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

SEPTEMBER 26, 2002

**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. Adoption of Agenda

2. POSTPONEMENTS AND WITHDRAWALS (Pages 1-2)

3. CONSENT AGENDA (Pages 3-8)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 9-11)

5. DIRECTOR COMMENTS (Page 11)

6. COMMISSIONER COMMENTS (Page 11)

7. ADJOURNMENT (Page 11)

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**AGENDA
PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

THURSDAY SEPTEMBER 26, 2002

1. CALL TO ORDER

- A. Roll Call – **9:30 A.M.**
- 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 amendments to the Palm Beach County Unified Land Development Code, and the recommendations of the Land Use Advisory Board, Citizens Task Force, Land Development Regulation Commission, 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 September 26, 2002 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. Adoption of Agenda

2. POSTPONEMENTS AND WITHDRAWALS

A. POSTPONEMENTS

- 1. **PDD2002-011** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lawrence Gideon Johnson by George G. Gentile, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development District (MUPD). General Location: SE corner of Belvedere Rd. and the Florida Turnpike. (**JOHNSON PROPERTY MUPD**)

Page 1

Size: 54.6 acres ±

BCC District: 6

MOTION: None required. Postponed by right to October 24, 2002. (Petitioner requested 30 days.)

2. **SR 1996-087.2** Status Report for Resolution R-97-964 (Petition 1996-087), the petition of New Pine Glen. Property owner: Aurora Investments IV, Inc. General Location: SW corner of Forest Hill Blvd. and Haverhill Rd. Current zoning: Multiple Use Planned Development District with a self-service storage facility and truck rental (requested uses) (**ABBHEY PARK COMMERCIAL MUPD**).

Pages 2-5

Size: 11.39 acres ±

BCC District: 2

MOTION: To postpone status report until October 24, 2002.

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. REMANDS

- 3. **PDD2002-016** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of James O'Brien, Trustee by Kieran J. Kilday, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development District (MUPD) with a self-service storage facility (requested use). General Location: North side of Lantana Rd., west of Florida's Turnpike (**LANTANA/TURNPIKE SSSF**).

Page 6

Size: 10.5 acres ±

BCC District: 2

MOTION: To remand back to DRC on October 9, 2002 for further review.

C. ZONING PETITIONS – CONSENT

- 4. **DOA1994-056(A)** Title: Resolution approving a Development Order Amendment petition of Ronald G. Woods, Trustee by Patrick Tobin, Agent. Request: To modify/delete conditions of approval and reconfigure site plan. General Location: Approx. 1 mile west of Jupiter Farms Rd. on the north side of Randolph Siding Rd. (**RANDOLF OAKS (aka WILD PALMS)**).

Pages 7-26

Size: 39.21 acres ±

BCC District: 1

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 to modify/delete conditions of approval and reconfigure site plan.

- 5. **Z/COZ2001-071** Title: Resolution approving an Official Zoning Map Amendment with a Conditional Overlay Zone petition of Tidal Wave Investments, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone (IL/COZ). General Location: Approx. 1700 feet west of Jog Rd. on the north side of Wallis Rd. (**TIDAL WAVE REZONING**)

Pages 27-44

Size: 13.0 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Light Industrial Zoning District with a Conditional Overlay Zone.

- 6. **EAC1980-047E** Title: Resolution approving a Development Order Amendment/ Expedited Application Consideration petition of School District of Palm Beach County by Song and Associates, Agent. Request: To delete land area. General Location: Western terminus of Glades Rd. on the north side of University Parkway (**BAY WINDS PUD (aka WEST BOCA/DELRAY HIGH SCHOOL)**).

Pages 45-64

Size: 1,013.65 acres ± (existing) BCC District: 5
 992.92 acres ± (proposed)

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

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

D. STATUS REPORTS – CONSENT

- 7. **SR 77-133G.2** Status Report for Resolution R-97-966 (Petition 1977-133F), the petition of Cross County Associates. Property owner: Cross County Associates Ltd. Partnership. General Location: SE corner of the intersection of Military Trail and Okeechobee Blvd. on the north side of Westgate Ave. Current zoning: Multiple Use Planned Development (**CROSS COUNTY MALL**).

Pages 65-68

Size: 43.05 acres ± BCC District: 2

MOTION: To approve a time extension until July 24, 2004, for Resolution R-97-966.

- 8. **SR 1981-024A** Status Report for Resolution R-1999-1215 (Petition 1981-024A), the petition of Florida Gardens Land Development Co. Property owner: Meyer Dev. LLC/Lessor. General Location: SW corner of Lake Worth Rd. and Ohio Rd. Current zoning: Community Commercial with a Conditional Overlay Zone (**KEY CENTERS COMMERCIAL**).

Pages 69-72

Size: 1.7 acres ± BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (architectural) in Resolution R-1999-1215, and approve a time extension until July 22, 2004, to commence development.

9. **SR 1985-132.13**

Status Report for Resolutions R-86-228 and R-86-229 (Petition 1985-132), the petition of Robert Needle, Trustee. Property owner: Jonathan R. Kaplan, Successor, Tr. General Location: Approx. 850 feet west of Congress Ave. on the south side of Lake Worth Rd. Current zoning: General Commercial with a Special Exception to allow a Planned Commercial Development.

Pages 73-76

Size: 0.5 acres ±

BCC District: 3

MOTION: To approve a time extension until July 15, 2003, for Resolutions R-86-228 and R-86-229.

10. **SR 1996-113A** Status Report for Resolution R-97-252 (Petition 1996-113A), the petition of Daniel Catalfumo. Property owner: Columbia JFK Medical Center. General Location: NW corner of Melaleuca Lane and Congress Ave. Current zoning: Multiple Use Planned Development (**4531 MUPD**).

Pages 77-80

Size: 4.51 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-97-252, and approve a time extension until July 30, 2004, to commence development.

11. **SR 1997-045** Status Report for Resolution R-97-968 (Petition 1997-045), the petition of Nisize Realty, Inc. Property owner: IS & RG LLC. General Location: NE corner of the intersection of Bellevue Ave. and Lake Worth Rd. Current zoning: General Commercial (**PALM BEACH SURGICAL ASSOCIATES**).

Pages 81-84

Size: 1.5 acres ±

BCC District: 3

MOTION: To adopt a resolution to amend voluntary commitments (TPS) in Resolution R-97-968, and approve a time extension until July 24, 2004, to commence development, and until June 1, 2003 to comply with voluntary commitment number E.2. of Resolution No. R-97-968.

12. **SR 1997-103** Status Report for Resolution R-98-1107 (Petition 1997-103), the petition of Edward & Marleine Sasso. Property owner: Edward A. Sasso. General Location: Approx. 0.75 mile east of Congress Ave. on the north side of Lake Worth Rd. Current zoning: Light Industrial (**SASSO PROPERTY**).

Pages 85-87

Size: 4.08 acres ±

BCC District: 3

MOTION: To exempt Resolution R-98-1107 from further review pursuant to Section 5.8 of the Unified Land Development Code.

13. **SR 1998-032** Status Report for Resolution R-98-1131 (Petition 1998-32), the petition of Harold Murphy. Property owner: Southern Waste Systems Ltd. General Location: NE corner of Cleary Rd. and Wallis Rd. Current zoning: Multiple Use Planned Development with Air Curtain Incinerator, Permanent (requested use) (**PALM BEACH TRANSFER AND RECYCLING**).

Pages 88-93

Size: 8.9 acres ±

BCC District: 6

MOTION: To approve a time extension until July 23, 2003, for Resolution R-98-1131.

14. **SR 1998-077** Status Report for Resolution R-1999-0527 (Petition 1998-077), the petition of Herbert and Karl Kahlert. Property owners: Magna Oil LLC, Herbert F PR & K Kahlert. General Location: NE corner of Lake Worth Rd. and Lyons Rd. Current zoning: Multiple Use Planned Development (**VILLAGE CORNER MUPD**).

Pages 94-100

Size: 12.29 acres ±

BCC District: 6

MOTION: To approve a time extension until March 29, 2003, for Resolution R-1999-0527.

15. **SR 1998-090** Status Report for Resolutions R-1999-1217 and R-1999-1218 (Petition 1998-090), the petition of C/O Iron City Sash & Door Co. Property owner: Southeastern Conference Assn. General Location: Approx. 800 feet south of Coconut Ln. on the east side of Military Trail. Current zoning: Residential Transitional Urban with a Class A Conditional Use for a Church or place of worship (**7TH DAY ADVENTIST CHURCH**).

Pages 101-103

Size: 2.93 acres ±

BCC District: 4

MOTION: To approve a time extension until July 22, 2004, for Resolutions R-1999-1217 and R-1999-1218.

16. **CR 79-134A.4** Status Report for Resolution R-99-1145 (Petition 79-134A), the development order of the Board of County Commissioners. Property owner: Florida Childcare Prop I Lc. General Location: 1/4 mile west of SR7/US 441 on the south side of Sandalfoot Blvd. Current zoning: Multiple Family (Medium Density) Residential with a Special Exception for a day care center (**LEARNING EXPERIENCE OF WEST BOCA**).

Pages 104-107

Size: 1.00 acres ±

BCC District: 5

MOTION: To approve a time extension until January 2, 2003, to comply with condition numbers A.2., A.3., and E.3. of Resolution R-99-1145.

- 17. **CR 93-39A** Status Report for Resolution R-98-15 (Petition 1993-39A), the petition of Security Capital Atlantic, Inc. Property owner: Security Capital Atlantic, Inc , P. A. Peterson Jr. & E. D. Peterson. General Location: Approx. 0.54 mile west of Military Trail on the south side of Atlantic Ave. Current zoning: Planned Unit Development (**CAMERON PARK PUD**).

Pages 108-112

Size: 38.58 acres ±

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (right-of-way) in Resolution R-98-15, and approve a time extension until August 1, 2003, to comply with condition numbers E.8. and E.9. of Resolution R-98-15.

- 18. **CR 1998-080.2** Status Report for Resolution R-99-1142 (Petition 1998-080), the petition of Steven Greenfield, Trustee. Property owner: Steven B. Greenfield, Tr of Sabra Land Trust. General Location: south side of Lox Rd., 6 miles west of SR 7/US 441. Current zoning: Special Agricultural with a Conditional Use A to allow Chipping and Mulching and Potting Soil Manufacturing (**LOX ROAD VEGETATION RECYCLING & NURSERY**).

Pages 113-116

Size: 19.96 acres ±

BCC District: 5

MOTION: To approve a time extension until December 1, 2002, to comply with condition numbers G.7 and G.8 of Resolution R-99-1142.

- 19. **CR 1995-057A/E2b** Status Report for Resolution R-99-982 (Petition 1995-57A), the petition of Pembroke Entrance Joint Venture. Property owner: Centeramerica Venture Fund. General Location: NW corner SR 7/US 441 and Lake Worth Rd. Current zoning: Multiple Use Planned Development (**SHOPPES OF WYCLIFFE**).

Pages 117-120

Size: 24.16 acres ±

BCC District: 6

MOTION: To approve a time extension until February 1, 2003, to comply with condition number E.2.b. of Resolution R-1999-982.

E. RECEIVE AND FILE ZONING COMMISSION RESOLUTIONS

- 20. **ABN2000-027**

Resolution Revoking Resolution ZR-2000-014 approving Zoning Petition CB2000-027, for a Class B Conditional Use (CB) to allow a wholesale nursery (**NICAL NURSERY**).

Pages 121-123

MOTION: To receive and file Zoning Resolution ZR-2002-013.

F. ABANDONMENT RESOLUTIONS

21. **ABN1989-098.5** To abandon Resolution R-97-1296 for Status Report SR89-98.5 which amended Conditions of Approval of Resolution R-90-0365 the Special Exception of Allan Gluckstem, Petition No. 89-98 which granted a Special Exception to permit a Planned Commercial Development.

Pages 124-126

MOTION: To adopt a resolution approving the abandonment of Resolution R-97-1296 for Status Report SR89-98.5 which amended Conditions of Approval of Resolution R-90-0365 the Special Exception of Allan Gluckstem, Petition No. 89-98 which granted a Special Exception to permit a Planned Commercial Development.

22. **ABN1989-097.5** To abandon Resolution R-97-1295 for Status Report SR89-97.5 which amended Conditions of Approval of Resolution R-90-0363 the Special Exception of W.G. Lassiter, Petition No. 89-97 which granted a Special Exception to permit a Planned Commercial Development.

Pages 127-129

MOTION: To adopt a resolution approving the abandonment of Resolution R-97-1295 for Status Report SR89-97.5 which amended Conditions of Approval of Resolution R-90-0363 the Special Exception of W.G. Lassiter, Petition No. 89-97 which granted a Special Exception to permit a Planned Commercial Development.

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. TRANSFER OF DEVELOPMENT RIGHTS SENDING AREA (PLANNING DIVISION)**

23. Johnson Estate, by Gentile, Holloway, O'Mahoney & Associates. Transfer of Development Rights (TDR) Sending Area: To designate a 23.25 acre parcel of land as a TDR Sending Area. General Location: one half mile east of Jog Rd., between Southern Blvd. and Belvedere Rd. (**JOHNSON PROPERTY TDR SENDING AREA**)

Pages 130-149

Size: 23.25 acres ±

BCC District: 6

Staff Recommendation: Approval of a determination that the minimum land area eligible for the transfer of development rights as a sending area for this request shall be 23.25 acres.

MOTION: To determine that the minimum land area eligible for the transfer of development rights as a sending area for this request shall be 23.25 acres.

Staff Recommendation: Approval of a TDR sending area designation on the subject site.

MOTION: To designate the subject site as a TDR sending area.

C. ZONING PETITIONS

24. **PDD/TDR2001-076** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of G.B. Enterprise of Southwest Florida, Inc., by George Gentile, 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 G.B. Enterprise of Southwest Florida, Inc., by George Gentile, Agent. Request: To allow the Transfer of Development Rights for 116 units and to designate this petition as the receiving area. General Location: Approx. 660 feet south of Belvedere Rd. on the west side of Jog Rd. (**JOHNSON PROPERTIES PUD**)

Pages 150-184

Size: 181.79 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Residential Zoning District to the Residential Planned unit Development District.

MOTION: To adopt a resolution approving the request to allow the Transfer of Development Rights for 116 units and to designate this petition as the receiving area.

25. **PDD/DOA1997-104C** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of The Oaks at Boca Raton by Kieran Kilday, Agent. Request: Rezoning from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development (AGR-PUD). Title: Resolution approving a Development Order Amendment petition of The Oaks at Boca Raton, by Kieran Kilday, Agent. Request: To reconfigure site plan, add land area and units. General Location of Developable Area: North side of Clint Moore Rd., bound on the east by Lyons Rd. and the west by SR 7/US441 (**THE OAKS AT BOCA RATON (AKA RAINBOW PUD)**).

Pages 185-236

Size: 410.29 acres ± (existing)

BCC District: 5

713.23 acres ± (proposed)

MOTION: To adopt a resolution approving the request for a rezoning from the Agricultural Reserve Zoning District to the Agricultural Reserve Planned Unit Development.

MOTION: To adopt a resolution approving the request for a Development Order Amendment to reconfigure site plan, add land area and units.

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

26. Managed Growth Tier System (MGTS) Code Revision Update

(under separate cover)

27. Discuss the date for the December Board of County Commissioners Meeting

N/A

28. AI-2002-03 – Glades Beautification Fund

(under separate cover)

29. Architectural Guidelines Report

(under separate cover)

6. COMMISSIONER COMMENTS

7. ADJOURNMENT