development.

8. **Z2004-006** Title: Resolution approving an Official Zoning Map Amendment petition of Joseph E. Melchior III, by Ralph Purvis, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the General Industrial (IG) Zoning District. General Location: Northeast corner of Belvedere Road and Skees Road (**JEM INTERPRISES**).

Pages 148-161

Size: 2.36 acres ±

BCC District: 2

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the General Industrial Zoning District.

9. **Z/COZ2004-005** Title: Resolution approving an Official Zoning Map Amendment petition of Evelyn Paray, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District with a Conditional Overlay Zone (COZ). General Location: Approximately 600 feet south of Melaleuca Lane on the east side of Haverhill Road (**GOFFE SUBDIVISION**).

Pages 162-175

Size: 4.03 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District with a Conditional Overlay Zone.

10. **Z2004-346** Title: Resolution approving an Official Zoning Map Amendment petition of Palm Beach County, by PBC Facilities Development & Operations. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 1,760 feet west of 180th Avenue North on the south side of Hamlin Boulevard (**DISTRICT PARK "F"**).

Pages 176-192

Size: 60 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Public Ownership Zoning District.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED ITEMS

11. **Z/CA/TDR2003-086** Title: Resolution approving an Official Zoning Map Amendment petition of ZHK LLC, by Urban Design Studio, 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 petition of ZHK LLC, by Urban Design Studio, Agent. Request: To allow the Transfer of Development Rights. Title: Resolution approving a Transfer of Development Rights petition of ZHK LLC, by Urban Design Studio, Agent. Request: To allow the Transfer of Development Rights for 18 units and to designate this petition as the receiving area. General Location: Approximately 3,000 feet south of Hypoluxo Road and one mile west of Military Trail (**BOYNTON GOLF ESTATES**).

Pages 193-213

Size: 8.78 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Transitional Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow the Transfer of Development Rights for eight (8) units and to designate this petition as the receiving area.

C. ZONING PETITIONS

12. **DOA1983-018B** Title: Resolution approving a Development Order Amendment petition of Lennar Homes, by Land Design South, Agent. Request: To reconfigure master plan for a previously approved Special Exception to allow a Residential Planned Unit Development. General Location: Approximately 5 miles west of the Beeline Highway on the south side of Northlake Boulevard (**BAYHILL ESTATES (AKA STONEWALL PUD)**).

Pages 214-243

Size: 363.72 acres ±

BCC District: 6

MOTION: To recommend approval of a Development Order Amendment to reconfigure master plan for a Residential Planned Unit Development.

13. **PDD2004-022** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of City National Bank of Florida, Trustee, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) and Preservation Conservation (PC) Zoning Districts to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) District. General Location: Development Area: Approximately 0.5 mile north of Clint Moore Road on the east and west sides of Lyons Road. Preserve Area: Two (2) miles west of SR 7 on the south side of Lantana Road (**APPOLONIA FARMS PUD**).

Pages 244-280

Size: 1528.73 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Reserve and the Preservation Conservation Zoning Districts to the Agricultural Reserve Residential Planned Unit Development District.

14. **PDD2004-015** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of GL Homes of Boca Raton Assoc. V, Ltd., by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 1,300 feet south of Kimberly Boulevard on the west side of Coral Ridge Road (**COLLIER PUD**).

Pages 281-302

Size: 44.05 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

15. **PDD/R/TDR2004-001** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Briella LLC, by Miller Land Planning Consultants, Inc., Agent. 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 Briella LLC, by Miller Land Planning Consultants, Inc., Agent. Request: To allow the Transfer of Development rights for 76 units and to designate this petition as the receiving area. General Location: Southeast corner of Hagen Ranch Road and 102nd Place South (**BRIELLA PUD**).

Pages 303-330

Size: 30.70 acres ±

BCC District: 5

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To recommend approval of a Requested Use to allow the Transfer of Development Rights for 76 units and to designate this petition as the receiving area.

16. **PDD/R/TDR2004-008** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of EH Building Group, by Julian Bryan & Associates, Agent. Request: Rezoning from the Single Family Residential (RS) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights petition of EH Building Group, by Julian Bryan & Associates, Agent. Request: To allow the Transfer of Development Rights for 26 units and to designate this petition as the receiving area. General Location: Approximately 0.25 mile west of Haverhill Road on the north side of Summit Boulevard (**WYNDAM II PUD**).

Pages 331-354

Size: 18.62 acres ±

BCC District: 6

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential Single Family Zoning District to the Residential Planned Unit Development District.

MOTION: To recommend approval of a Requested Use to allow the Transfer of Development Rights for 26 units and to designate this petition as the receiving area.

17. **DOA2004-219** Title: Resolution approving a Development Order Amendment petition of St. Luke's United Methodist Church, by Land Design South, Agent. Request: To reconfigure site plan for a previously approved Special Exception to allow a church or place of worship. General Location: Approximately 2,200 feet south of Lake Worth Road on the east side of Ohio Road (**ST. LUKES UNITED METHODIST CHURCH**).

Pages 355-373

Size: 5.89 acres ±

BCC District: 2

MOTION: To recommend approval of a Development Order Amendment to reconfigure site plan for a Special Exception to allow a church or place of worship.

18. **Z/CA2004-220** Title: Resolution approving an Official Zoning Map Amendment petition of Thelma B. Pittman, Jupiter Pre-School, Inc., by William R. Upthegrove, Architect & Planner, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Single Family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Thelma B. Pittman, Jupiter Pre-School, Inc., by William R. Upthegrove, Architect & Planner, Agent. Request: To allow a daycare, general. General Location: Approximately 200 feet north of Palmetto Street on the west side of Cinquez Park Road West (**PITTMAN PRE-SCHOOL**).

Pages 374-387

Size: .89 acres ±

BCC District: 1

MOTION: To recommend approval of an Official Zoning Map Amendment from the Residential High Density Zoning District to the Single Family Residential Zoning District.

MOTION: To recommend approval of a Class A Conditional Use to allow a daycare, general.

19. **CA2004-024** Title: Resolution approving a Class A Conditional Use petition of Florida Conference Association of 7th Day Adventists, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship and a private school. General Location: Approximately 0.5 miles south side of Okeechobee Boulevard on the west side of Folsom Road (**COMMUNITIES WEST 7TH DAY ADVENTIST CHURCH**).

Pages 388-403

Size: 9.48 acres ±

BCC District: 6

MOTION: To recommend approval of a Class A Conditional Use to allow a church or place of worship and a private school.

20. **CA2003-096** Title: Resolution approving a Class A Conditional Use petition of Westgate Associates, LLC, by Miller Land Planning Consultants, Inc., Agent. Request: To allow an office/warehouse. General Location: Approximately 1,300 feet east of Military Trail on the south side of Westgate Avenue (**WESTGATE COMMERCE PARK**).

Pages 404-419

Size: 1.43 acres ±

BCC District: 2

MOTION: To recommend approval of a Class A Conditional Use to allow an office/warehouse.

21. **PDD/R2003-099** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Charles Poston, by David L. Carpenter & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use petition of Charles Poston, by David L. Carpenter & Associates, Agent. Request: To allow a financial institution. General Location: Northeast corner of Lantana Road and Haverhill Road (**LANTANA PLAZA**).

Pages 420-442

Size: 9.83 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

MOTION: To recommend approval of a Requested Use to allow a financial institution.

22. **CA2003-070** Title: Resolution approving a Class A Conditional Use petition of Worship Center Baptist Church, by Kenneth White, Agent. Request: To allow a church or place of worship. General Location: Approximately 1,600 feet west of I-95 on the north side of Donald Ross Road (**WORSHIP CENTER BAPTIST CHURCH**).

Pages 443-463

Size: 1.04 acres ±

BCC District: 1

MOTION: To recommend approval of a Class A Conditional Use to allow a church or place of worship.

5. **COMMISSIONER COMMENTS**

6. **DIRECTOR COMMENTS**

7. **ADJOURNMENT**