

**Board of County Commissioners**

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**BOARD OF COUNTY COMMISSIONERS  
ZONING MEETING**

**AMENDMENTS TO THE AGENDA**

**AUGUST 23, 2007**

**AGENDA ITEM #**                      **APPLICATION/CHANGE**  
**PAGE #**

**AMENDMENTS TO THE AGENDA**

15  
Page 39

**PDD/TDR2006-1554 – IN THE PINES NORTH**

Modify ZONING - LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF HAGEN RANCH ROAD) AND WEST PROPERTY LINES (ABUTTING WASTE WATER TREATMENT PLANT) Condition 6. to read as follows:

- 6. In addition to the code requirements, landscaping along the ~~north~~ east and west property lines shall be upgraded to include:
  - a. one (1) palm tree for each for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDG PERMIT: LANDSCAPE - Zoning)

Delete ZONING - LANDSCAPING ALONG THE EAST PROPERTY LINE (FRONTAGE OF HAGEN RANCH ROAD) Condition 6 and replace with the following:

- 6. In addition to the code requirements, landscaping along the east property lines shall be upgraded to include:
  - one (1) palm tree for each for each twenty (20) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters. (BLDG PERMIT: LANDSCAPE - Zoning)

16.  
Page 68

**Z2007-336 – WEST COUNTY JAIL EXPANSION**

Delete Engineering Condition E.3 and replace with the following:

- E.3 The Property owner shall construct on Main Street:
  - A. relocation of the existing median opening on Main Street at the entrance to the West Governmental Center
  - B. a new median opening on Main Street at the projects south entrance.
  - C. left turn lane north approach at the projects south entrance

D. left turn lane south approach (u turn lane) at the projects south entrance

E. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

F. Permits required by Florida Department of Transportation for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)

G. Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

20.  
Page 170

#### **Z2007-532 – INDIANTOWN ROAD FIRE STATION 14**

Delete ENGINEERING Condition E.3 and replace with the following:

E.3 The Property owner shall:

A) extend the existing left turn lane west approach on Indiantown Road at Mack Dairy Road and construct a restricted median opening at 120th Trail North, subject to final approval of the County Engineer

B) Construct a restricted median opening on Indiantown Road at 120th Trail North.

C) This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the property owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way.

D) Permits required by Palm Beach County for this construction shall be obtained prior to the issuance of the first Building Permit. (BLDG PERMIT: Monitoring-Eng)

E) Construction shall be completed prior to the issuance of the first Certificate of Occupancy. (CO: MONITORING-Eng)

21.  
Page 184

#### **DOA2007-333 – TEMPLE MEDICAL**

Modify ALL PETITIONS Condition 2 to read as follows:

ALL PETITIONS Condition 1 of Resolution R2006-0285, Control 2005-081 which currently states:

2. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated December 19, 2005. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the ULDC. (DRO: ZONING - Zoning) ~~(Previous ALL PETITIONS Condition 1 of Resolution R2006-0285, Control 2005-081)~~

Is hereby amended to read:

2. Development of the site is limited to the uses and site design as approved by the Board of County Commissioners. The approved site plan is dated September 27, 2006. All modifications must be approved by the Board of County Commissioners unless the proposed changes are required to meet conditions of approval or are in accordance with the

Add Engineering Conditions 1, 2 and 3 to read as follows:

1. In order to comply with the mandatory Traffic Performance Standards, the property owner shall be restricted to the following phasing schedule:

No Building Permits for the site may be issued after February 27, 2009. A time extension for this condition may be approved by the County Engineer based upon an approved Traffic Study which complies with Mandatory Traffic Performance Standards in place at the time of the request. This extension request shall be made pursuant to the requirements of Article 2 Section E of the Unified Land Development Code. (DATE: MONITORING - ENG) (Previous ENGINEERING Condition 1 of Zoning Resolution R2006-0285, Control 2005-081)

2. LANDSCAPE WITHIN THE MEDIAN OF JOG ROAD

The property owner shall design, install and perpetually maintain the median landscaping within the median of all abutting right of way of Jog Road. This landscaping and irrigation shall strictly conform to the specifications and standards for the County's Only Trees, Irrigation, and Sod (OTIS) program. Additional landscaping beyond OTIS requires Board of County Commissioners approval. Median landscaping installed by property owner shall be perpetually maintained by the property owner, his successors and assigns, without recourse to Palm Beach County, unless the property owner provides payment for maintenance as set forth in Paragraph d below.

a. The necessary permit(s) for this landscaping and irrigation shall be applied for prior to the issuance of the first building permit. (BLDG PERMIT: MONITORING - ENG)

b. All installation of the landscaping and irrigation shall be completed prior to the issuance of the first certificate of occupancy. (CO: MONITORING - ENG)

c. At the property owner's option, when and if the County is ready to install OTIS on the surrounding medians of this roadway adjacent to the property owner installed landscaping, payment for the maintenance may be provided to the County. The payment shall be in the amount and manner that complies with the schedule for such payments that exists on the date payment is made. Once payment has been provided, Palm Beach County shall assume the maintenance responsibility for the OTIS landscaping and irrigation that has been installed by the property owner. The property owner shall first be required to correct any deficiencies in the landscaping and irrigation. This option is not available to medians with additional landscaping beyond OTIS standards, unless those medians are first brought into conformance with OTIS standards by the property owner. (ONGOING: ENG - ENG)

d. Also, prior to the issuance of a building permit, and at the option of the property owner, the property owner may make a contribution to the County's Only Trees Irrigation and Sod, OTIS program, unincorporated thoroughfare beautification

program. This payment, for the County's installation of landscaping and irrigation on qualifying thoroughfares shall be based on the project's front footage along Jog Road. This payment shall be in the amount and manner that complies with the schedule for such payments as it currently exists or as it may from time to time be amended. (ONGOING: ENG - ENG) (Previous ENGINEERING Condition 2 of Resolution R2006-0285, Control 2005-081)

3. Prior to final site plan approval by the Development Review Officer, the property owner shall record a shared parking, cross access and cross drainage easement between this property and the adjacent parcel to the north. This easement shall be approved by the County Attorney and the County Engineer prior to recordation. (DRO: ENG - ENG) (Previous ENGINEERING Condition 3 of Resolution R2006-0285, Control 2005-081)

24.  
Page 251

### **Z/CA2006-1557 – PHILADELPHIA CHURCH OF NAZARENE**

Add new ZONING - LANDSCAPING-STANDARDS Condition 1 and renumber accordingly:

1. Prior to the issuance of a building permit, the property owner shall submit a Landscape Plan to the Landscape Section for review and approval. The Plan(s) shall be prepared in compliance with the conditions of approval as contained herein. (BLDG PERMIT: LANDSCAPE - Zoning)

Modify ZONING - LANDSCAPING- ALONG EAST PROPERTY LINE (ABUTTING HAVERHILL ROAD) Condition 5 to read as follows:

~~5.6.~~ In addition to the code requirements ~~and the proposed landscaping~~, landscaping and buffer width along the east property line shall be upgraded to include:

- a. a minimum twenty (20) foot wide landscape buffer strip;
- b. a minimum two (2) to three (3) foot high undulating berm with an average height of two and one half (2.5) feet measured from top of curb;
- ~~c. one (1) canopy tree planted every twenty (20) feet on center;~~
- ~~d. c. one (1) palm or pine tree for each thirty (15) (30) linear feet of frontage; and,~~
- ~~e. thirty (30) inch high shrub or hedge material, spaced no more than twenty four (24) inches on center at installation, to be maintained at a minimum height of thirty-six (36) inches.~~
- d. F fifty percent (50%) of the shrub or hedge materials shall be planted on the plateau of the berm. (CO: LANDSCAPE-Zoning)

Modify ZONING - LANDSCAPING- ALONG SOUTH AND WEST PROPERTY LINES (ABUTTING RESIDENTIAL) Condition 6 to read as follows:

~~6.7.~~ In addition to code requirements, ~~L~~ landscaping and buffering along the south and west property lines shall be upgraded to include:

- ~~a. A minimum fifteen (15) foot wide landscape buffer strip; and~~
- ~~b. A minimum six (6) foot high opaque concrete wall; setback a minimum of five (5) feet from the property line. The exterior side of the wall shall be given a finished architectural treatment, which is compatible and harmonious with abutting development. The wall~~

shall not be located within safe sight corners. (CO: LANDSCAPE-Zoning)

Delete USE LIMITATIONS Condition 2, renumber conditions accordingly and add new USE LIMITATIONS Conditions 2-6 to read as follows:

2. Accessory outdoor uses such as temporary sales events shall be limited to a maximum of four (4) events per year and shall be setback a minimum of 30 feet from all perimeter property lines. No temporary amusements or special events are permitted on the property. (ONGOING / SPECIAL PERMIT: CODE ENF - Zoning)
3. No commercial communication tower or equipment shall be attached to the principal structure. (BLDG PERMIT: BLDG - Zoning)
4. Maximum number of seating is limited to 618 seats. (ONGOING: CODE ENF - Zoning)
5. Temporary sales shall be located with a minimum setback of one hundred (100) feet from the south and west property lines. Setbacks for Special Events shall be subject to the ULDC requirements. No circuses, carnivals or tent revivals shall be permitted. (ONGOING: CODE ENF Zoning)
6. No outdoor activities shall be conducted after 9:00 p.m. daily. (ONGOING: CODE ENF - Zoning)

30.  
Page 336

#### **ULDC AMENDMENT ROUND 2007-01**

Amendments to the Agenda - Item D 30, Exhibit I, Page 336, Amending a portion of Part 17 [Related to Project Build-out Period and Traffic Impact Studies], Lines 43 - 54

##### b. Enforcement

For enforcement purposes, the Buildout Period of the Project shall be deemed complete if any of the following are true:

- 1) In the case of a non-residential project, final COs have been issued for interior tenant improvements for 80 percent of the gross leasable area.
- 2) In the case of residential projects with a Development Order issued ~~on or before~~ between January 21, 2003 and August 23, 2007, the completion of the proposed project shall be the issuance of building permits for 50% + 1 of the units as set forth in the master plan or site plan as applicable. In the case of residential projects with a Development Order issued after August 23, 2007, as well as residential projects with a Development Order issued between January 1, 2003 and August 23, 2007 that have not been fully platted by January 1, 2012, the completion of the proposed project shall be the issuance of building permits for 80% of ~~or~~ the units as set forth in the master plan or site plan as applicable.. [Text relocated from Art. 1.I.2.B.68]

32.

#### **Z/CA2006-1818 – LEDIS REZONING**

Modify LANDSCAPING ALONG THE WEST AND SOUTH PROPERTY LINE (ABUTTING VACANT AND VACANT CIVIC PARCELS) Condition 4 to read as follows:

- 4. In addition to code requirements and the proposed landscaping and buffer width along the west property line shall be upgraded to include:
  - a. a minimum fifteen foot (15) wide landscape buffer strip. No width reduction or easement encroachment shall be permitted;
  - b. a six (6) foot high opaque concrete block wall. Height of the wall shall be measured from the highest grade of the two adjoining properties or from the nearest adjacent finished floor of the proposed structure. Method of height shall be finalized subject to the review and approval by the Landscape Section to ensure screening effect is achieved for the adjacent property. Both sides of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
  - c. one (1) palm or pine for each for each thirty (30) linear feet of the property line with a maximum spacing of sixty (60) feet between clusters.  
; and,
  - d. ~~an opening or gate to allow a pedestrian connection to the south subject to Planning Division approval. pedestrian connection to the south subject to Planning Division approval.~~ (BLDG PERMIT: LANDSCAPE - Zoning)

**Z/CA2006-1678 - BP AT WALLIS AND HAVERHILL**

Modify ENGINEERING Condition E.5 to read as follows:

The Property Owner shall extend the concrete median within Haverhill Road from Homewood Drive to ~~a point 100 feet south of the projects south entrance of Haverhill~~ Wallis Road subject to final approval of the County Engineer.

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

**AUGUST 23, 2007**

**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/REMANDS (Pages 1-4)**

**3. CONSENT AGENDA (Pages 5-11)**

- o Staff
- o Board
- o Public

**4. REGULAR AGENDA (Pages 12-17)**

**5. DIRECTOR COMMENTS (Page 17)**

**6. COMMISSIONER COMMENTS (Page 17)**

**7. ADJOURNMENT (Page 17)**

Web address: [www.pbcgov.com/pzb/](http://www.pbcgov.com/pzb/)

***Disclaimer: Agenda subject to changes at or prior to the public hearing.***

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

**AUGUST 23, 2007**

**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**

**A. POSTPONEMENTS**

- 1. **Z/DOA2006-185** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Family Bedner, by Jon E. Schmidt & Associates, Agent. Request: Rezoning from the Specialized Commercial (CS) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Development Order Amendment application of Family Bedner, by Jon E. Schmidt & Associates, Agent. Request: To add land area. General Location: Northeast corner of Boynton Beach Boulevard and Lawrence Road. **(BOYNTON & LAWRENCE OFFICE MUPD)** (Control 1981-219)

Page 1

Size: 3.703 acres ±

BCC District: 3

MOTION: To postpone to September 24, 2007. (Requested by the Applicant)

- 2. **Z/CA2006-022** Title: Resolution approving an Official Zoning Map Amendment application of Colonial Lake, LLC, by Kim Glas-Castro, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Colonial Lakes, LLC, by Kim Glas-Castro, Agent. Request: To allow the transfer of development rights. General Location: Approximately 130 feet west of Haverhill Road on the south side of Lake Worth Road. **(COLONIAL LAKES)** (Control 2006-010)

N/A

Size: 9.84 acres ±

BCC District: 2

MOTION: None required. Postponed to September 24, 2007.



3. **CA/TDR2006-1555** Title: Resolution approving a Class A Conditional Use application of Vivendi Homes, LLC, by Ruden, McClosky, Agent. Request: To allow the Transfer of Development Rights for 9 units. General Location: Approximately 300 feet east of Kirk Road on the south side of Melaleuca Lane. **(VIVENDI)** (Control 2000-111)

N/A

Size: 3.50 acres ±

BCC District: 3

MOTION: None required. Postponed to September 24, 2007.

4. **PDD2006-960** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Woolbright Investment Group, LLC, by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 200 feet west of Jog Road on the south side of Woolbright Road. **(WOOLBRIGHT OFFICE CENTER)** (Control 2006-305)

N/A

Size: 3.62 acres ±

BCC District: 5

MOTION: None required. Postponed to September 24, 2007.

5. **PDD/R2006-1675** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of GKK-Hagen, Ltd., by F. Martin Perry & Associates, P.A., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. Title: Resolution approving a Requested Use application of GKK-Hagen, Ltd., by F. Martin Perry & Associates, P.A., Agent. Request: To allow financial institutions (2) with drive through lanes, and a Type II Restaurant. General Location: Northwest corner of Hagen Ranch Road and Boynton Beach Boulevard. **(HAGEN RANCH/BOYNTON BEACH MUPD)** (Control 2006-520)

N/A

Size: 3.70 acres ±

BCC District: 5

MOTION: None required. Postponed to September 24, 2007.

6. **Z/CA2006-1901** Title: Resolution approving an Official Zoning Map Amendment application of Military Trail Development Group, LLC, by Miller Land Planning, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Single-family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use application of Military Trail Development Group, LLC., by Miller Land Planning, Agent. Request: To allow townhomes. General Location: Southeast corner of Military Trail and Old Military Trail. **(GLENWOOD TOWNHOMES)** (Control 2005-589)

N/A

Size: 8.01 acres ±

BCC District: 3

MOTION: None required. Postponed to September 24, 2007.

7. **PDD2007-055** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Panattoni Development Company, LLC, by Gentile, Holloway, O'Mahoney & Assoc, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) Zoning District. General Location: Northeast corner of Southern Boulevard and Sansbury's Way. **(SOUTHERN/SANSBURY'S MUPD)** (Control 2007-018)

N/A

Size: 24.35 acres ±

BCC District: 6

MOTION: None required. Postponed to September 24, 2007.

8. **Z/CA2006-1914** Title: Resolution approving an Official Zoning Map Amendment application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: Rezoning from the Residential High Density (RH) Zoning District to the Multi-family Residential (RM) Zoning District. Title: Resolution approving a Class A Conditional Use application of Jorge Sarria, by Jon E Schmidt & Associates, Agent. Request: To allow the transfer of development rights for 10 units. General Location: Approximately 1300 feet north of Belvedere Road on the west side of Haverhill Road. **(THE RESIDENCES AT HAVERHILL) (2006-551)**

N/A

Size: 2.70 acres ±

BCC District: 2

MOTION: None required. Postponed to September 24, 2007.

9. **DOA2006-1694** Title: Resolution approving a Development Order Amendment application of Haitian Bethel Baptist Church, Inc., Jean Joint, Robert Borgelin, by Ron Uphoff, Agent. Request: To reconfigure the site plan and add square footage. General Location: High Ridge Road approximately .44 miles south of Hypoluxo Road. **(FRIENDSHIP BAPTIST CHURCH)** (Control 1979-077)

N/A

Size: 1.93 acres ±

BCC District: 3

MOTION: None required. Postponed to September 24, 2007.

10. **CA2007-205** Title: Resolution approving a Class A Conditional Use application of Florida Rock Industries, Inc., U S Sugar Corp., by Casey, Ciklin, Lubitz, Agent. Request: To allow a Type IIIB Excavation. General Location: Approximately 4 miles south of Lake Okeechobee and 3 miles west of US Highway 27. **(LAKE HARBOR QUARRY)** (Control 2007-054)

N/A

Size: 7351.24 acres ±

BCC District: 6

Affected area 640.0 acres ±

MOTION: None required. Postponed to October 25, 2007.

11. **SR 2001-077** Status Report for Resolution R-2004-0509 (Petition 2001-077), the petition of James K. Johnson. Property owner: Planet Kids IX, Inc. General Location: Southwest corner of 92nd Lane North and Seminole Pratt Whitney Road. Zoning District: Agricultural Residential with a Class A Conditional Use to allow a general daycare. **(PLANET KIDS IX)**

Pages 2-7

Size: 1.34 acres ±

BCC District: 6

MOTION: To postpone to September 24, 2007. (Requested by the owner)

**B. WITHDRAWALS**

**C. REMANDS**

**- END OF POSTPONEMENTS/WITHDRAWALS/REMANDS -**

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. STATUS REPORTS

12. **SR 1993-039B.5** Status Report for Resolution R-94-110 (Petition 1993-039), the petition of Atlantic Partnership; R-97-2072 and R-97-2073 (Petition 1993-039A), the petition of Security Capital Atlantic; R-2005-157, and R-2005-158 (Petition 1993-039B) the petition of Arch Stone Smith, General Location: Approximately 0.54 mile west of Military Trail on the south side of Atlantic Avenue. Zoning District: Planned Unit Development. **(CAMERON PARK)**

Pages 8-13

Size: 40.55 acres ±

BCC District: 5

MOTION: To approve a time extension until June 10, 2009 for Resolutions R-94-110, R-97-2072, R-97-2073, R-2005-157 and R-2005-158.

13. **SR 2003-094** Status Report for Resolution R-2004-1370 (Petition 2003-094), the petition of Mark A. Reinhold and Susan L. Reinhold. Property owners: Mark A. Reinhold and Susan L. Reinhold. General Location : Approximately 1,000 feet south of Church Street on the east side of Limestone Creek Road. Zoning District: Single Family Residential with a Conditional Overlay Zone. **(LIMESTONE CREEK RESIDENTIAL)**

Pages 14-18

Size: 1.64 acres ±

BCC District: 1

MOTION: To approve a time extension until June 16, 2009 for Resolution R-2004-1370.

**D. PREVIOUSLY POSTPONED ZONING APPLICATIONS**

14. **DOA2006-1938** Title: Resolution approving A Development Order Amendment application of Crescent Center Ventures, LLC, by Beril Kruger, Planning Zoning Consultants, Agent. Request: To reconfigure site plan and modify conditions of approval. General Location: Approximately one mile south of Golf Road on the east side of Military Trail. **(MILITARY 6)** (Control 1987-103)

Pages 19-38

Conditions of Approval (29) Pages 32-38

Size: 6.15 acres ±

BCC District: 4

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan and modify conditions of approval.

**E. ZONING APPLICATIONS**

15. **PDD/TDR2006-1554** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of In The Pines, Inc., by Miller Land Planning, 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 application of In The Pines, Inc., by Miller Land Planning, Agent. Request: To allow the Transfer of Development Rights for eleven (11) units and designate this application as the receiving area. General Location: Approximately 1 mile north of Lake Ida Road on the east side of Hagen Ranch Road. **(IN THE PINES NORTH)** (Control 2006-503)

Pages 39-67

Conditions of Approval (30) Pages 58-63

Size: 5.28 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Residential Planned Unit Development District.

MOTION: To adopt a resolution approving the Transfer of Development Rights for eleven (11) units and designate this application as the receiving area.

16. **Z2007-336** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County, by Palm Beach County, Agent. Request: Rezoning from the Agricultural Production (AP) Zoning District to the Public Ownership (PO) Zoning District. General Location: Southeast corner of the intersection of Southern Boulevard (State Road 80) and Main Street (State Road 15). **(WEST COUNTY JAIL EXPANSION)** (Control 1991-002)

Pages 68-86

Voluntary Commitments (10) Pages 84-86

Size: 618.93 acres ±

BCC District: 6

Affected: 92.57 acres ±

Staff Recommendation: Approval, subject to voluntary commitments.

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

MOTION: To recommend approval of an Official Zoning Map Amendment from the Agricultural Production Zoning District to the Public Ownership Zoning District on first hearing and to convene a second public hearing on September 24, 2007 at 9:30 a.m.

17. **DOA2007-181** Title: Resolution approving a Development Order Amendment application of Temple Shaarei Shalom, Inc., by Kilday & Associates, Inc., Agent. Request: To modify site plan and add square footage. General Location: Northwest corner of Hagen Ranch and Travis Lane. **(TEMPLE SHAARIEI SHALOM EXPANSION)** (Control 1997-078)

Pages 87-119

Conditions of Approval (66) Pages 99-115

Size: 4.41 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving a Development Order Amendment to reconfigure site plan, add square footage and modify conditions of approval.

18. **DOA2007-050** Title: Resolution approving a Development Order Amendment application of Exel Properties, Ltd., by Anna S. Cottrell & Associates, Agent. Request: To add a financial institution and reconfigure the site plan. General Location: Northeast corner of Palmetto Road and Ponderrosa Drive. **(PENINSULA BANK AT LOGGERS RUN)** (Control 1975-068)

Pages 120-146

Conditions of Approval (48) Pages 136-143

Size: 12.56 acres  $\pm$   
Affected 0.30 acres  $\pm$

BCC District: 5

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving a Development Order Amendment to add a financial institution, reconfigure the site plan, and modify conditions of approval.

19. **DOA2007-527** Title: Resolution approving a Development Order Amendment application of Okeelanta, Corp., by Kilday & Associates, Inc., Agent. Request: To add land area and reconfigure site plan. General Location: Approximately 2 miles west of US 27, south of the Bolles Canal at the Okeelanta CO-Generation Facility. **(OKEELANTA CO-GENERATION FACILITY)** (Control 1992-014)

Pages 147-169

Conditions of Approval (38) Pages 158-165

Size: 349.34 acres  $\pm$   
Affected area 286.06 acres  $\pm$

BCC District: 6

Staff Recommendation: Approval, subject to conditions

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

MOTION: To adopt a resolution approving a Development Order Amendment to add land area and reconfigure site plan.

20. **Z2007-532** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County. Request: Rezoning from the Agricultural Residential (AR) to the Public Ownership (PO) Zoning District. General Location: Northwest corner of Indiantown Road and Mack Dairy Road. **(INDIANTOWN ROAD FIRE STATION 14)** (Control 2007-173)

Pages 170-183

Voluntary Commitments (7) Pages 181-183

Size: 2.67 acres ±

BCC District: 1

Staff Recommendation: Approval, subject to voluntary commitments.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential to the Public Ownership Zoning District.

21. **DOA2007-333** Title: Resolution approving a Development Order Amendment application of Temple Medical, LLC, by Miller Land Planning, Agent. Request: To modify/delete a condition of approval. General Location: Approximately 600 feet south of Linton Boulevard on the west side of Jog Road. **(TEMPLE MEDICAL)** (Control 2005-081)

Pages 184-205

Conditions of Approval (26) Pages 196-200

Size: 1.50 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete a condition of approval.



22. **Z2007-522** Title: Resolution approving An Official Zoning Map Amendment application of Rosso Realty, LLC, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR), Residential Estate (RE), and Residential Transition (RT) Zoning Districts to the Light Industrial (IL) Zoning District. General Location: The north side of Wallis Road, approximately .2 mile east of Cleary Road. **(ROSSO PAVING)** (Control 2007-172)

Pages 206-227

Conditions of Approval (9) Pages 217-219

Size: 4.63 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential, Residential Estate, and Residential Transition Zoning Districts to the Light Industrial Zoning District with a Conditional Overlay Zone.

23. **DOA/EAC-2007-00720** Title: Resolution approving an Expedited Application Consideration/Development Order Amendment of Nick Stewart by Gary M. Brandenburg and Associates, Agent. Request: to modify conditions of approval. General Location: North of Highway 98, 18 miles Southeast of Lake Okeechobee. **(STEWART MINING INDUSTRIES)** (Control 2005-0450)

Pages 228-250

Conditions of Approval (39) Pages 242-249

Size: 5419 acres ±

BCC District: 6

Affected: 5419.93

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving a Development Order Amendment to modify conditions of approval.

24. **Z/CA2006-1557** Title: Resolution approving an Official Zoning Map Amendment application of Philadelphia Church Of The Nazarene, Inc., by Ruden, McClosky, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Single Family Residential (RS) Zoning District. Title: Resolution approving a Class A Conditional Use application of Philadelphia Church Of The Nazarene, Inc., by Ruden, McClosky, Agent. Request: To allow a place of worship and a daycare, general. General Location: Approximately 377 feet north of Horseshoe Circle North on west side of Haverhill Road. **(PHILADELPHIA CHURCH OF NAZARENE)** (Control 2006-504)

Pages 251-270

Conditions of Approval (22) Pages 263-270

Size: 4.76 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District to the Single Family Residential Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a place of worship and a daycare, general.

#### F. ABANDONMENTS

25. **ABN2007-987** Request: To revoke Resolutions R-1989-1263, R-1990-2150 and R-1992-1614 which approved a Special Exception to allow a Planned Commercial Development, modifications of conditions and a corrective resolution. (Control 1988-131) **(WESTGATE 1)**

Pages 271-273

MOTION: To adopt a resolution approving the abandonment of Resolutions R-1989-1263, R-1990-2150 and R-1992-1614.

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

4. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. DISCLOSURES FOR ITEMS PULLED FROM THE CONSENT AGENDA

C. STATUS REPORTS

26. **SR 1975-011B.2** Status Report for Resolution R-2001-0432 (Petition 1975-011B), the petition of Mil-Dell, Ltd. Property owner: Mil Dell Ltd. General Location: Approximately 0.5 mile south of Boynton Beach Boulevard on the east side of SR 7/US 441. Zoning District: Agricultural with a Special Exception to allow a cemetery and mausoleum. (**ETERNAL LIGHT MEMORIAL GARDENS**)

Pages 274-279

Size: 49.49 acres ±

BCC District: 5

MOTION: To approve a time extension until March 22, 2009 for Resolution R-2001-0432.

27. **SR 1975-104A.4** Status Report for Resolutions R-2000-1231 and R-2000-1232 (Petition 1975-104A), the petition of Marathon Ashland Petroleum, LLC. Property owner: S & S Enterprises Inc. and S & S Rentals LLC. General Location: Northeast corner of Lake Worth Road and Kirk Road. Zoning District: General Commercial with a Class A Conditional Use to allow a convenience store with gas sales. (**SPEEDWAY #8361**)

Pages 280-287

Size: 0.97 acres ±

BCC District: 3

MOTION: To approve a time extension until May 17, 2009 for Resolutions R-2000-1231 and R-2000-1232.

28. **SR 1983-091A.3** Status Report for Resolutions R-1999-0971 and 1999-0972 (Petition 1983-091A), the petition of Trustee of St. Luke's United Methodist Church. Property owner: St. Lukes United Methodist Church. General Location: Approximately 0.5 mile south of Lake Worth Road on the east side of Ohio Road. Zoning District: Single Family Residential with a Development Order Amendment to add building square footage to an existing church or place of worship. (**ST. LUKES UNITED METHODIST CHURCH**)

Pages 288-293

Size: 5.91 acres ±

BCC District: 2

MOTION: To approve a time extension until May 27, 2009 for Resolutions R-1999-0971 and R-1999-0972.

29. **SR1992-029.3** Status Report for Resolutions R-93-557 and R-93-558 (Petition 1992-029), the petition of Gary Smiegel. Property owner: Debuys Property Investment Group, Ltd. General Location: Approximately 2.0 miles east of Loxahatchee Wildlife Preserve, 3.0 miles west of S.R. #7 on the south side of Lox Road and the Hillsboro Canal, north of the Broward County line, and directly south of the SWA Site One. Zoning District: Special Agricultural with Class A Conditional Use allowing an Excavation Type III. (**DELK EXCAVATION**)

Pages 294-298

Size: 387.98acres ±

BCC District: 5

MOTION: To approve a time extension until June 9, 2009 for Resolutions R-93-557 and R-93-558.

**D.30 ULDC AMENDMENT ROUND 2007-01**

Pages 299-354

**MOTION AND TITLE: STAFF RECOMMENDS A MOTION TO ADOPT:** AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING THE UNIFIED LAND DEVELOPMENT CODE, ORDINANCE 03-067 AND 03-068, AS AMENDED, AS FOLLOWS: **ARTICLE 1** - GENERAL PROVISIONS; CHAPTER E - PRIOR APPROVALS; CHAPTER F - NONCONFORMITIES; CHAPTER I - DEFINITIONS AND ACRONYMS; **ARTICLE 2** - DEVELOPMENT REVIEW PROCESS; CHAPTER A - GENERAL; CHAPTER B - PUBLIC HEARING PROCEDURES; CHAPTER D - ADMINISTRATIVE PROCESS; CHAPTER E - MONITORING; **ARTICLE 3** - OVERLAYS & ZONING DISTRICTS; CHAPTER B - OVERLAYS; CHAPTER C - STANDARD DISTRICTS; CHAPTER D - PROPERTY DEVELOPMENT REGULATIONS (PDRS); CHAPTER E - PLANNED DEVELOPMENT DISTRICTS (PDDS); CHAPTER F - TRADITIONAL DEVELOPMENT DISTRICTS (TDDS); **ARTICLE 4** - USE REGULATIONS; CHAPTER A - USE CLASSIFICATION; CHAPTER B - SUPPLEMENTARY USE STANDARDS; **ARTICLE 5** - SUPPLEMENTARY STANDARDS; CHAPTER A - GENERAL; CHAPTER B - ACCESSORY AND TEMPORARY USES; CHAPTER C - DESIGN STANDARDS; CHAPTER G - DENSITY BONUS PROGRAM; **ARTICLE 6** - PARKING; CHAPTER A - PARKING; CHAPTER C - DRIVEWAYS AND ACCESS; **ARTICLE 7** - LANDSCAPING; CHAPTER A - GENERAL; CHAPTER C - MGTS TIER COMPLIANCE; CHAPTER E - INSTALLATION, MAINTENANCE, PRUNING, AND IRRIGATION; CHAPTER F - PERIMETER BUFFER LANDSCAPE REQUIREMENTS; **ARTICLE 8** - SIGNAGE; CHAPTER C - PROHIBITIONS; CHAPTER D - TEMPORARY SIGNS REQUIRING SPECIAL PERMIT; CHAPTER G - STANDARDS FOR SPECIFIC SIGN TYPES; **ARTICLE 11** - SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS; CHAPTER A - GENERAL REQUIREMENTS; CHAPTER B - SUBDIVISION REQUIREMENTS; CHAPTER E - REQUIRED IMPROVEMENTS; **ARTICLE 12** - TRAFFIC PERFORMANCE STANDARDS; CHAPTER A - GENERAL; CHAPTER B - STANDARD; CHAPTER C - TRAFFIC IMPACT STUDIES; CHAPTER D - PROCEDURE; **ARTICLE 14** - ENVIRONMENTAL STANDARDS; CHAPTER B - WELLFIELD PROTECTION; CHAPTER C - VEGETATION PRESERVATION AND PROTECTION; **ARTICLE 15** - HEALTH REGULATIONS; CHAPTER A - (ENVIRONMENTAL CONTROL RULE I) - ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEMS (OSTDS); **ARTICLE 17** - DECISION MAKING BODIES; CHAPTER A - BOARD OF COUNTY COMMISSIONERS; CHAPTER C - APPOINTED BODIES; CHAPTER D - STAFF OFFICIALS; PROVIDING FOR: INTERPRETATION OF CAPTIONS; REPEAL OF LAWS IN CONFLICT; SEVERABILITY; A SAVINGS CLAUSE; INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND AN EFFECTIVE DATE.

**E. SMALL SCALE LAND USE AMENDMENTS AND ZONING APPLICATIONS**

31. **SCA 2007-004** Belvedere/Jog Commercial SW, by Seth Behn/Ron Kolins/Stuart Ledis. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 2.55 acres parcel from Low Residential, 2 units per acre (LR-2) to Commercial Low, with an underlying 2 units per acre (CL/2). General Location: Southwest corner of Belvedere Road and Jog Road. **(BELVEDERE/JOG COMMERCIAL SW A.K.A. LEDIS REZONING)**

Pages 355-368

Size: 2.55 acres ±

BCC District: 6

Staff Recommendation: Denial of the requested future land use change from LR-2 to CL/2.

LPA Recommendation: Recommended Denial of the requested future land use change from LR-2 to CL/2 (11-0 vote) at the January 19, 2007 public hearing.

MOTION: To deny an ordinance to approve the proposed amendment from LR-2 to CL/2.

32. **Z/CA2006-1818** Title: Resolution denying an Official Zoning Map Amendment application of Ok Ventures, LLC, and Stuart Ledis, by Greenberg Traurig, PA, Agent. Request: Rezoning from the Single Family Residential (RS) Zoning District to the Community Commercial (CC) Zoning District. Title: Resolution denying a Class A Conditional Use application of Ok Ventures, LLC, and Stuart Ledis, by Greenberg Traurig, PA, Agent. Request: To allow a convenience store with gas sales. General Location: Southwest corner of Belvedere Road and Jog Road. **(LEDIS REZONING)** (Control 2003-020)

Pages 369-391

Conditions of Approval (24) Pages 386-391

Size: 2.55 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Denial.

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

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Single Family Residential Zoning District to the Community Commercial Zoning District.

MOTION: To adopt a resolution denying a Class A Conditional Use to allow a convenience store with gas sales.

33. **SCA 2007-003** Haverhill/ Wallis Commercial SW, by James Shamblin, Carolyn Shamblin, & James Hill. Small Scale Land Use Amendment (SCA): Amend land use to change the future land use designation for a 2.14 acres parcel from Low Residential, 2 units per acre (LR-2) to Commercial High, with an underlying 2 units per acre (CH/2). General Location: Southwest corner of Haverhill Road and Wallis Road. **(HAVERHILL/ WALLIS COMMERCIAL SW A.K.A. BP AT WALLIS AND HAVERHILL)**

Pages 392-407

Size: 2.14 acres ±

BCC District: 6

Staff Recommendation: Denial of the requested future land use change from LR-2 to CH/2.

LPA Recommendation: Recommended Denial of the requested future land use change from LR-2 to CH/2 (11-1 vote) at the January 19, 2007 public hearing.

MOTION: To deny an ordinance to approve the proposed amendment from LR-2 to CH/2.

34. **Z/CA2006-1678** Title: Resolution denying an Official Zoning Map Amendment application of BP Products, by Siegel, Lipman, Dunay, Shepard, & Miskel, Agent. Request: Rezoning from the Multi-family Residential (RM) Zoning District to the General Commercial (CG) Zoning District. Title: Resolution denying Class A Conditional Use application of BP Products by Siegel, Lipman, Dunay, Shepard, & Miskel, Agent. Request: To allow a convenience store with gas sales and car wash. General Location: Southwest corner of Haverhill Road and Wallis Road. **(BP AT WALLIS AND HAVERHILL)** (Control 2006-522)

Pages 408-429

Conditions of Approval (28) Pages 424-429

Size: 2.15 acres ±

BCC District: 6

DISCLOSURE

Staff Recommendation: Denial.

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

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Multi-family Residential Zoning District to the General Commercial Zoning District.

MOTION: To adopt a resolution denying a Class A Conditional Use to allow a convenience store with gas sales and car wash.

5. DIRECTOR COMMENTS
  - A. COUNTY ATTORNEY
  - B. ZONING DIRECTOR
  - C. PLANNING DIRECTOR
6. COMMISSIONER COMMENTS
7. ADJOURNMENT