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

JANUARY 23, 2003

**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/ WITHDRAWALS (Pages 1-2)

3. CONSENT AGENDA (Pages 3-11)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 12-15)

5. DIRECTOR COMMENTS (Page 15)

6. COMMISSIONER COMMENTS (Page 15)

7. ADJOURNMENT (Page 15)

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

THURSDAY JANUARY 23, 2003

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 January 23, 2003 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: To postpone to February 27, 2003. (Zoning Commission postponed for 30 days.)

2. **Z/DOA1985-084E** Title: Resolution approving an Official Zoning Map Amendment petition of Berean Baptist Church by John Abney, Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Institutional and Public Facilities (IPF) Zoning District. Title: Resolution approving a Development Order Amendment petition of Berean Baptist Church by John Abney, Agent. Request: To reconfigure site plan and re-start of commencement clock. General Location: Approx. 3/8 mile west of Benoist Farms Rd. on the south side of Okeechobee Blvd. (**BEREAN BAPTIST CHURCH**).

N/A

Size: 16.2 acres ±

BCC District: 6

MOTION: To postpone to February 27, 2003. (Zoning Commission postponed for 30 days.)

3. **Z/CB2002-044** Title: Resolution approving an Official Zoning Map Amendment petition of Bibi Enterprises Inc. by Kevin McGinley, Agent. Request: Rezoning from the Residential Medium Density (RM) and the General Commercial (CG) Zoning Districts to the General Commercial (CG) Zoning District. Title: Resolution approving a Class B Conditional Use petition of Bibi Enterprises Inc. by Kevin McGinley, Agent. Request: To allow a car wash. General Location: Approx. 700 feet north of 10th Ave. North on the east side of Military Trail (**ROYAL CENTER**).

N/A

Size: 2.07 acres ±

BCC District: 3

MOTION: To postpone to February 27, 2003. (Zoning Commission postponed for 30 days.)

4. **DOA1981-186H** Title: Resolution approving a Development Order Amendment petition of Spilan Inc. by Sara Lockhart, Agent. Request: To allow a restaurant, fast food. General Location: Northeast corner of Lantana Rd. and Jog Rd. (**POLLO TROPICAL AT LEE'S SQUARE**).

Page 2

Size: 1.0 acres ± (affected area)

BCC District: 3

MOTION: To postpone to March 27, 2003 (Zoning Commission postponed for 60 days).

B. WITHDRAWALS

- END OF POSTPONEMENTS AND WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. ZONING PETITIONS – CONSENT

5. **Z2002-033** Title: Resolution approving an Official Zoning Map Amendment petition of Royall Wall Systems Inc. by Robert Basehart, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the General Industrial (IG) Zoning District. General Location: Approx. 700 feet east of Pike Rd. on the south side of 7th Place North (**ROYALL WALL SYSTEMS**).

Pages 3-20

Size: 13.99 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

6. **Z2002-025** Title: Resolution approving an Official Zoning Map Amendment petition of Seasonal Enterprises by Kevin McGinley, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approx. 800 feet north of Wallis Rd. on the east side of Tall Pines Rd. (**SEASONAL ENTERPRISES**).

Pages 21-36

Size: 2.29 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to voluntary commitments.

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

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

7. **PDD2002-027** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Lance Uhley, Trustee by Robert Basehart, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approx. 370 feet north of Lantana Rd. on the west side of SR 7/US441 (**US 441 LAND TRUST MUPD**).

Pages 37-58

Size: 11.35 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 rezoning from the Agricultural Residential Zoning District to the Multiple Use Planned Development District.

8. **DOA1997-085A** Title: Resolution approving a Development Order Amendment petition of Meadowland Development Corp by Helen LaValley, Agent. Request: To add land area (12.04 acres), add units and to modify/delete conditions. General Location: Approx. 3,400 feet north of Gateway Blvd. bound on the east by Military Trail and the west by Haverhill Rd. (**GATEWAY GARDENS PUD**).

Pages 59-93

Size: 39.30 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to add land area, add units and to modify/delete conditions.

9. **Z2002-053** Title: Resolution approving an Official Zoning Map Amendment petition of Giardina Di Villa Palma by George Gentile, ASLA, Agent. Request: Rezoning from the Residential Medium Density (RM) Zoning District to the General Commercial (CG) Zoning District. General Location: Approx. 250 feet west of Military Trail on the north side of Northlake Blvd. (**VILLA PALMA PROFESSIONAL PARK**).

Pages 94-122

Size: 2.31 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 rezoning from the Residential Medium Density Zoning District to the General Commercial Zoning District with a Conditional Overlay Zone.

10. **DOA1981-109G** Title: Resolution approving a Development Order Amendment petition of West Delray Realty, Inc. by Robert Basehart, Agent. Request: To allow a funeral home. General Location: Southeast corner of Jog Rd. and W. Atlantic Ave. (**RUBIN FUNERAL HOME AT ATLANTIC SQUARE**).

Pages 123-152

Size: 18.91 acres ±

BCC District: 5

Staff Recommendation: Approved, subject to conditions.

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

MOTION: To adopt a resolution approving the request for a funeral home.

11. **DOA1980-167C** Title: Resolution approving a Development Order Amendment petition of West Palm Beach Fla, CPDC Ltd. by Mark Saltz, Agent. Request: To reconfigure site plan, modify/delete conditions of approval and re-start the commencement clock. General Location: Northeast corner of Summit Blvd. and Military Trail (**POLO GROUNDS MALL**).

Pages 153-179

Size: 17.33 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the request to reconfigure site plan, modify/delete conditions of approval and re-start the commencement clock.

12. **EAC1976-105B** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of Eastern Petroleum Corp. by Ellie Halperin, Agent. Request: To modify/delete a condition of approval. General Location: Northwest corner of Northlake Blvd. and Mt. Holly Dr. (**ROYAL MART HILLTOP PARK**).

Pages 180-192

Size: 0.55 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving the request to modify/delete a condition of approval.

13. **Z/DOA1981-096C** Title: Resolution approving an Official Zoning Map Amendment petition of Solid Waste Authority by Kieran J. Kilday, Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Public Ownership (PO) Zoning District. Title: Resolution approving a Development Order Amendment petition of Solid Waste Authority by Kieran J. Kilday, Agent. Request: To add land area, reconfigure site plan and modify/delete conditions of approval. General Location: South side of Lantana Rd. bounded on the east by I-95 and the west by High Ridge Rd. (**LANTANA TRANSFER STATION**).

Pages 193-225

Size: 63.38 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: This request meets Comprehensive Plan and ULDC Criteria to permit this non-residential use in a residential area.

MOTION: To adopt a resolution approving the request for a rezoning from the Residential Single Family Zoning District to the Public Ownership Zoning District .

MOTION: To adopt a resolution approving the request for a Development Order Amendment to add land area, reconfigure site plan and modify/delete conditions of approval.

C. ABANDONMENT RESOLUTIONS

14. **ABN-CA 1999-049** Abandonment Resolution: To abandon the Class A Conditional Use granted by Resolution R-1999-2249 to allow a church or place of worship. (**CELEBRATION CHURCH**)

Pages 226-228

BCC District : 6

MOTION: To adopt a resolution approving the abandonment of a Class A Conditional Use to allow a church or place of worship.

15. **ABN 1985-031** Abandonment Resolution: To abandon the Special Exception granted by Resolution R-85-1083 to allow an auto paint and body shop. (**H & I EQUIPMENT CORP**)

Pages 229-231

BCC District : 2

MOTION: To adopt a resolution approving the abandonment of a Special Exception to allow an auto paint and body shop.

D. STATUS REPORTS – CONSENT

16. **SR 1980-173C.4** Status Report for Resolution R-94-1681 (Petition 1980-173C), the petition of Wal-Mart Stores, Inc. Property owner: Wal-Mart Stores #1398. General Location: northwest corner of Hypoluxo Rd. and Military Trail. Current zoning: General Commercial with a Development Order Amendment to increase square footage in a Planned Commercial Development (**WAL-MART PLAZA**).

Pages 232-235

Size: 9.75 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2003, for Resolution R-94-1681.

17. **SR 1984-099F.3** Status Report for Resolution R-95-1467 (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 236-239

Size: 24.28 acres ±

BCC District: 5

MOTION: To approve a time extension until June 10, 2003, for Resolution R-95-1467.

18. **SR 85-171.6** Status Report for Resolutions R-2001-0965 and R-2001-0966 (Petition 85-171D), the petition of Palm Beach Jewish Community Campus Corp. Property owner: Palm Beach Jewish Community Campus Corp. General Location: northeast corner of the intersection of Haverhill Rd. and 12th Street (Community Drive). Current zoning: Residential Single Family with a Special Exception for a Planned Unit Development (**DORFMAN PUD**).

Pages 240-243

Size: 80.32 acres ±

BCC District: 2

MOTION: To approve a time extension until September 26, 2002, for Resolutions R-2001-0965 and R-2001-0966.

19. **SR 1987-0241** Status Report for Resolutions R-1999-2251 and R-2001-0812 (Petition 1987-0241), 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 Development Order Amendment to modify/delete conditions of approval and reconfigure site plan, and DOA to modify conditions of approval, add square footage and reconfigure site plan of a Special Exception for a Planned Commercial Development (**LANTANA ROAD PCD**).

Pages 244-247

Size: 18.28 acres ±

BCC District: 3

MOTION: To approve a time extension until June 10, 2003, for Resolutions R-1999-2251 and R-2001-0812.

20. **SR 1987-033A.8** Status Report for Resolutions R-91-246 and R-91-247 (Petition 1987-033A), the petition of Gator Pond Properties II, Inc. Property owner: Family Inc. of Palm Beaches and LJR Assoc. Prop. Ltd. General Location: southwest corner of Westgate Ave. and Congress Ave. Current zoning: General Commercial with a Special Exception to amend the site plan for a commercial new and used automobile sales, rental, and repair facility to increase the land area, increase building square footage, redesign the site, and include an auto service station, convenience store and car wash facility.

Pages 248-251

Size: 0.66 of 2.30 acres ±

BCC District: 2

MOTION: To approve a time extension until June 10, 2003, for Resolutions R-91-0246 and R-91-0247.

21. **SR 1996-079.3** Status Report for Resolution R-96-1950 (Petition 1996-079), the petition of Tidal Wave Investment Corp./Murray Logan and Clarence Vogel. Property owner: Brams Adventures, Inc. General Location: northwest corner of Tall Pines Road and Wallis Road. Current zoning: Light Industrial (**HERRING/LOGAN REZONING**).

Pages 252-255

Size: 2.84 acres ±

BCC District: 6

MOTION: To approve a time extension until June 10, 2003, for Resolution R-96-1950.

22. **SR 1997-032** Status Report for Resolutions 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 a Conditional Overlay Zone (**EXPERT AUTO TRANSPORT, INC.**).

Pages 256-259

Size: 3.03 acres ±

BCC District: 5

MOTION: To approve a time extension until June 10, 2003, for Resolution R-97-2076.

23. **SR 1999-049** Status Report for Resolutions R-1999-2248 and R-1999-2249 (Petition 1999-049), the petition of Celebration Community Church. Property owner: Celebration Community Church. General Location: approx. 500 feet west of Sansbury Way on the south side of Okeechobee Blvd. Current zoning: Residential Transitional Suburban with a Class A Conditional Use to allow a church or place of worship (**CELEBRATION CHURCH**).

Pages 260-263

Size: 19.56 acres ±

BCC District: 6

MOTION: To approve a time extension until June 10, 2003, for Resolutions R-1999-2248 and R-1999-2249.

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

Pages 264-267

Size: 1.63 acres±

BCC District: 3

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-1999-2254, and approve a time extension until June 10, 2003, to commence development.

25. **CR 1998-023/T5.2** Status Report for Resolution R-98-1810 (Petition 1998-023), the petition of Southeast Shopping Center. Property owner: Seminole Pratt Investments and Indian Trail Improvement District. General Location: NE corner of Seminole Pratt Whitney Road & Orange Blvd. Current zoning: Multiple Use Planned Development with daycare, general (200 children); restaurant, fast food; financial institution with drive thru and water plant) (**PRATT AND ORANGE MUPD**).

Pages 268-271

Size: 22 acres ±

BCC District: 6

MOTION: To approve a time extension until June 1, 2003, to comply with condition number T.5. of Resolution R-98-1810.

- 26. **CR 1998-041/11.2** Status Report for Resolution R-99-7 (Petition 1998-041), the petition of Palm Beach County. Property owner: Indian Trail Improvement District. General Location: approx. 500 feet north of Orange Blvd. on the east side of Seminole Pratt Whitney Rd. Current zoning: Public Ownership with a Conditional Overlay Zone (**PRATT/ORANGE PO**).

Pages 272-275

Size: 2.28 acres ±

BCC District: 6

MOTION: To approve a time extension until June 1, 2003, to comply with condition number I.1. of Resolution R-99-7.

- 27. **CR 1999-090/E2** Status Report for Resolution R-2000-0572 (Petition 1999-090), the petition of Edgar Adamson, Jr. & Hixie Stephens. Property owner: Edgar Adamson Jr. & Hixie Stephens, and Marquete T. Gray. General Location: east side of Congress Ave. on the south of Okeechobee Blvd. Current zoning: General Commercial with a Class A Conditional Use to allow a self-service storage facility (**E & H SELF STORAGE**).

Pages 276-279

Size: 1.46 acres ±

BCC District: 2

MOTION: To approve a time extension until December 1, 2003, to comply with condition number E.2. of Resolution R-2000-0572.

- 28. **CR 2000-090/E1** Status report for Resolution 2001-0819 (Petition 2000-090) the petition of Karen Padyjasek. Property owner: Karen Padyjasek and Dianne D Carter. General Location: north side of Pahokee Airport. Current zoning: Multiple Family Residential (High Density) with a Class A Conditional Use to allow a motion picture production studio, an outdoor entertainment use, a boarding and rooming house and a campground (**SKY DIVE AMERICA**).

Pages 280-286

Size: 5.58 acres ±

BCC District: 6

MOTION: To adopt a resolution to revoke Resolution No. R-2001-0819.

E. RECEIVE AND FILE ZONING COMMISSION RESOLUTION

- 29. **DOA1997-012D**

Resolution for Trump International Golf Course (**TRUMP INTERNATIONAL GOLF COURSE**)

Pages 287-302

BCC District: 2

MOTION: To receive and file Zoning Resolution ZR-2003-001.

F. CORRECTIVE RESOLUTION

30. **CA2002-024**

Corrective Resolution: To correct Exhibit C of Resolution R-2002-2199.
(BOYNTON BEACH COMMUNITY CHURCH)

Pages 303-304

BCC District: 3

MOTION: To adopt a resolution to correct Exhibit C of Resolution R-2002-2199.

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 PLAN AMENDMENT**

31. **2003-0001 SCA** Coastal One Management, by Mark Rickards, ZPR Small Scale Land Use Amendment (SCA): Amend land use from Medium Residential, 5 units per acre (MR-5) to High Residential, 8 units per acre (HR-8). General Location: 1 mile south of Lake Worth Rd., ½ mile east of Florida Turnpike, south side of Lucerne Lakes Blvd., north side of LWDD L-14 canal. **(LUCERNE LAKES RESIDENTIAL)**

Pages 305-339

Size: 1.56 acre ±

BCC District: 2

Staff Recommendation: Denial of the requested future land use change from MR-5 to HR-8.

LPA Recommendation: Approval of the applicant's request for a future land use change from MR-5 to HR-8. (11-1 vote)

MOTION: To deny the request for a future land use change from MR-5 to HR-8.

C. TDR CONTRACT, ESCROW AGREEMENT AND DEED

32. **DRC**
2002-062 Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Coastal Management, Inc., for the sale and purchase of 2 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$10,399.00 per unit as approved by the Palm Beach County, Zoning Division, Development Review Committee. Request: Approve an escrow agreement between Palm Beach County, Coastal Management, Inc. and Richard Monescalchi Trust Account, (escrow agent) for the sale and purchase of 2 TDR units from the Palm Beach County TDR Bank at a purchase price of \$10,399.00 per unit, as approved by the Palm Beach County, Zoning Division, Development Review Committee. **(PINES AT LUCERNE POINTE)**

Pages 340-347

BCC District: 2

MOTION: To approve a contract for the sale and purchase of 2 development rights at a purchase price of \$10,399.00 per unit for a total price of \$20,798.00.

MOTION: To approve an escrow agreement for 2 development rights at a purchase price of \$10,399.00 per unit for a total price of \$20,798.00.

- 33. **DRC**
2002-062 Execute a deed conveying 2 Development Rights units to Coastal Management, Inc. as authorized by Palm Beach County, Zoning Division, Development Review Committee which approved the purchase of 2 Development Rights from the County’s TDR Bank at a cost of \$10,399.00 per unit and the designation of the Pines at Lucerne Point as a TDR Receiving Area for those units. (**PINES AT LUCERNE POINTE**)

Pages 348-349

BCC District: 2

MOTION: To execute a deed conveying 2 Development Rights units to Coastal Management, Inc., as authorized by Palm Beach County, Zoning Division, Development Review Committee.

D. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION

- 34. **2002-0011 SCA** Howard R. & Amy M. Holloway & P.B.C. PREM, by Robert E. Basehart, Basehart Consulting, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Commercial Low-Office with an underlying 8 units per acre (CL-0/8) on 1.71 acres and High Residential, 8 units per acre (HR-8) on 3.24 acres to Commercial High (CH). General Location: Northeast corner of Jog Rd. and Joseph Rd., just north of Southern Blvd. (**SOUTHERN/JOG**) a.k.a. Holloway Property

Pages 350-376

Size: 4.95 acre ±

BCC District: 6

Staff Recommendation: Approval of an alternative CL designation with a condition.

LPA Recommendation: Approval of the applicant’s request for a future land use change from CL-O/8 to CH with a crosshatching condition. (7-3 vote).

MOTION: To adopt an ordinance approving an alternative CL designation with a condition.

35. **Z/CA2002-032** Title: Resolution approving an Official Zoning Map Amendment petition of Howard and Amy Holloway by Robert Basehart, Agent. Request: Rezoning from the Agricultural Residential (AR) and the Commercial Low Office (CLO) Zoning Districts to the General Commercial (CG) Zoning District. Title: Resolution approving a Class A Conditional Use petition of Howard and Amy Holloway by Robert Basehart, Agent. Request: To allow a convenience store with gas sales and a restaurant, fastfood. General Location: Southeast corner of Jog Rd. and Wallis Rd. (**HOLLOWAY PROPERTY**).

Pages 377-403

Size: 4.95 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 rezoning from the Agricultural Residential and the Limited Office Commercial Zoning Districts to the Community Commercial Zoning District.

MOTION: To adopt a resolution approving the request for a Class A Conditional use to allow a convenience store with gas sales and a restaurant, fast food.

E. PREVIOUSLY POSTPONED ZONING PETITIONS

36. **PDD2001-066A** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of James Shillinglaw, Franceska Malck, Raja Malek by Press Tompkins Jr, P.E., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: SE corner of Palomino Drive and SR 7/US 441 (**PALOMINO PLACE PUD**).

Pages 404-430

Size: 39.3 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

- 37. **PDD2002-020** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of George & Dorothy Haas by Robert Bentz, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approx. 0.25 mile south of Lake Worth Rd. on the east side of Lyons Rd. (**BERNARD HAAS PUD**).

Pages 431-458

Size: 47.96 acres ±

BCC District: 6

Staff Recommendation: Approved, subject to conditions.

Zoning Commission Recommendation: Approved as amended, (6-1).

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

5. DIRECTOR COMMENTS

A. ZONING DIRECTOR

B. PLANNING DIRECTOR

38. **COMMERCIAL LOW APPEAL**

Formal appeal of the Planning Division’s interpretation and the Land Use Advisory Board (LUAB/LPA) determination of the Comprehensive Plan with respect to a Commercial Low Future Land Use Atlas (FLUA) designation determination. Applicant: Neil J. Gaeta, Gaeta Development Co. The site is located southwest corner of Okeechobee Blvd. and Skees Rd.

Pages 459-468

Size: 13.3 acre ±

BCC District: 2

Staff Recommendation: Accept the Planning Division Interpretation of the Comprehensive Plan.

LPA Recommendation: Accept the Planning Division Interpretation of the Comprehensive Plan.

MOTION: To accept the Planning Division Interpretation, and the LUAB/LPA Determination, of the Comprehensive Plan.

6. COMMISSIONER COMMENTS

7. ADJOURNMENT