

Karen Marcus, Chair
Tony Masilotti, Vice Chair
Jeff Koons
Warren H. Newell
Mary McCarty
Burt Aaronson
Addie L. Greene



Robert Weisman

Department of Planning, Zoning & Building
100 Australian Ave
West Palm Beach, FL 33406
Phone: 561-233-5200
Fax: 561-233-5165

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

JULY 24, 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 4-8)**
 - 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)**

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

THURSDAY JULY 24, 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 Robert Bentz, 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 August 28, 2003. (Postponed by Zoning Commission).

- 2. **DOA1985-061D** Title: Resolution approving a Development Order Amendment petition of Home Depot USA by Peter Van Rens, Agent. Request: To reconfigure master plan and add square footage. General Location: Northeast corner of Lake Worth Rd. and North Price St. (**HOME DEPOT PLAZA**).

Page 2

Size: 15.46 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to August 28, 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 August 28, 2003. (Postponed by Zoning Commission).

4. **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**).

Page 4

Size: 1.19 acres ± (affected area)

BCC District: 1

MOTION: To postpone thirty (30) days to August 28, 2003. (Postponed by Zoning Commission).

5. **PDD2002-037** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Ronald Mastroianni & David Moscarelli by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approx. 330 feet west of Florida's Turnpike on the south side of Lake Worth Rd. (**MASTROIANNI MUPD**).

Page 5

Size: 9.15 acres ±

BCC District: 6

MOTION: To postpone ninety (90) days to October 23, 2003. (Postponed by Zoning Commission).

6. **SR 1986-13.8** Status Report for Resolutions R-86-573-26 and R-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 until August 28, 2003.

7. **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 10-13

Size: 225 acres ±

BCC District: 6

MOTION: Postpone status report until August 28, 2003.

B. WITHDRAWALS

– END OF POSTPONEMENTS AND WITHDRAWALS –

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 8. [DOA1975-068U](#) Title: Resolution approving a Development Order Amendment petition of Boca Fitness Enterprises, Inc. by Michael Posner, Agent. Request: To allow a fitness center in excess of 15,000 square feet. General Location: Northwest corner of Palmetto Park Rd. and Ponderosa Dr. (**LOGGERS RUN SHOPPING CENTER**).

Pages 14-37

Size: 16.12 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 allow a fitness center in excess of 15,000 square feet.

C. ZONING PETITIONS – CONSENT

- 9. [DOA1973-043F](#) Title: Resolution approving a Development Order Amendment petition of Shadowood Square Ltd. by Kieran J. Kilday, Agent. Request: To reconfigure site plan, add square footage and modify/delete conditions of approval. General Location: Northeast corner of Glades Rd. and SR 7/US 441 (**SHADOWOOD SQUARE**).

Pages 38-64

Size: 0.92 acres ± (affected area)

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

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

- 10. [CA2003-009](#) Title: Resolution approving a Class A Conditional Use petition of God's Church of Faith by Kevin McGinley, Agent. Request: To allow a church or place of worship. General Location: Approx. 0.5 mile south of Gun Club Rd. on the east side of Haverhill Rd. (**GOD'S CHURCH OF FAITH**).

Pages 65-82

Size: 2.36 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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

11. **DOA2000-071A** Title: Resolution approving a Development Order Amendment petition of 280 Estates LLC by Land Design South, Agent. Request: To reconfigure the site plan, add an access point for equestrian center parking and manure removal, and modify a condition of approval. General Location: Approx. 1.1 mile south of Hypoluxo Rd. on the west side of Lyons Rd. (**EQUUS (AKA BOYWIC PUD)**).

Pages 83-118

Size: 280.15 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 to reconfigure the site plan, add an access point for equestrian center parking and manure removal, and modify a condition of approval.

D. STATUS REPORTS – CONSENT

12. **SR 1983-120A.5** Status Report for Resolution R-94-1308 (Petition 1983-120A), the petition of Richard Mercede. Property owner: Sun Enterprises Holding, Inc. General Location: Approx. 0.1 mile north of the Broward County line on the west side of S. R. 7. Current zoning: General Commercial with a Development Order Amendment to increase square footage and Class A Conditional Use allowing automotive paint and body shop and vehicle sales and rental (**MERCEDE CENTER**).

Pages 119-122

Size: 1.02 acres ±

BCC District: 5

MOTION: To approve a time extension until May 10, 2005, for Resolution R-94-1308, and to revoke existing concurrency.

13. **SR 1986-008C.10** Status Report for Resolutions R-90-838 and R-90-839 (Petition 1986-008(C)), the petition of Radnor/Higier Partnership #3. Property owner: MDN Lantana, Ltd. General Location: SE corner of Lantana Rd. and Jog Rd. Current zoning: General Commercial with a Special Exception to amend the site plan for an existing Planned Commercial Development (PCD) to 1) increase the land area 2) permit an auto service station (tire center) 3) add a financial institution with five (5) drive up teller windows (**PINEWOOD SQUARE PCD**).

Pages 123-126

Size: 4.65 acres ±

BCC District: 3

MOTION: To approve a time extension until May 22, 2005, for Resolutions R-90-838 and 90-839.

14. **SR 1992-035.5** Status Report for Resolution R-92-1839 (Petition 1992-035), the petition of Arthur Rosacker. Property owner: Portalegre Inc. General Location: South side of West Atlantic Ave., 1/4 mile east of Jog Rd. Current zoning: General Commercial (**FLORAL ACRES**).

Pages 127-130

Size: 2.98 acres of 4.58 acres ± (Tracts A, B and C)

BCC District: 5

MOTION: To adopt a resolution to amend conditions of approval (TPS) in Resolution R-92-1839, and approve a time extension until June 10, 2005, to commence development.

15. **SR 1992-041.7** Status Report for Resolution R-93-4 (Petition 1992-041), the petition of Land Services Group, Inc. Property owner: Palm Beach Plaza Ltd. General Location: Southeast corner of the intersection of Jog Rd. and Dwight Rd. Current zoning: General Commercial (**PALM BEACH PLAZA**).

Pages 131-133

Size: 2.6 acres ±

BCC District: 2

MOTION: To approve a time extension until May 23, 2005, for Resolution R-93-4.

16. **SR 1992-047.3** Status Report for Resolution R-93-646 (Petition 1992-047), the petition of Ropico Inc. Property owner: National Museum of Polo & Hall of Fame, Inc. General Location: Northwest corner of the intersection of Lake Worth Rd. and Lyons Rd. Current zoning: Agricultural Residential with a Class A Conditional Use allowing an assembly, non-profit (**POLO MUSEUM**).

Pages 134-137

Size: 9.79 acres ±

BCC District: 6

MOTION: To approve a time extension until May 27, 2005, for Resolution R-93-646.

17. **SR 1993-019.5** Status Report for Resolution R-93-1025 (Petition 1993-019), the petition of Serge Jerome. Property owner: Lake Worth Haitian Church of God. General Location: Approx. one block west of Congress Ave. on the south side of Melaleuca Lane. Current zoning: Multiple Family Residential (Medium Density) with a Class A Conditional Use allowing a church or place of worship with accessory day care (30 children) (**HAITIAN CHURCH OF GOD**).

Pages 138-141

Size: 1.49 acres ±

BCC District: 3

MOTION: To approve a time extension until May 12, 2005, for Resolution R-93-1025.

18. **SR 1993-030.5** Status Report for Resolution R-93-1200 (Petition 1993-030), the petition of Jim & Elsie Higgins. Property owner: Lori Podray. General Location: Approx. 0.8 mile east of Jog Rd. on the south side of Melaleuca Ln. Current zoning: Residential Transitional (**HIGGINS SUBDIVISION**).

Pages 142-144

Size: 4.7 acres ±

BCC District: 3

MOTION: To approve a time extension until May 10, 2005, for Resolution R-93-1200.

19. **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 and Security Capital Atlantic, Inc. 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) with a Development Order Amendment to add land area (+13.78 acres) and add units (+112 MFR) (**CAMERON PARK**).

Pages 145-147

Size: 38.58 acres ±

BCC District: 5

MOTION: To approve a time extension until June 10, 2005, for Resolutions R-97-2072 and R-97-2073.

20. **SR 1999-090** Status Report for Resolutions R-2000-0571 and R-2000-0572 (Petition 1999-090), the petition of Edgar Adamson, Jr. & Hixie Stephens. Property owner: Congress Shopping Center Ltd. General Location: Approx. 600 feet south of Okeechobee Blvd. on the east side of Congress Ave. Current zoning: General Commercial with a Class A Conditional Use to allow a self-service storage facility (**E&H SELF STORAGE**).

Pages 148-151

Size: 1.46 acres ±

BCC District: 2

MOTION: To approve a time extension until April 27, 2005, for Resolutions R-2000-0571, and R-2000-0572.

21. **SR 2000-005** Status Report for Resolutions R-2000-0719 and R-2000-0720 (Petition 2000-005), the petition of Congress Venture Two, Inc. Property owner: Congress Venture Two, Inc. General Location: Approx. 0.5 mile north of Belvedere Rd. on the east side of Congress Ave. Current zoning: Commercial General with a Class A Conditional Use to allow office/warehouse (**CONGRESS BUSINESS PARK**).

Pages 152-154

Size: 2.28 acres ±

BCC District: 2

MOTION: To approve a time extension until May 25, 2005, for Resolutions R-2000-0719 and R-2000-0720.

- 22. **CR 1992-048B/E5.2** Status Report for Resolution R-2000-1704 (Petition 1992-048B), the petition of Muslim Community of Palm Beach County, Inc. Property owner: Muslim Community of Palm Beach County, Inc. General Location: Approx. 300 feet east of Haverhill Rd. on the north side of Purdy Lane. Current zoning: Residential Single Family with a Development Order Amendment to add land area and modify/delete conditions of a previously approved Conditional Use A which allowed a church or place of worship (**MUSLIM COMMUNITY**).

Pages 155-158

Size: 1.4 acres ±

BCC District: 2

MOTION: To adopt a resolution to amend conditions of approval (right-of-way) in Resolution R-2000-1704, and approve a time extension until December 1, 2003 to comply with condition number E.5. of Resolution R-2000-1704.

- 23. **CR 1997-045/E2.2** 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 159-162

Size: 1.5 acres ±

BCC District: 2

MOTION: To approve a time extension until June 1, 2004, to comply with condition number E.2. of Resolution R-97-968.

E. CORRECTIVE RESOLUTION

- 24. **SE1987-144** Corrective Resolution: To correct the sixth Whereas clause of Resolution R-2003-0563. (**HAGEN RANCH PROPERTIES**)

Page 163

MOTION: To adopt a resolution correcting the sixth Whereas clause of Resolution R-2003-0563.

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

25. **SR 1983-018.8** Status Report for Resolutions R-83-1040 and R-83-1041 (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 (**STONEWALL ESTATES**), including an on-site sewage treatment plant.

Pages 164-170

Size: 340 unplatted acres of 983 acres ±

BCC District: 2

MOTION: To 1) adopt a resolution to amend conditions of approval (master plan) in Resolution R-83-1041, 2) approve a time extension until April 26, 2005, to record a plat, and 3) revoke concurrency for Phase 2 of the Planned Unit Development.

C. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION

26. **2003-0023 SCA** Keepers Self Storage-Lantana, LLC, by Land Design South of Florida, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 3 units per acre (LR-3) on 1.67 acres to Commercial Low (CL) with a condition. General Location: Approx. 300 feet south of Lantana Rd. on the east side of High Ridge Rd. (**LANTANA/HIGH RIDGE II a.k.a. A KEEPERS SELF STORAGE**)

Pages 171-196

Size: 1.67 acre ±

BCC District: 3

Staff Recommendation: Approval of the applicant's request for a future land use change from LR-3 to CL, subject to one condition.

LPA Recommendation: Approval of the applicant's request for a future land use change from LR-3 to CL, subject to one condition (10-1 vote).

MOTION: To adopt an ordinance approving the request for a future land use change from LR-3 to CL, subject to one condition.

27. **PDD2003-010** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Keepers Self Storage - Lantana LLC by Land Design South, Agent. Request: Rezoning from the Residential Single Family (RS) Zoning District to the Multiple Use Planned Development (MUPD) District with a self-service storage facility (requested use). General Location: Southeast corner of Lantana Rd. and High Ridge Rd. (**A KEEPERS SELF STORAGE**).

Pages 197-220

Size: 3.69 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 rezoning from the Residential Single Family Zoning District to the Multiple Use Planned Development District with a self-service storage facility.

D. ZONING PETITIONS

28. **PDD2003-007** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of George T. Elmore, as Trustee by Kieran J. Kilday & William Boose, III, Esq., Agents. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approx. 500 feet north of Lantana Rd. on the east side of SR 7/US 441 (**MISSION LAKES MUPD**).

Pages 221-247

Size: 24.55 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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

29. **CA1980-220A** Title: Resolution approving a Class A Conditional Use petition of Soldiers of the Cross by Kevin McGinley, Agent. Request: To allow a church or place of worship. General Location: Approx. 0.2 mile south of Lake Worth Rd. on the west side of Haverhill Rd. (**SOLDIERS OF THE CROSS**).

Pages 248-265

Size: 1.52 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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

30. **DOA1994-016B** Title: Resolution approving a Development Order Amendment petition of Palm Beach County School Board by Kilday and Associates, Inc., 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**).

Pages 266-296

Size: 53.33 acres ± (affected area)

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 to reconfigure site plan to allow government services.

- 5. **DIRECTOR COMMENTS**
 - A. **ZONING DIRECTOR**
 - B. **PLANNING DIRECTOR**
- 6. **COMMISSIONER COMMENTS**
- 7. **ADJOURNMENT**