

**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**

**JUNE 1, 2006**

**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/REMANDS (Page 2)**
  
- 3. EXECUTIVE DIRECTOR COMMENTS (Page 3)**
  
- 4. CONSENT AGENDA (Pages 3-4)**
  
- 5. REGULAR AGENDA (Pages 5-8)**
  
- 6. COMMISSIONER COMMENTS (Page 8)**
  
- 7. DIRECTOR COMMENTS (Page 8)**
  
- 8. ADJOURNMENT (Page 8)**

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***Disclaimer: Agenda subject to changes at or prior to the public hearing.***

**AGENDA  
PALM BEACH COUNTY ZONING COMMISSION**

**THURSDAY, JUNE 1, 2006**

**1. CALL TO ORDER**

- A. Roll Call – 9:00 A.M.
- B. Opening Prayer, Pledge of Allegiance and Quasi-Judicial Notice

**NOTICE**

Zoning hearings are quasi-judicial and must be conducted to afford all parties due process.

This means that any communication with commissioners, which occurs outside of the public hearing, must be fully disclosed at the hearing. In addition, anyone who wishes to speak at the hearing will be sworn in and may be subject to cross-examination.

In this regard, if any group of citizens or other interested parties wish to cross-examine witnesses, they must appoint one representative from the entire group to exercise this right on behalf of the group. Any person representing a group or organization must provide written authorization to speak on behalf of the group.

Public comment continues to be encouraged and all relevant information should be presented to the commission in order that a fair and appropriate decision can be made.

- 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, 6<sup>th</sup> Floor, 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 at 301 N. Olive Avenue, West Palm Beach, FL, in the Jane M. Thompson Memorial Chambers, 6<sup>th</sup> Floor, at 9:30 A.M. on Thursday, June 22, 2006, 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. **Z2005-1330** Title: Resolution approving an Official Zoning Map Amendment application of Dennis and Grace Gartner, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and the General Commercial (CG) Zoning Districts to the Residential Transitional (RT) Zoning District. General Location: Approximately 2,100 feet north of Lantana Road on the west side of State Road 7/US441. **(GARTNER PROPERTY)** (Control 2005-454)

Pages 1-18

Size: 9.17 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to Thursday, July 6, 2006. (Applicant request)

2. **PDD/W2005-1322** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Lake Worth Growers, Inc., by Gentile, Holloway, O'Mahoney & Associates, 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 Lake Worth Growers, Inc., by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: To allow deviation from cul-de-sac and/or dead-end restrictions. General Location: Northeast corner of Lantana Road and Fearnley Drive. **(FAIRWAY VIEW OF THE PALM BEACHES)** (Control 2005-449)

Page 19

Size: 19.43 acres ±

BCC District: 2

MOTION: To postpone thirty (30) days to Thursday, July 6, 2006. (Applicant request)

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)

Page 20

Size: 18.98 acres ±

BCC District: 1

MOTION: To postpone thirty (30) days to Thursday, July 6, 2006. (Applicant request)

**END OF POSTPONEMENTS**

3. EXECUTIVE DIRECTOR COMMENTS

Workforce Housing

4. CONSENT AGENDA

A. ZONING APPLICATIONS – CONSENT

- 4. **DOA2006-023** Title: Resolution approving a Development Order Amendment application of Cathe Tepper, by Kim Glas-Castro, Agent. Request: To re-designate land uses (open space to residential). General Location: Approximately 0.5 mile west of Jog Road on the north side of Clint Moore Road. **(LOT 10 BONIELLO ACRES)** (Control 1976-185)

Pages 21-34

Size: 2.17 acres ±

BCC District: 5

MOTION: To recommend approval of a Development Order Amendment to re-designate land uses (open space to residential).

- 5. **DOA2005-1733** Title: Resolution approving a Development Order Amendment application of Palm Beach County, by Land Design South, Inc., Agent. Request: To delete land area. General Location: Southeast corner of Yamato Road and State Road 7/US441. **(HAMPTONS AT BOCA RATON)** (Control 1978-005)

Pages 35-53

Size: 24.98 acres ±  
(18.82 affected area)

BCC District: 5

MOTION: To recommend approval of a Development Order Amendment to delete land area.

- 6. **Z2005-1734** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County by Land Design South, Inc., Agent. Request: Rezoning from the Residential Planned Unit Development (PUD) District to the Public Ownership (PO) District. General Location: Approximately 800 feet south of Yamato Road on the east side of State Road 7/US441. **(PBC WASTEWATER PUMPSTATION 9N)** (Control 2005-596)

Pages 54-66

Size: 1.81 acres ±

BCC District: 5

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

7. **PDD/R2005-1736** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Vanguard Realty and Development Corp., by Land Design South, Inc., Agent. Request: Rezoning from the Planned Unit Development (PUD) District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Vanguard Realty and Development Corp., by Land Design South, Inc., Agent. Request: To allow a Congregate Living Facility Type III, and to allow a private school. General Location: Southeast corner of Yamato Road and State Road 7/US441. **(YAMATO COURT MUPD)** (Control 2005-597)

Pages 67-91

Size: 17.01acres ±

BCC District: 5

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

MOTION: To recommend approval of a Requested Use to allow a Congregate Living Facility Type III, and to allow a private school.

– – END OF CONSENT AGENDA –

## - START OF REGULAR AGENDA -

## 5. REGULAR AGENDA

## A. PREVIOUSLY POSTPONED ITEMS

8. **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/US 441. **(FLORIDA POWER AND LIGHT GREEN SUBSTATION)** (2006-094)

Pages 92-107

Size: 30.45 acres ±

BCC District: 5

MOTION: To recommend approval of a Class A Conditional Use to allow an electric transmission facility.

9. **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)

Pages 108-133

Size: 1.56 acres ±

BCC District: 3

MOTION: To recommend approval of an Official Zoning Map Amendment to a Planned Development District Rezoning from the General Commercial Zoning District to the Multiple Use Planned Development District.

MOTION: To recommend approval of a Requested Use to allow a convenience store with gas sales.

10. **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)

Pages 134-151

Size: 3.16 acres ±

BCC District: 2

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

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

11. **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 114 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 and/or dead-end restrictions. General Location: Southwest corner of Belvedere Road and Cleary Road. **(WD GARDENS PUD)** (Control 2002-011)

Pages 152-178

Size: 54.63 acres ±

BCC District: 6

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

MOTION: To recommend approval of Transfer of Development Rights to allow the transfer of 114 development rights and designate this application as the receiving area.

MOTION: To recommend approval of a Requested Use to allow 21 Workforce Housing units.

MOTION: To recommend approval of a Waiver to allow deviation from cul-de-sac or dead-end restrictions.

**B. ZONING APPLICATIONS**

12. **DOA/R2005-774** Title: Resolution approving a Development Order Amendment application of Woolbright Pinewood LLC, by CWB Associates, Agent. Request: To add square footage to an approved Special Exception for a Planned Commercial Development. Title: Resolution approving Requested Use application of Woolbright Pinewood LLC, by CWB Associates, Agent. Request: To allow a Restaurant, Type 1. General Location: Southeast corner of Lantana Road and Jog Road. **(PINWOOD SQUARE)** (Control 1986-008)

Pages 179-207

Size: 1.10 acres ± (affected area)

BCC District: 3

MOTION: To recommend approval of a Development Order Amendment to add square footage to an approved Special Exception for a Planned Commercial Development.

MOTION: To recommend approval of a Requested Use to allow a Restaurant, Type 1.

13. **Z2005-1117** Title: Resolution approving an Official Zoning Map Amendment application of Lantana Ventures LLC, by HSQ Group, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multifamily Residential (RM) Zoning District. General Location: Southeast corner of Congress Avenue and Donnelly Drive. **(LAKE POINT)** (Control 2005-370)

Pages 208-225

Size: 4.08 acres ±

BCC District: 3

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

14. **CA2006-015** Title: Resolution approving a Class A Conditional Use application of Verizon Wireless, by CDS, Inc., Agent. Request: To allow a self-support communication tower. General Location: Southwest corner of 60th Street North and 140th Avenue North. **(VERIZON WIRELESS WESTERN PINES MIDDLE SCHOOL)** (Control 1996-027)

Pages 226-240

Size: 1.50 acres ± (affected area)

BCC District: 6

MOTION: To recommend approval of a Class A Conditional Use to allow a self-support communication tower.



15. **PDD/R/W2005-1333** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: To allow workforce housing. Title: Resolution approving a Waiver application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: To allow deviation from cul-de-sac and/or dead-end restrictions. General Location: Northwest corner of Jog Road and Belvedere Road. **(EASTWOOD PUD)** (Control 2005-456)

Pages 241-264

Size: 67.16 acres ±

BCC District: 2

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 workforce housing.

MOTION: To allow deviation from cul-de-sac and/or dead-end restrictions.

16. **Z2005-1717** Title: Resolution approving an Official Zoning Map Amendment application of David Baker, Trustee, by Basehart Consulting, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approximately 1,955 feet west of Jog Road on the north side of Southern Boulevard. **(SOUTHERN BLVD INDUSTRIAL CENTER)** (Control 2005-593)

Pages 265-281

Size: 6.96 acres ±

BCC District: 6

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

**6. COMMISSIONER COMMENTS**

**7. DIRECTOR COMMENTS**

Annual Zoning Commission Workshop per ULDC Article 2 (refer to enclosed 2005 Annual Report)

**8. ADJOURNMENT**