

Board of County Commissioners

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

October 26, 2000

**THURSDAY
9:30 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. Motion to Adopt Agenda
 - G. Disclosure
- 2. POSTPONEMENTS AND WITHDRAWALS (Pages 2-4)**
- 3. CONSENT AGENDA (Pages 5-10)**
 - " Staff
 - " Board
 - " Public
- 4. REGULAR AGENDA (Pages 11-12)**
- 5. DIRECTOR COMMENTS (Page 12)**
- 6. COMMISSIONER COMMENTS (Page 12)**
- 7. ADJOURNMENT (Page 12)**

AGENDA

PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

THURSDAY, OCTOBER 26, 2000

1. CALL TO ORDER.

- A. Roll Call - **9:30 AM**.
- B. Opening Prayer and Pledge of Allegiance.
- C. Remarks of the Chair:

The Board of County Commissioners has convened to consider the following applications for Future Land Use Map Amendments, Official Zoning Map Amendments, Conditional Uses, Planned Developments, Development Order Amendments, Waiver Requests, Status Reports for Compliance with Time Limitations and Conditions of Approval, and the recommendations of the Land Use Advisory Board and Zoning Commission pursuant to Chapter 163, Florida Statutes; Chapter 125, Florida Statutes; the Palm Beach County Comprehensive Plan; the Palm Beach County Unified Land Development Code; and other authority vested in the Board. This meeting is being held on October 26, 2000 at 9:30 AM, in the County Commission Chambers, 6th Floor, 301 North Olive Avenue, West Palm Beach, Florida.

- D. Proof of Publication - Motion to receive and file.
- E. Swearing In - County Attorney.
- F. Motion to Adopt Agenda.
- G. Disclosure.

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **PDD00-011** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with a self-service storage facility (requested use) petition of Paul & Marjorie Meloche, by Land Design South, Agent. General Location: Approx. 3,500 feet west of Military Trail on the north side of Lantana Rd. (**ABLE'S SELF-SERVICE STORAGE FACILITY**).

N/A

Size: 8.05 acres ±

BCC District: 3

MOTION: To administratively postpone 30 days until November 30, 2000. (Requested by staff.)

2. **DOA 86-017(A)** Development Order Amendment (DOA) to reconfigure site plan and add pumps petition of Southland Corp. by Claudia Gill, Agent. General Location: SE corner of Summit Blvd. and Congress Ave. (**7ELEVEN #26779**).
- Page 1
- Size: 0.88 acres ± BCC District: 2
- MOTION: None. (Postponed until November 30, 2000. Petitioner requested, by right)
3. **PDD00-039** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Unit Development (MUPD) with financial institution and fast food restaurant (requested uses) petition of Halverson Development by Kieran Kilday, Agent. General Location: NE corner of Lyons Rd. and Hypoluxo Rd. (**TOWN COMMONS MUPD 1**).
- Page 2
- Size: 19.5 acres ± BCC District: 3
- MOTION: None. (Postponed until November 30, 2000. Petitioner requested, by right).
4. **DOA 81-186(G)** Development Order Amendment (DOA) to allow a self-service storage facility, landscape maintenance, building supplies and truck rental (requested uses) petition of Mini Storage Developers by Mark Bradford, Agent. General Location: NE corner of Jog Rd. and Lantana Rd. (**LEE SQUARE**).
- Page 3
- Size: 12.09 acres ± BCC District: 3
- MOTION: None. (Postponed until November 30, 2000. Petitioner requested, by right).
5. **Z/DOA 96-062(B)** Official Zoning Map Amendment (Z) from Agricultural Residential (AR) to Residential Single Family (RS) and a Development Order Amendment (DOA) to add land area; add students; reconfigure site plan and modify/delete conditions of approval in Resolution R-97-1569 petition of American Heritage School of Boca Delray, Inc. and William R. Laurie, by Kieran J. Kilday, Agent. General Location: Approx. 1,300 feet east of Jog Rd. on the south side of Linton Blvd. (**AMERICAN HERITAGE SCHOOL**).
- Page 4
- Size: 6.59 acres ± (affected)
40.31 ± (overall) BCC District: 5
- MOTION: None. (Postponed until November 30, 2000. Petitioner requested, by right).
6. **PDD99-036** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) petition of Joe Fearnley, Trustee, by Richard Carlson, Agent. General Location: SE corner of Military Trail and Coconut Lane (**COCONUT PLAZA MUPD**).
- Page 5
- Size: 3.83 acres ± BCC District: 4
- MOTION: To postpone 60 days until January 4, 2001. (Requested by petitioner. Staff has no objection.)

7. **99-028(A)** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) with a convenience store with gas sales petition of Belvedere Commerce Center, LLC by Robert E. Basehart, Agent. General Location: SE corner of Belvedere Rd. and Sansbury's Way (**BELVEDERE COMMERCE CENTER**).

Page 6

Size: 8.77 acres ±

BCC District: 6

MOTION: None. (Postponed until January 4, 2001. Petitioner requested, by right).

8. **DOA 96-105(A)** Development Order Amendment (DOA) to modify/delete conditions in Resolution R-97-1097; add building square footage; reconfigure master plan; add 2nd self-storage facility and vehicle rental (requested uses) petition of Delray Land Co. of Iowa Inc. and Portalegre, by Land Design South, Agent. General Location: Approx. 0.25 mile east of Jog Rd. on the south side of West Atlantic Ave. (**ATLANTIC CENTER MUPD**).

Page 7-36

Size: 9.16 acres ±

BCC District: 5

MOTION: To postpone until January 25, 2001. (Requested by petitioner. Staff has no objection)

9. **SR 88-33E** Status Report for Resolution R-98-1130 (Petition DOA88-33E), the petition of Harold Murphy. Property owner: Harold Murphy. General Location: north side of Southern Blvd. approx. 330 ft. east of Cleary Rd. (**MURPHY'S TOWING**).

Pages 37-39

Size: 4.08 acres ±

BCC District: 6

MOTION: To postpone status report until January 4, 2001.

B. WITHDRAWALS

10. **PDD00-063** Official Zoning Map Amendment (PDD) from General Commercial (CG) to Multiple Use Planned Development (MUPD) with self-service storage facility and truck rental (requested uses) petition of Manuel Andrade, by Land Design South, Agent. General Location: Approximately ½ mile west of Haverhill Rd. on the north side of Okeechobee Blvd. (**GLADSTONE COMMERCIAL**).

Page 40

Size: 6.35 acres ±

BCC District: 2

MOTION: None. (Withdrawn by petitioner.)

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS - CONSENT

- 11. **DOA 81-006(A)** Development Order Amendment (DOA) to delete land area petition of PBC FD&O, by Anna Cottrell, Agent. General Location: Approx. 0.25 mile east of Military Trail on the north side of Pheasant Way (**BOCAIRE TRACT G**).

Pages 41-49

Size: 5.82 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (5-0).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to delete land area.

- 12. **Z/DOA 88-058(B)** Official Zoning Map Amendment (Z) from Residential Single Family (RS) to Public Ownership (PO) and a Development Order Amendment (DOA) to add land area petition of PBC FD&O, by Anna Cottrell, Agent. General Location: Approx. 0.25 mile east of Military Trail on the north side of Pheasant Way (**FIRE STATION 52**).

Pages 50-61

Size: 0.69 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Single Family (RS) to Public Ownership (PO).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add land area.

13. **Z/DOA 92-048(B)** Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to Residential Single Family (RS) and a Development Order Amendment (DOA) to add land area and modify/delete conditions petition of Muslim Community of Palm Beach County, Inc., by Kevin McGinley, Agent. General Location: Approx. 300 feet east of Haverhill Rd. on the north side of Purdy Ln. (**MUSLIM COMMUNITY**).

Pages 62-76

Size: 0.77 acres ± (affected)
1.6 acres ± (overall)

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (Z) from Residential Medium Density (RM) to Residential Single Family (RS).

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to add land area and modify/delete conditions.

14. **PDD00-019** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD) petition of Phoenix Development Corp., by H.P. Tompkins, Jr., Agent. General Location: Approx. 3,600 feet north of Lantana Rd. on the west side of SR 7/US 441 (**CYPRESS LAKES PRESERVE PUD**).

Pages 77-94

Size: 54.21 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Planned Unit Development (PUD).

15. **PDD00-020** Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD) petition of Phoenix Development Corp., by HP Tompkins, Agent. General Location: Approx. 3,600 feet north of Lantana Rd. on the west side of SR 7/US 441 (**CYPRESS LAKES PRESERVE MUPD**).

Pages 95-115

Size: 5.81 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, (6-0).

MOTION: To adopt a resolution approving the request for an Official Zoning Map Amendment (PDD) from Agricultural Residential (AR) to Multiple Use Planned Development (MUPD).

- 16. **DOA 97-095(A)** Development Order Amendment (DOA) to modify/delete conditions, to relocate and add access point and add square footage to Public Civic Pod petition of PBC Water Utilities Department by Kilday & Associates, Inc, Agent. General Location: between Jog Rd. and Hagen Ranch Rd. on the south side of Flavor Pict Rd. (**WINSBERG FARM PUD**).

Pages 116-139

Size: 259.42 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to modify/delete conditions, to relocate and add access point and add square footage to a Public Civic Pod.

- 17. **EAC 92-023(B)** Development Order Amendment/Expedited Application Consideration (EAC) to reconfigure site plan (add phases) petition of BMC and Steven Craig, Trustee, by Richard Carlson, Agent. General Location: NE corner of Belvedere Rd. and Military Trail (**BMC MUPD**).

Pages 140-167

Size: 25 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request for a Development Order Amendment/Expedited Application Consideration (EAC) to reconfigure site plan.

- 18. **EAC 86-008(E)** Development Order Amendment/Expedited Application Consideration (EAC) to modify/delete conditions of approval petition of Verizon Wireless, by Mark Ciarfella/Andy Paurowski, Agent. General Location: SE corner of Lantana Rd. and Jog Rd. (**PINEWOOD SQUARE**)

Pages 168-189

Size: 0.1 (leased parcel) (28.63 total) acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request for a Development Order Amendment/Expedited Application Consideration (EAC) to modify/delete conditions of approval.

C. RECEIVE AND FILE ZONING COMMISSION RESOLUTION

- 19. **DOA 81-095(C)** Resolution for Atlantic Coast Tower (**FOREST HILL CENTER**)

Pages 190-197

MOTION: To receive and file Zoning Resolution ZR-2000-016.

D. STATUS REPORTS - CONSENT

20. **SR 85-115** Status Report for Resolutions R-86-111 and R-86-112 (Petition 85-115), the petition of John E. Corbally, James Furman and David M. Murdoch. Property owner: Communities Finance Co. General Location: west side of Haverhill Rd., approximately 0.3 of a mile south of Dyer Blvd. (68th Road North). Current zoning: RM-Multiple Family Residential (Medium Density) with a Special Exception for a Planned Residential Development (**HAVERTHILL ROAD CONDO**).

Pages 198-201

Size: 33.35 acres ±

BCC District: 2

MOTION: 1) To adopt a resolution to revoke the Special Exception for a Planned Residential Development; and 2) to exempt Resolution R-86-111 (rezoning to the RM-Multiple Family Residential (Medium Density) zoning district) from further Section 5.8 review.

21. **SR 86-8C.8** Status Report for Resolutions R-90-838 and R-90-839 (Petition 86-8C), the petition of Radnor/Higier Partnership #3. Property owners: MDN Lantana, Ltd. and Vastgoed DIM. General Location: SE corner of Lantana Rd. and Jog Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development (PCD) (**PINEWOOD SQUARE PCD**).

Pages 202-205

Size: 4.65 acres ±

BCC District: 3

MOTION: 1) To adopt a resolution to amend conditions of approval (road) in Resolution R-90-839, and 2) to approve a time extension until May 22, 2002 to commence development.

22. **SR 85-171.5** Status Report for Resolution R-86-573-11(Petition 85-171A), the petition of Mark B. Davis, Trustee (R-88-1236 was Island Associates Limited and Palm Beach Jewish Community Campus Corporation). Property owner: Welcome Homes West Palm Beach Ltd. Partnership. General Location: northeast corner of the intersection of Haverhill Rd. and 12th St. (Community Dr.). Current zoning: Single Family Residential with a Special Exception to allow Planned Unit Development, including public recreational facilities and a child day care center (**DORFMAN PUD**).

Pages 206-209

Size: 72.8 acres ±

BCC District: 2

MOTION: To approve a time extension until September 26, 2002, for Resolution R-86-573-11.

23. **SR 87-118.8** Status Report for Resolutions R-88-1803 and R-88-1804 (Petition 87-118), the petition of Thomas B. and Nancy S. Cushing. Property owner: Thomas B. & Nancy P. Cushing. General Location: 330 feet east of Johnson Ln. and approx. 330 feet north of Fairgrounds Rd. Current zoning: Light Industrial with a Special Exception to permit a Planned Industrial Park Development (**BELVEDERE P.I.D.**).

Pages 210-212

Size: 5.0 acres ±

BCC District: 6

MOTION: To approve a time extension until August 25, 2002, for Resolutions R-88-1803 and R-88-1804.

24. **SR 90-29.6** Status Report for Resolutions R-90-1457 and R-90-1458 (Petition 90-29), the petition of Reese Companies. Property owner: SD & D #1 Ltd. General Location: east side of Military Trail, approx. 0.3 mile south of Lake Worth Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development (**FINANCIAL INSTITUTION**).

Pages 213-215

Size: 1.0 acre ±

BCC District: 3

MOTION: To approve a time extension until August 28, 2002, for Resolutions R-90-1457 and R-90-1458.

25. **SR 94-36.2** Status Report for Resolution R-94-1086 (Petition 94-36), the petition of Valerie Zammit. Property owner: Valerie T. Zammit, TR. General Location: south side of Belvedere Rd., approx. 0.25 miles east of Pike Rd. Current zoning: Light Industrial with a Conditional Overlay Zone (**ZAMMIT PETITION**).

Pages 216-218

Size: 12.5 acres ±

BCC District: 6

MOTION: To approve a time extension until August 25, 2002, for Resolution R-94-1086.

26. **SR 95-31.4** Status Report for Resolution R-95-1115 (Petition 95-31), the petition of Johnson Brothers Consolidated Waste, Inc. Property owner: Kirms Communications, Inc. General Location: west side of Tall Pines Rd., approx. 0.1 mile north of Southern Blvd. Current zoning: Light Industrial. (**JOHNSON PROPERTY**).

Pages 219-223

Size: 0.74 acres ±

BCC District: 6

MOTION: 1) To adopt a resolution to amend conditions of approval (TPS) in Resolution R-95-1115, and 2) to approve a time extension until August 24, 2002, to commence development.

27. **SR 97-43** Status Report for Resolutions R-97-1594 and R-97-1595 (Petition 97-43), the petition of Salvation Army. Property owner: Salvation Army. General Location: southwest corner of Lake Worth Rd. and Kirk Rd. Current zoning: Single Family Residential with Class A Conditional Uses for Church and Assembly, non profit (**SALVATION ARMY CHURCH & ASSEMBLY**).

Pages 224-226

Size: 5.1 acres ±

BCC District: 3

MOTION: To approve a time extension until October 23, 2002, for Resolutions R-97-1594 and R-97-1595.

28. **CR 79-148B/E3b** Status Report for Resolution R-98-1297 (Petition 79-148B), the petition of Irving Dodds. Property owner: Irving L. Dobbs. General Location: south side of Okeechobee Blvd., approx. 500 feet west of Jog Rd. Current zoning: CG-General Commercial with a Special Exception for a Planned Commercial Development. (**PALM BEACH ACURA**).

Pages 227-230

Size: 10.4 acres ±

BCC District: 2

MOTION: To approve a time extension until February 1, 2001, for condition number E.3.b. Resolution R-98-1297

E. CORRECTIVE RESOLUTIONS

- 29. **W 81-095(B)** Corrective Resolution: To correct the findings of fact of Resolution R-2000-0592 (**FOREST HILL CENTER**)

Pages 231-233

MOTION: To adopt a resolution to correct the findings of fact of Resolution R-2000-0592.

- 30. **PDD 99-077** Corrective Resolution: To correct Exhibit C of Resolution R-2000-1234 (**OKEECHOBEE/441 PUD**)

Pages 234-247

MOTION: To adopt a resolution to correct Exhibit C of Resolution R-2000-1234.

- 31. **DOA 98-055(B)** Corrective Resolution: To correct Condition E.8.b of Exhibit C of Resolution R-2000-1568 (**LESTER PUD**)

Pages 248-249

MOTION: To adopt a resolution to correct Condition E.8.b of Exhibit C of Resolution R-2000-1568.

F. JUPITER IOZ

- 32. Resolution removing County Zoning designation in the Jupiter IOZ

Pages 250-252

MOTION: To approve the Resolution removing the County Zoning designation from the Jupiter IOZ and adopt a resolution affirming that action.

MOTION: To approve all items on the Consent Agenda (as amended) and adopt resolutions affirming the applicable actions.

- END OF CONSENT AGENDA -

- START OF REGULAR AGENDA -**4. REGULAR AGENDA:****A. ITEMS PULLED FROM CONSENT****B. SMALL SCALE LAND USE AMENDMENT**

33. **00-SCA
63 COM 1** Fred Keller, Trustee, by Douglas K. Mattson, Code Inc. Small Scale Land Use Amendment (SCA): Amend land use from Industrial (IND) to Commercial High (CH). General Location: northwest quadrant of Southern Blvd. and the Ronald Reagan Turnpike. **(SOUTHERN/TURMPIKE)**

Pages 253-274

Size: 6.69 acre ±

BCC District: 6

Staff Recommendation: Approval of the requested future land use change from IND to CH.

LPA Recommendation: Approval of the requested future land use change from IND to CH (10-1 vote).

MOTION: To approve the request for a future land use change from IND to CH.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

34. **DOA/TDR
95-116(D)** Development Order Amendment (DOA) to reconfigure master plan, add units and a Transfer of Development Rights (TDR) for 17 units and designate PDD95-116(D) as the receiving area petition of Levitt-Ansca Towne Park by Land Design South, Agent. General Location: SE corner of Lantana Rd. and SR 7/US 441 (**TOWNE PARK PUD**).

Pages 275-315

Size: 553.86 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to reconfigure master plan and add units.

MOTION: To adopt a resolution approving the request for a Transfer of Development Rights (TDR) for 17 units and designate PDD95-116(D) as the receiving area.

- 35. **DOA 76-139(C)** Development Order Amendment (DOA) to redesignate land uses (recreation to residential) and add units petition of Sherbrooke Management Inc., by Urban Design Studio, Agent. General Location: SW corner of North Calumet Circle and Lyons Rd. (**SHERBROOKE ESTATES**).

Pages 316-339

Size: 6.15 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a Development Order Amendment (DOA) to redesignate land uses and add units.

5. DIRECTOR COMMENTS.

A. ZONING DIRECTOR.

- 36. Update on ULDC Revisions to Address Nursery and Equestrian Issues
N/A

- 37. MGTS Code Rewrite Project Update
N/A

B. PLANNING DIRECTOR.

- 38. Sector Plan Update - Denise Malone, Project Manager
N/A

C. COUNTY ENGINEER.

6. COMMISSION COMMENTS.

7. ADJOURNMENT.