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

**AUGUST 28, 2003**

**THURSDAY  
9:30 AM**

**COMMISSION  
CHAMBERS**

- 1. CALL TO ORDER**
  - A. Roll Call
  - B. Opening Prayer and Pledge of Allegiance
  - C. Proof of Publication
  - D. Swearing In
  - E. Adoption of Agenda
  
- 2. POSTPONEMENTS/ WITHDRAWALS (Pages 1-3)**
  
- 3. CONSENT AGENDA (Pages 4-10)**
  - o Staff
  - o Board
  - o 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 AUGUST 28, 2003**

**1. CALL TO ORDER**

- A. Roll Call – **9:30 A.M.**
- B. Opening Prayer and Pledge of Allegiance
- C. Proof of Publication – Motion to receive and file
- D. Swearing In – County Attorney
- E. Motion to Adopt Agenda

**2. POSTPONEMENTS, WITHDRAWALS**

**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, Agent. 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 September 17, 2003. (Postponed by Zoning Commission).

- 2. **PDD2003-023** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Engle Homes by Land Design South, Agent. 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**).

Page 2

Size: 15.24 acres ±

BCC District: 5

MOTION: To postpone thirty (30) days to September 17, 2003. (Postponed by Zoning Commission).

3. **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, 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 E.B. Developers, Inc., by Land Design South, Agent. 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**).

Page 3

Size: 24.86 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to September 17, 2003. (Postponed by Zoning Commission).

4. **DOA1994-016B** Title: Resolution approving a Development Order Amendment petition of Palm Beach County School Board by Kilday and Associates, Inc., Agent. Request: To reconfigure site plan to allow government services (requested use). General Location: Southeast corner of Jog Rd. and Northtree Blvd. (**THE SPRINGS PUD/EEE HIGH SCHOOL/PBSO**).

Page 4

Size: 53.33 acres ± (affected area)

BCC District: 3

MOTION: N/A (Petitioner requested by right).

5. **DOA1981-163E** Title: Resolution approving a Development Order Amendment petition of 485 Properites, LLC and WRC Properties, Inc. by Gunster Yoakley, Attorneys at Law, Agent. Request: To modify/delete conditions of approval and reconfigure site plan. General Location: Approx. 1,200 feet south of Glades Rd. on the east side of Military Trail (**BOCA CENTER**).

Page 5

Size: 28.52 acres ±

BCC District: 4

MOTION: N/A (Petitioner requested by right).

6. **SR 1986-013.8** Status Report for Resolutions R-86-573-26 and 86-573-27 (Petition 1986-013), the petition of Forrest C. Mobley, TR. Property owner: GCR Associates Ltd. Partnership. General Location: Approx. 200 feet west of Military Trail on the south side of Gun Club Rd. Current zoning: Specialized Commercial with a Special Exception to allow a Planned Office Business Park (**BELFER OFFICE PARK**).

Pages 6-9

Size: 6.9 acres ±

BCC District: 2

MOTION: To postpone Status Report SR 1986-013.8 until September 17, 2003. (Staff requested).

7. **SR 1984-099F.4** Status Report for Resolution R95-1467 (Petition 1984-099F), the petition of Mission Bay Plaza Associates. Property owner: Mission Bay Shopping Center. General Location: NW corner of Glades Rd. and S.R. #7. Current zoning: General Commercial with a Development Order Amendment to amend condition number 9 (square footage limitation) (**MISSION BAY PLAZA**).

Pages 10-13

Size: 24.28 acres ±

BCC District: 5

MOTION: To postpone Status Report SR 1984-099F.4 until September 17, 2003. (Staff requested).

## **B. WITHDRAWALS**

**– END OF POSTPONEMENTS AND WITHDRAWALS –**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

- 8. **Z2003-015** Title: Resolution approving an Official Zoning Map Amendment petition of Strata Development Corp. by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approx. 2,200 feet south of Lake Worth Rd. on the east side of SR7/US441 (**9 ACRE STATE ROAD 7 PROPERTY**).

Pages 14-30

Size: 9.23 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

- 9. **DOA1999-015B** Title: Resolution approving a Development Order Amendment petition of Croquet Foundation of America by Geoff B. Slugett & Associates, Inc., Agent. Request: To modify conditions of approval. General Location: Southeast corner of Summit Blvd. and Florida Mango Rd. (**CROQUET FOUNDATION OF AMERICA**).

Pages 31-53

Size: 10.1 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to modify conditions of approval.

10. **DOA1989-044B** Title: Resolution approving a Development Order Amendment petition of BRCH Corp. by Basehart Planning, Inc., Agent. Request: To modify/delete conditions of approval and reconfigure site plan. General Location: Approx. 1,250 feet west of Lyons Rd. on the north side of Glades Rd. (**TOPPEL CENTER MUPD**).

Pages 54-84

Size: 4.51 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to modify/delete conditions of approval and reconfigure site plan.

MOTION: To abandon the Special Exception granted by Resolution R-89-1623 to allow a Planned Office Business Park.

MOTION: To abandon the Special Exception granted by Resolution R-89-2214 to allow a Planned Office Business Park.

**C. PREVIOUSLY POSTPONED STATUS REPORTS**

11. **SR 1993-039A.3** Status Report for Resolutions R-97-2072 and R-97-2073 (Petition 1993-039A), the petition of Security Capital Atlantic, Inc. Property owner: P. A., Jr. and 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 with a Development Order Amendment to add land area (+13.78 acres) and add units (+112 MFR) (**CAMERON PARK PUD**).

Pages 85-89

Size: 38.58 acres ±

BCC District: 5

MOTION: To 1) adopt a resolution to amend conditions of approval (road drainage) in Resolution R-97-2073; 2) approve a time extension until June 10, 2005, to record a plat; and 3) approve a one-year time extension until August 1, 2004, to comply with condition number 2 of Resolution No. R-2002-1650.

12. **SR 1997-017.2** Status Report for Resolutions R-1997-769 and R-1997-770 (Petition 1997-017), the petition of Mecca Farms, Inc. Property owner: Lantana Farm Associates Inc. General Location: Approx. 0.7 mile north of Northlake Blvd. on the east side of Seminole Pratt Whitney Rd. Current zoning: Special Agriculture with Class A Conditional Use for Type III Excavation (**GROVE EXCAVATION**).

Pages 90-93

Size: 225 acres ±

BCC District: 6

MOTION: To approve a time extension until March 31, 2005, for Resolutions R-1997-769 and R-1997-770, and the revocation of concurrency (97-5000385) for the phases of the project for which excavation has not commenced.

**D. STATUS REPORTS – CONSENT**

- 13. **SR 1981-067A.14** Status Report for Resolution R84-338 (Petition 1981-067A), the petition of C and M Nurseries. Property owner: Richard F. Olson. General Location: Approx. 0.1 mile north of Atlantic Ave. on the west side of Hagen Ranch Rd. Current zoning: General Commercial.

Pages 94-97

Size: 1.07 acres ±

BCC District: 5

MOTION: To exempt Resolution R-84-338 from further Unified Land Development Code Section 5.8 review.

- 14. **SR 1983-082A.4** Status Report for Resolutions R-95-860 and R-95-861 (Petition 1983-082A), the petition of Lionel G. Astor. Property owner: Boca Academy, Inc. General Location: Approx. 0.2 mile north of Glades Rd. on the east side of Jog Rd. Current zoning: Residential Transitional Suburban with a Development Order Amendment to amend the site plan, add square footage, and increase the number of children, and modify conditions for an existing day care (**ADDISON ACADEMY DAY CARE**).

Pages 98-101

Size: 3.5 acres ±

BCC District: 5

MOTION: To approve a time extension until June 22, 2005, for Resolutions R-95-860 and R-95-861, and to revoke concurrency reservation #95-03-15-004-C.

- 15. **SR 85-164.10** Status Report for Resolutions R-86-480 and R-86-481 (Petition 1985-164), the petition of Wilshire Corporation. Property owner: Shirley A. Brown TR. General Location: SW corner of Congress Ave. and Riddle Rd. Current zoning: General Commercial with a Special Exception to allow a Planned Commercial Development (**RIDDLE ROAD OFFICE**).

Pages 102-105

Size: 1.1 acres ±

BCC District: 2

MOTION: To approve a time extension until June 9, 2005, for Resolutions R-86-480 and R-86-481.

- 16. **SR 1987-024I.2** Status Report for Resolution R-1999-2251 and 2001-0812 (Petition 1987-024I), the petition of Robert J. Amsdell, TR. Property owner: RJA Trustee and Devco Assoc., Inc. General Location: Approx. 0.25 mile west of Jog Rd. on the south side of Lantana Rd. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development. (**LANTANA ROAD PCD**).

Pages 106-109

Size: 18.28 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2005, for Resolutions R-1999-2251 and R-2001-0812, and to revoke concurrency for buildings totaling 16,165 square feet which have not yet been constructed, and an outdoor storage area of 30,932 square feet (numbers 25, 26, and 27-29 as identified on certified site plan exhibit number 123).

17. **SR 1987-152C.4** Status Report for Resolution R-94-778 (Petition 1987-152C), the petition of Southern Self Storage. Property owner: Public Storage Inc. General Location: Approx. 0.4 mile south of Hypoluxo Rd. on the east side of Military Trail. Current zoning: General Commercial with a Special Exception for a Planned Commercial Development and a requested use for self storage (**SOUTHERN SELF STORAGE**).

Pages 110-113

Size: 8.6 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2005, for Resolution R-94-778, and to revoke the concurrency reservation for the unbuilt 12,319 square feet of self storage space.

18. **SR 1988-010.7** Status Report for Resolution R-89-345 (Petition 1988-010), the petition of Alan D. Reese, Trustee. Property owner: Plant Factory Garden Center. General Location: 42nd Street, approx. 330 feet east of Military Trail, and approx. 0.3 mile south of Lake Worth Rd. Current zoning: Multiple Family Residential (Medium Density) with a Special Exception to permit a Planned Unit Development, Congregate Living Facility-Type III, (**DEVONSHIRE PUD**).

Pages 114-117

Size: 4.9 acres ±

BCC District: 3

MOTION: To approve a time extension until June 21, 2005, for Resolution R-89-345.

19. **SR 1988-065.9** Status Report for Resolutions R-89-1069 and R-89-1070 (Petition 1988-065), the petition of Howard Dardashti. Property owner: Howard Dardashti, Trustee. General Location: Approx. 0.1 mile south of Lake Worth Rd. on the west side of Congress Ave. Current zoning: General Commercial with a Special Exception to permit a Planned Commercial Development (**DARDASHTI PCD**).

Pages 118-121

Size: 0.96 acre ±

BCC District: 3

MOTION: To approve a time extension until June 6, 2005, for Resolutions R-89-1069 and R-89-1070.

20. **SR1992-029** Status Report for Resolutions R-93-557 and R-93-558, and R-97-519 (Petition 1992-029), the petition of Gary Smiegel. Property owner: Debuys Property Inv. Group Ltd. General Location: Approx. 2.0 miles east of Loxahatchee Wildlife Preserve, 3.0 miles west of S.R. #7 on the south side of Lox Rd. and the Hillsboro Canal, north of the Broward County line, and directly south of the SWA Site One. Current zoning: Special Agricultural with Class A Conditional Use allowing an Excavation Type III (**DELK EXCAVATION**).

Pages 122-125

Size: 387.98 acres ±

BCC District: 5

MOTION: To approve a time extension until June 9, 2005 for Resolutions R-93-557 and R-93-558.



21. **SR 1995-077.3** Status Report for Resolution R-1996-261.1 (Petition 1995-077), the petition of Quail Ridge Property Owners Association. Property owner: Jeffrey and Joan Lissauer. General Location: Approx. 0.25 mile east of Military Trail on the north side of Woolbright Rd. Current zoning: Commercial High Office (**WOOLBRIGHT PROFESSIONAL/MEDICAL OFFICE**).

Pages 126-129

Size: 1.5 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2005, for Resolution R-1996-261.1.

22. **SR 1996-026.5** Status Report for Resolution R-96-816 (Petition 1996-026), the petition of Roger Dean. Property owner: RD Family, Ltd. Partnership. General Location: Approx. 0.25 mile east of Congress Ave. on the south side of Okeechobee Blvd. Current zoning: General Commercial with a Class A Conditional Use to allow a fast food restaurant within the Westgate CRA Overlay District (**BAGELS TO GO**).

Pages 130-133

Size: 0.52 acres ±

BCC District: 2

MOTION: To approve a time extension until June 24, 2005, for Resolution R-96-816 to revoke concurrency number 96-5000094C (2,300 square feet - fast food restaurant).

23. **SR 1997-032.3** Status Report for Resolution R-97-2076 (Petition 1997-032), the petition of Expert Auto Transport, Inc. Property owner: AT&T Corp. General Location: Approx. 0.3 mile south of Glades Rd. on the west side of Boca Rio Rd. Current zoning: Light Industrial with Conditional Overlay Zone (**EXPERT AUTO TRANSPORT, INC.**).

Pages 134-136

Size: 3.03 acres ±

BCC District: 5

MOTION: To approve a time extension until June 10, 2005, for Resolution R-97-2076.

24. **SR 1999-022** Status Report for Resolutions R-2000-0006 and 2000-007 (Petition 1999-022), the petition of John Humphries. Property owner: John W. Humphries. General Location: Approx. 0.5 mile north of Northlake Blvd. on the east side of Alternate A1A. Current zoning: Commercial Low Office with a Class A Conditional Use for a medical/dental clinic (**HUMPHRIES DENTAL**).

Pages 137-140

Size: 0.35 acres ±

BCC District: 1

MOTION: To approve a time extension until July 10, 2005, for Resolutions R-2000-0006 and 2000-007.

25. **SR 1999-055** Status Report for Resolutions R-1999-2253 and R-1999-2254 (Petition 1999-055), the petition of Esfandiar Behboudi and George Koncir. Property owner: Esfandiar Behboudi and George Koncir. General Location: Approx. 1200 ft. west of Congress Ave. on the north side of Lake Worth Rd. Current zoning: General Commercial with a Class A Conditional Use to allow repair and maintenance, general (**ATLANTIS AUTO**).

Pages 141-144

Size: 1.63 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2005, for Resolutions R-1999-2253 and R-1999-2254, and to revoke concurrency number 99-5001062-C (4,620 s.f. business/professional office, 2,000 s.f. retail sales, and 6,400 s.f. auto repair).

26. **SR 1999-082** Status Report for Resolutions R-2000-1093 and R-2000-1094 (Petition 1999-082), the petition of D&P Development. Property owners: Alfonso Powell, David J. Benjamin and Joe D. Benjamin. General Location: Approx. 400 feet south of SR 80 on the east side of First St. Current zoning: Residential High Density with a Conditional Overlay Zone. (**D&P DEVELOPMENT**).

Pages 145-148

Size: 3.6 acres ±

BCC District: 6

MOTION: To adopt a resolution to amend conditions of approval (right-of-way) in Resolution R-2000-1094, and approve a time extension until July 27, 2005, to record a plat.

27. **CR 79-134A.4** Status Report for Resolutions R-90-1430 and 90-1431 (Petition 1979-134A), the petition of Florida Childcare Properties, L.L.C. Property owner: Mutual Trust, LLC. General Location: South side of Sandalfoot Blvd., 1/4 mile west of SR7/US 441. Current zoning: Multi Family Residential (Medium Density) with a Special Exception for a day care center. (**LEARNING EXPERIENCE OF WEST BOCA**).

Size: 1.00 acre ±

BCC District: 5

Pages 149-153

MOTION: To adopt a resolution to amend conditions of approval (site plan/site improvements) in Resolution R-90-1431.

28. **CR 1984-005B/E8.5** Status Report for Resolution R-2000-0590 (Petition 1984-005B), the petition of United Cerebral Palsy. Property owner: United Cerebral Palsy Assn. General Location: NE corner of Coconut Rd. and 2<sup>nd</sup> Ave. North. Current zoning: Residential Single Family with a Class A Conditional Use to allow a general daycare (**UNITED CEREBRAL PALSY DAYCARE**).

Pages 154-157

Size: 3.28 acres ±

BCC District: 3

MOTION: To direct Code Enforcement to cite property owner for failure to comply with condition number E.8, of Resolution R-2000-0590

**E. CORRECTIVE RESOLUTION**

29. **DOA1975-068U**

Corrective Resolution: To correct Condition I.b of Resolution R-2003-1121. **(LOGGERS RUN SHOPPING CENTER)**

Page 158

BCC District: 5

MOTION: To adopt a resolution to correct Condition I.b of Resolution R2003-1121.

**F. TDR CONTRACT, ESCROW AGREEMENT AND DEED**

30. **PDD/TDR  
2003-001**

Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Lennar Communities of South Florida for the sale and purchase of 3 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit as approved by the Palm Beach County Board of County Commissioners on June 26, 2003 by Resolution No. R-2003-0954. Request: Approve an escrow agreement between Palm Beach County, Lennar communities of South Florida and North American Title Company, (escrow agent) for the sale and purchase of 3 TDR units from the Palm Beach County TDR Bank at a purchase price of \$13,308.00 per unit, as approved by the Palm Beach County Board of County Commissioners on June 26, 2003. **(LAKE OSBORNE PUD)**

Pages 159-167

MOTION: To approve a contract for the sale and purchase of 3 development rights at a purchase price of \$13,308.00 per unit for a total price of \$39,924.00.

MOTION: To approve an escrow agreement for 3 development rights at a purchase price of \$13,308.00 per unit for a total price of \$39,924.00.

31. **PDD/TDR  
2003-001**

Execute a deed conveying 3 Development Rights units to Lennar Communities of South Florida as authorized in Resolution No. R-2003-0954 which approved the purchase of 3 Development Rights from the County's TDR Bank at a cost of \$13,308.00 per unit and the designation of the Lake Osborne PUD as a TDR Receiving Area for those units. **(LAKE OSBORNE PUD)**

Pages 168-170

MOTION: To execute a deed conveying 3 Development Rights units to Lennar Communities of South Florida as authorized in Resolution No. R-2003-0954.

**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. STATUS REPORT

32. **SR 1983-018.8** Status Report for Resolutions R83-1040 and R83-1041 (Petition 1983-018), the petition of Peter I.B. Lavan and Phillip O' Connell, as Trustee. Property owner: Supertrail Mfg. Co., Inc. General Location: Approx. five (5) miles west of Beeline Hwy. on the south side of Northlake Blvd. Current zoning: Residential Estate with a Special Exception to allow a Planned Unit Development, including an on-site sewage treatment plant (**STONEWALL ESTATES**).

Pages 171-177

Size: 340 unplatted acres of 983 acres ±

BCC District: 6

MOTION: To 1) adopt a resolution to amend conditions of approval (land use) in Resolution R 83-1041, 2) approve a time extension until April 26, 2005, to record a plat, and 3) the revocation of concurrency for Phase 2 of the PUD.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

33. **DOA1978-154B** Title: Resolution approving a Development Order Amendment petition of Reichel Realty & Investments, Inc. by Chip Carlson, Agent. Request: To modify/delete conditions of approval, reconfigure site plan, add access and to abandon approval granted under DOA1978-154A. General Location: Approx. 500 feet south of Northlake Blvd. on the west side of Military Trail (**NORTHLAKE CORPORATE PARK**).

Pages 178-209

Size: 1.19 acres ± (affected area)

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to modify/delete conditions of approval, reconfigure site plan and add access.

**D. ZONING PETITIONS**

34. **CA2003-016** Title: Resolution approving a Class A Conditional Use petition of Destiny International Worship by Land Research Management, Inc., Agent. Request: To allow a church or place of worship. General Location: Approx. 2,200 feet west of Florida's Turnpike on the north side of Donald Ross Rd. (**DESTINY INTERNATIONAL WORSHIP CENTER**).

Pages 210-228

Size: 1.11 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to allow a church or place of worship.

**5. DIRECTOR COMMENTS**

**A. ZONING DIRECTOR**

**B. PLANNING DIRECTOR**

**6. COMMISSIONER COMMENTS**

**7. ADJOURNMENT**