

Board of County Commissioners

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**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

JUNE 22, 2006

**AGENDA ITEM #
PAGE #**

APPLICATION/CHANGE

POSTPONEMENT

32.
Page 293

SR 80-236B.12 – CAMBRIDGE AUTO SALES

Postpone to August 24, 2006. (Requested by property owner).

MOVE TO CONSENT

36.
Page 353

Z/CA2005-1461 – PALM BEACH CHINESE CHRISTIAN CHAPEL

AMENDMENTS TO THE AGENDA

13.
Page 98

PDD/R2005-1736 – YAMATO COURT MUPD

Add new Zoning - Landscaping-Along The East and South Property Lines (Abutting Residential) Condition to read as follows:

**ZONING - LANDSCAPING-ALONG THE EAST AND SOUTH
PROPERTY LINES (ABUTTING RESIDENTIAL)**

1. In addition to code requirements, landscaping along the east and south property lines (adjacent to the Hamptons PUD) shall be upgraded to include:
 - a. A continuous two (2) foot high berm;
 - b. a six (6) foot high opaque concrete wall, to be located on the plateau of the berm. The exterior side of the wall shall be given a finished architectural treatment that is consistent with the color and style of the principal structure;
 - c. one additional palm or pine shall be planted every twenty (20) linear feet on alternating sides of the wall; and,
 - d. 3 layers of shrubs required to be planted on both sides of the of the wall. (BLDG PERMIT: LANDSCAPE-Zoning)

Z2004-496 – SEMINOLE IMPROVEMENT DISTRICT

Delete the Conditional Overlay Zone.

Amend Compliance Conditions 1 and 2 to read as follows:

1. In granting this approval, the Board of County Commissioners relied upon the oral and written representations of the property owner both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Board of County Commissioners for review under the compliance ~~condition~~ voluntary commitments of this approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the ~~conditions~~ voluntary commitments of approval for the subject property at any time may result in:
 - a. The issuance of a stop work order; the issuance of a cease and desist order; the denial or revocation of a building permit; the denial or revocation of a Certificate of Occupancy; the denial of any other permit, license or approval to any developer, owner, lessee, or user of the subject property; the revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; revocation of any concurrency; and/or
 - b. The revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the ULDC at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing voluntary commitments; and/or
 - d. Referral to code enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or a Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Article 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any voluntary commitments of approval.

CA2006-178 – FLORIDA POWER AND LIGHT GREEN SUBSTATION

Amend Zoning - Landscaping Condition 1 to read as follows:

1. Prior to final Development Review Officer (DRO) approval, the property owner shall submit an Alternative Landscape Plan (ALP) to the Landscape Section for review and approval. The ALP shall not reduce either quantity or quality of required trees but variance relief may be pursued. The ALP shall relocate the required landscaping from the shellrock area interior to the site and the path of the transmission lines to other portions of the site. The ALP shall include 14-foot high Sabal Palms and 14-foot high canopy trees planted 20-feet on center, and an eight (8) foot high wall on top of a 2' berm in the south perimeter buffer, except for the area encumbered by existing power lines. (DRO: LANDSCAPE - Zoning)

PDD/TDR/R/W2005-1730 – WD GARDENS PUD

Delete Architectural Review Condition 1.

Delete Engineering Condition 4.

Amend Planning Conditions 2 and 3 to read as follows:

2. Prior to final approval by the Development Review Officer (DRO), the property owner shall record in the public records of Palm Beach County a restrictive covenant, in a form acceptable to the Palm Beach County Attorney, which includes the following:
 - a. Guarantees the affordability of workforce housing units for moderate income households (80-120% of area median income) for a period of ten years (ownership), with unit sales prices determined by Palm Beach County's Housing and Community Development Department; and,
 - b. Guarantees that the workforce housing units shall not be further restricted beyond the requirement that the occupants qualify for the income limits. (DRO: PLANNING/CO ATTORNEY- Planning)
3. Prior to final approval by the Development Review Officer (DRO), the property owner shall show the following on the site plan consistent with the locations indicated on the site plan dated February 21, 2006:
 - a. the minimum required twenty-one (21) units will be equitably distributed through the buildings, no concentration of units in one building or area shall occur;
 - b. units are required to be provided as twenty-one (21) units to moderate income households (80-120% of area median income);
 - c. the minimum required twenty-one (21) affordable units shall include similar variation in bedroom and floor area options as the market rate units. (DRO: PLANNING -Planning)
 - d. Subsequent changes to the location of affordable units may be allowed and shall be subject to approval by the Development Review Officer (DRO); the locations shall be indicated on the site plan. (DRO: PLANNING -Planning)

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

JUNE 22, 2006

**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/REMANDS/WITHDRAWALS (Pages 1- 3)

3. CONSENT AGENDA (Pages 4-12)

- o Staff
- o Board
- o Public

4. REGULAR AGENDA (Pages 13-17)

5. DIRECTOR COMMENTS (Page 17)

6. COMMISSIONER COMMENTS (Page 17)

7. ADJOURNMENT (Page 17)

Web address: www.pbcgov.com/pzb/

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

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

JUNE 22, 2006

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/REMANDS/WITHDRAWALS

A. POSTPONEMENTS

- 1. **Z2005-1330** Title: Resolution approving an Official Zoning Map Amendment application of Dennis and Grace Gartner, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and the General Commercial (CG) Zoning Districts to the Residential Transitional (RT) Zoning District. General Location: Approximately 2,100 feet north of Lantana Road on the west side of State Road 7/US441. **(GARTNER PROPERTY)** (Control 2005-454)

N/A

Size: 9.17 acres ±

BCC District: 3

MOTION: None required. (Postponed by the Zoning Commission to August 24, 2006)

- 2. **PDD/W2005-1322** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Lake Worth Growers, Inc., by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Waiver application of Lake Worth Growers, Inc., by Gentile, Holloway, O'Mahoney & Associates, Agent. Request: To allow deviation from cul-de-sac and/or dead-end restrictions. General Location: Northeast corner of Lantana Road and Fearnley Drive. **(FAIRWAY VIEW OF THE PALM BEACHES)** (Control 2005-449)

N/A

Size: 19.43 acres ±

BCC District: 2

MOTION: None required. (Postponed by the Zoning Commission to August 24, 2006)

3. **CA2005-1130** Title: Resolution approving a Class A Conditional Use application of Beacon Baptist Tabernacle Inc., by Land Design South, Inc., Agent. Request: To allow a place of worship. General Location: Southeast corner of Indiantown Road and Haynie Lane. (**BEACON BAPTIST CHURCH**) (Control 2003-405)

N/A

Size: 18.98 acres ±

BCC District: 1

MOTION: None required. (Postponed by the Zoning Commission to August 24, 2006)

4. **CR 2000-011A** Status Report for Resolution R-2002-1482 (Petition 2000-011A), the petition of Marjorie and Paul Meloche. Property owner: Marjorie A. Meloche Trust, Paul J. Meloche Trust, Randy Meloche Trust, K. Edelman, Trust and Rick J. Meloche Trust. General Location: Approximately 600 feet west of Haverhill Road on the north side of Lantana Road. Zoning District: Multiple Use Planned Development. (**ABLE'S STORAGE CENTER**)

Pages 1-5

Size: 8.28 acres ±

BCC District: 3

MOTION: To postpone to July 27, 2006. (staff requested)

5. **SR 1999-029.2** Status Report for Resolution R-2000-0120 (Petition 1999-029), the petition of Monadylina Properties, Inc. Property owner: BDG Delray. General Location: Southwest corner of SR7/US 441 and West Atlantic Avenue. Zoning District: Agricultural Reserve with a Class A Conditional Use to allow a convenience store with gas sales and expansion of indoor entertainment and office use. (**STOP & SHOP**)

Pages 6-11

Size: 5.11 acres ±

BCC District: 5

MOTION: To postpone to August 24, 2006. (owner requested)

6. **SR 1988-019B** Status Report for Resolutions R-2003-0432, R-2003-0433 and R-2004-0392 (Petitions 1988-019A and 1988-019B), the petitions of Seymour & Susan Applebaum. Property owner: Seymour Applebaum and Susan Applebaum. General Location: Approximately 1,000 feet south of Belvedere Road on the west side of Benoist Farms Road. Zoning District: Light Industrial with a Development Order Amendment to reconfigure site plan and add square footage. (**SY'S SUPPLIES**)

Pages 12-16

Size: 9.94 acres ±

BCC District: 6

MOTION: To postpone to August 24, 2006. (owner requested)

7. **SR 1997-096.3** Status Report for Resolution R-98-424 (Petition 1997-096), the petition of Theodore and Gertrude Winsberg. Property owners: Theodore W. Winsberg, Gertrude K. Winsberg, Michael L. Jameson and Silvia a. Jameson. General Location: Approximately 2.5 miles north of West Atlantic Avenue on the west side of Jog Road. Zoning District: Multiple Use Planned Development District. (**WINSBERG FARM MUPD**)

Pages 17-21

Size: 15 acres ±

BCC District: 5

MOTION: To postpone to August 24, 2006 (staff requested).

8. **SR 1998-077** Status Report for Resolution R-1999-0527 (Petition 1998-077), the petition of Herbert and Karl Kahlert. Property owner: Herbert F. Kahlert and Pace Petroleum Services, Inc. General Location: Northeast corner of Lake Worth Road and Lyons Road. Zoning District: Multiple Use Planned Development. (**VILLAGE CORNER MUPD**)

Pages 22-26

Size: 12.29 acres ±

BCC District: 6

MOTION: To postpone to August 24, 2006. (owner requested)

B. REMANDS

C. WITHDRAWALS

- END OF POSTPONEMENTS/REMANDS/WITHDRAWALS -

3. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. DISCLOSURES FOR THE CONSENT ITEMS

C. PREVIOUSLY POSTPONED ZONING APPLICATIONS

- 9. **PDD/R2005-1122** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Amoco Oil by MDM Services, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Amoco Oil by MDM Services, Inc., Agent. Request: To allow a convenience store with gas sales. General Location: Southwest corner of Congress Avenue and Melaleuca Lane. **(AMOCO OIL COMPANY)** (1988-094)

Pages 27-51

Size: 1.56 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment to a Planned Development District Rezoning from the General Commercial Zoning District to the Multiple Use Planned Development District.

MOTION: To adopt a resolution approving a Requested Use to allow a convenience store with gas sales.

D. ZONING APPLICATIONS

- 10. **DOA2006-023** Title: Resolution approving a Development Order Amendment application of Cathe Tepper, by Kim Glas-Castro, Agent. Request: To re-designate land uses (open space to residential). General Location: Approximately 0.5 mile west of Jog Road on the north side of Clint Moore Road. **(LOT 10 BONIELLO ACRES)** (Control 1976-185)

Pages 52-66

Size: 2.17 acres ±

BCC District: 5

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 re-designate land uses, (open space to residential).

11. **DOA2005-1733** Title: Resolution approving a Development Order Amendment application of Palm Beach County, by Land Design South, Inc., Agent. Request: To delete land area. General Location: Southeast corner of Yamato Road and State Road 7/US441. **(HAMPTONS AT BOCA RATON)** (Control 1978-005)

Pages 67-85

Size: 24.98 acres ±
(18.82 affected area)

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to delete land area.

12. **Z2005-1734** Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County by Land Design South, Inc., Agent. Request: Rezoning from the Residential Planned Unit Development (PUD) District to the Public Ownership (PO) District. General Location: Approximately 800 feet south of Yamato Road on the east side of State Road 7/US441. **(PBC WASTEWATER PUMPSTATION 9N)** (Control 2005-596)

Pages 86-97

Size: 1.81 acres ±

BCC District: 5

Staff Recommendation: Approval.

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

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

13. **PDD/R2005-1736** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Vanguard Realty and Development Corp., by Land Design South, Inc., Agent. Request: Rezoning from the Planned Unit Development (PUD) District to the Multiple Use Planned Development (MUPD) District. Title: Resolution approving a Requested Use application of Vanguard Realty and Development Corp., by Land Design South, Inc., Agent. Request: To allow a Congregate Living Facility Type III, and to allow a private school. General Location: Southeast corner of Yamato Road and State Road 7/US441. **(YAMATO COURT MUPD)** (Control 2005-597)

Pages 98-122

Size: 17.01 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

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

MOTION: To adopt a resolution approving a Requested Use to allow a Congregate Living Facility Type III, and to allow a private school.

14. **DOA/R2005-774** Title: Resolution approving a Development Order Amendment application of Woolbright Pinewood LLC, by CWB Associates, Agent. Request: To add square footage to an approved Special Exception for a Planned Commercial Development. Title: Resolution approving a Requested Use application of Woolbright Pinewood LLC, by CWB Associates, Agent. Request: To allow a Restaurant, Type 1. General Location: Southeast corner of Lantana Road and Jog Road. **(PINWOOD SQUARE)** (Control 1986-008)

Pages 123-152

Size: 1.10 acres ± (affected area)

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Development Order Amendment to add square footage to an approved Special Exception for a Planned Commercial Development.

MOTION: To adopt a resolution approving a Requested Use to allow a Restaurant, Type 1.

15. **CA2006-015** Title: Resolution approving a Class A Conditional Use application of Verizon Wireless, by CDS, Inc., Agent. Request: To allow a self-support communication tower. General Location: Southwest corner of 60th Street North and 140th Avenue North. **(VERIZON WIRELESS WESTERN PINES MIDDLE SCHOOL)** (Control 1996-027)

Pages 153-167

Size: 1.50 acres ± (affected area)

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a self-support communication tower.

16. **PDD/R/W2005-1333** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: To allow workforce housing. Title: Resolution approving a Waiver application of D R Horton Homes, by Julian Bryan & Associates, Agent. Request: To allow deviation from cul-de-sac and/or dead-end restrictions. General Location: Northwest corner of Jog Road and Belvedere Road. **(EASTWOOD PUD)** (Control 2005-456)

Pages 168-192

Size: 67.16 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

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 a Requested Use to allow workforce housing.

MOTION: To adopt a resolution approving a Waiver to allow deviation from cul-de-sac and/or dead-end restrictions.

17. **Z2005-1717** Title: Resolution approving an Official Zoning Map Amendment application of David Baker, Trustee, by Basehart Consulting, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Light Industrial (IL) Zoning District. General Location: Approximately 1,955 feet west of Jog Road on the north side of Southern Boulevard. **(SOUTHERN BLVD INDUSTRIAL CENTER)** (Control 2005-593)

Pages 193-209

Size: 6.96 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

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

18. **Z2005-1117** Title: Resolution approving an Official Zoning Map Amendment application of Lantana Ventures LLC, by HSQ Group, Inc., Agent. Request: Rezoning from the General Commercial (CG) Zoning District to the Multifamily Residential (RM) Zoning District. General Location: Southeast corner of Congress Avenue and Donnelly Drive. **(LAKE POINT)** (Control 2005-370)

Pages 210-227

Size: 4.08 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the General Commercial Zoning District to the Multifamily Residential Zoning District with a Conditional Overlay Zone.

E. PREVIOUSLY POSTPONED STATUS REPORTS

19. **SR 1997-085A** Status Report for Resolution R-2003-0321 (Petition 1997-085A), the petition of Meadowland Development Corporation. Property owner: Gateway Partners, LLC. General Location: Approximately 3,400 feet north of Gateway Boulevard on the east side of Military Trail and the west side of Haverhill Road. Zoning District: Planned Unit Development with a Development Order Amendment to add land area, add units and to modify/delete conditions. **(GATEWAY GARDENS PUD)**

Pages 228-233

Size: 39.3 acres ±

BCC District: 3

MOTION: To direct Code Enforcement to cite property owner for failure to record a plat.

20. **SR 2002-021** Status Report for Resolution R-2002-1961 (Petition 2002-021), the petition of Jerry Lopez. Property owner: Amado Lopez. General Location: Approximately 1,100 feet west of Tall Pines Road on the south side of Wallis Road. Zoning District: Light Industrial Zoning District with a Conditional Overlay Zone. (**KINGS WRECKER SERVICE**)

Pages 234-239

Size: 2.96 acres ±

BCC District: 6

MOTION: To approve a time extension until September 1, 2006 to comply with Condition E.1. of Resolution R-2002-1961.

F. STATUS REPORTS

21. **SR 1984-163A.6** Status Report for Resolution R-94-358 (Petition 1984-163(A)), the petition of Arcadia Properties. Property owner: Alweiss Enterprises. General Location: Approximately 2 miles north of West Atlantic Avenue on the south side of Steiner Road and the west side of Military Trail. Zoning District: Community Commercial with a Conditional Overlay Zone. (**ARCADIA PROPERTIES**)

Pages 240-244

Size: 4.04 acres ±

BCC District: 5

MOTION: To approve a time extension until March 24, 2008, for Resolution R-94-358.

22. **SR 2000-055** Status Report for Resolution R-2000-1566 (Petition 2000-055), the petition of James Fleagane. Property owner: Pricare Properties, LC. General Location: Approximately 3,200 feet south of Northlake Boulevard on the west side of Military Trail. Zoning District: Community Commercial. (**SQUARE LAKE OFFICE BUILDING**)

Pages 245-250

Size: 1.19 acres ±

BCC District: 1

MOTION: To approve a time extension until December 28, 2007, for Resolution R-2000-1566.

23. **SR 2002-054** Status Report for Resolution R-2003-0558 (Petition 2002-054), the petition of Trevor & Merna Fairclough. Property owner: Bethel Church of God, Inc. General Location: Northwest corner of Luzon Avenue and Kirk Road. Zoning District: Residential Medium Density with a Class A Conditional Use to allow a church or place of worship. (**BETHEL CHURCH OF GOD**)

Pages 251-255

Size: 1.03 acres ±

BCC District: 3

MOTION: To approve a time extension until April 24, 2008, for Resolution R-2003-0558.

24. **CR 1984-030(2005-023)** Status Report for Resolution R-2005-1787 (Petition 1984-030 (Petition 2005-023), the petition of Public Storage Inc. Property owner: Public Storage, Inc. General Location: 1300 feet south of Glades Road on the west side of Boca Rio Road. Zoning District: Light Industrial with a Special Exception for Self-Service Storage. (**PUBLIC STORAGE**)

Pages 256-260

Size: 8.34 acres ±

BCC District: 5

MOTION: To direct Code Enforcement to cite property owner for failure to comply with Zoning Landscape - Standard #4 Condition, of Resolution R-2005-1787.

25. **CR 1996-006A** Status Report for Resolutions R-2003-0949 and R-2003-0950 (Petition 1996-006A), the petition of PBC Realty Associates. Property owner: PBC Realty Associates and McCaw Communications. General Location: Northwest corner of Woolbright Road and Military Trail. Zoning District: Community Commercial with a Conditional Overlay Zone. (**WALGREENS/MILITARY AND WOOLBRIGHT**)

Pages 261-265

Size: 1.78 acres ±

BCC District: 5

MOTION: To approve a time extension until December 22, 2006, to comply with Conditions E.3. and E.4. of Resolutions R-2003-0949 and R-2003-0950.

26. **CR 2000-061A** Status Report for Resolution R-2002-1470 (Petition 2000-061(A)), the petition of Marjorie and Paul Meloche. Property owner: Marjorie A. Meloche Trust, Paul J. Meloche Trust, Randy Meloche Trust, K. Edelman, Trust and Rick J. Meloche Trust. General Location: Approximately 600 feet west of Haverhill Road on the south side of Nash Road. Zoning District: Residential Transitional Urban with a Conditional Overlay Zone. (**ABLE'S RESIDENCE**)

Pages 266-270

Size: 1.78 acres ±

BCC District: 3

MOTION: To approve a time extension until October 15, 2006, to comply with Condition E.1. of Resolution R-2002-1470.

G. TDR CONTRACT, ESCROW AGREEMENT AND DEED

27. **PDD/TDR 2005-1233** Execution of a Contract for Sale and Purchase of Development Rights and an Escrow Agreement. Request: Execute a contract between Palm Beach County and Paramount Hagen, LLC, for the sale and purchase of 5 Transfer of Development Rights (TDR) units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit as approved by the Palm Beach County Board of County Commissioners on March 23, 2006 by Resolution No. R-2006-0522. Request: Approve an escrow agreement between Palm Beach County, Windsor Place LLC and Weiss Handler Angelos Cornwell, PA, (escrow agent) for the sale and purchase of 5 TDR units from the Palm Beach County TDR Bank at a purchase price of \$25,000.00 per unit, as approved by the Palm Beach County Board of County Commissioners on March 23, 2006. (**WYNDSONG RANCH PUD**) (Control 2005-452)

Pages 271-278

LOCATION: Approximately 1.25 miles south of Boynton Beach Boulevard on the east side of Hagen Ranch Road.

MOTION: To approve a contract for the sale and purchase of 5 development rights at a purchase price of \$25,000.00 per unit for a total price of \$125,000.00.

MOTION: To approve an escrow agreement for 5 development rights at a purchase price of \$25,000.00 per unit for a total price of \$125,000.00.

28. **PDD/TDR 2005-1233** Execute a deed conveying 5 Development Rights units to Paramonut Hagen LLC as authorized in Resolution No. R-2006-0522 which approved the purchase of 5 Development Rights from the County's TDR Bank at a cost of \$25,000.00 per unit and the designation of the Wyndsong Ranch PUD as a TDR Receiving Area for those units. (**WYNDSONG RANCH PUD**) (Control 2005-452)

Pages 279-280

BCC District: 5

LOCATION: Approximately 1.25 miles south of Boynton Beach Boulevard on the east side of Hagen Ranch Road.

MOTION: To execute a deed conveying 5 Development Rights units Paramount Hagen LLC as authorized in Resolution No. R-2006-0522.

H. ABANDONMENT RESOLUTION

29. [ABN2006-833](#) Request: To revoke Resolution R-75-0088 which approved the Special Exception to allow an interim sewage treatment plant. General Location: South side of Oberon Avenue and the north side of Pandora Avenue. (Control 1975-008) (**LAND HOLDINGS CORPORATION**)

Pages 281-283

BCC District: 3

MOTION: To adopt a resolution approving the abandonment of Resolution R-75-0088.

I. CORRECTIVE RESOLUTION

30. [Corrective Resolution](#): To correct the legal description in Resolutions R-2005-0153 and R2005-0154. (**CYPRESS ISLAND PUD**) (PDD/DOA2004-654, Control 1980-054)

Pages: 284-287

BCC District: 1

MOTION: To adopt a resolution to correct the legal descriptions in Resolutions R-2005-0153 and R-2005-0154.

– 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

31. **SR 1978-239A.4** Status Report for Resolutions R-1997-660, R-2001-0610 and R-2001-0611 (Petitions 1978-239A and 1978-239B), the petitions of St. Herman's Orthodox Church and Ann Throgmorton. Property owner: St. Herman's Orthodox Church. General Location: Approximately 600 feet south of Hypoluxo Road on the west side of Military Trail. Zoning District: Community Commercial with a Special Exception to allow a church and accessory buildings and structures. (**ST. HERMAN ORTHODOX CHURCH**)

Pages 288-292

Size: 0.91 acres ±

BCC District: 3

MOTION: To approve a time extension until May 22, 2008, for Resolutions R-1997-660, R-2001-0610, and R-2001-0611.

32. **SR 80-236B.12** Status Report for Resolution 2002-606 (Petition 1980-236B), the petition of Gary and Julie Weston. Property owner: Trail Properties Inc. General Location: Southwest corner of Cambridge Street and Military Trail. Zoning District: General Commercial with a Special Exception to allow a commercial new and used automobile sales and service facility and lot. (**CAMBRIDGE AUTO SALES**)

Pages 293-298

Size: 0.82 acres ±

BCC District: 2

MOTION: To approve a time extension until April 10, 2008, for Resolution R-87-123.

33. **SR 1999-084.2** Status Report for Resolution R-2000-0581 (Petition 1999-084), the petition of Apostolic Ministries International. Property owner: Apostolic International Ministries, Inc. General Location: Approximately 900 feet east of "E" Road, on the north side of Okeechobee Boulevard. Zoning District: Agricultural Residential with a Special Exception to allow a Class A Conditional Use to allow a church or place of worship. (**JESUS OUR SAVIOR CHURCH**)

Pages 299-304

Size: 4.76 acres ±

BCC District: 6

MOTION: To approve a time extension until April 27, 2008, for Resolution R-2000-0581.

D. PREVIOUSLY POSTPONED ZONING APPLICATIONS

34. **Z2004-496** Title: Resolution approving an Official Zoning Map Amendment application of Seminole Improvement District, by Kilday & Associates, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 0.8 mile east of Seminole Pratt Whitney Road and approximately 0.6 mile north of Persimmon Boulevard. **(SEMINOLE IMPROVEMENT DISTRICT)** (Control 2004-348)

Page 305-336

Size: 40.0 acres ±

BCC District: 6

Staff Recommendation: Approval.

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

DISCLOSURE

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

35. **CA2006-178** Title: Resolution approving a Class A Conditional Use application of Florida Power and Light by Kilday & Associates, Inc., Agent. Request: To allow an electric transmission facility. General Location: Approximately 0.5 mile west of State Road 7/US 441 on the south side of Atlantic Avenue. **(FLORIDA POWER AND LIGHT GREEN SUBSTATION)** (2006-094)

Pages 337-352

Size: 30.45 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

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

DISCLOSURE

MOTION: To adopt a resolution approving a Class A Conditional Use to allow an electric transmission facility.

36. [Z/CA2005-1461](#) Title: Resolution approving an Official Zoning Map Amendment application of Sandy Costello, by Land Research Management, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Sandy Costello, by Land Research Management, Inc., Agent. Request: To allow a place of worship. General Location: Northwest corner of Lantana Road and Fernley Road. **(PALM BEACH CHINESE CHRISTIAN CHAPEL)** (Control 2005-508)

Pages 353-370

Size: 3.16 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

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

DISCLOSURE

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

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

37. **PDD/TDR/R/W2005-1730** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Westbrooke Homes, by Sara Lockhart, Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Transfer of Development Rights application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow the transfer of 114 development rights. Title: Resolution approving a Requested Use application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow 22 Workforce Housing units. Title: Resolution approving a Waiver application of Westbrooke Homes, by Sara Lockhart, Agent. Request: To allow deviation from cul-de-sac and/or dead-end restrictions. General Location: Southwest corner of Belvedere Road and Cleary Road. **(WD GARDENS PUD)** (Control 2002-011)

Pages 271-396

Size: 54.63 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

DISCLOSURE

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

MOTION: To adopt a resolution approving the Transfer of Development Rights to allow the transfer of 114 development rights and designate this application as the receiving area.

MOTION: To adopt a resolution approving a Requested Use to allow 21 Workforce Housing units.

MOTION: To adopt a resolution approving a Waiver to allow deviation from cul-de-sac or dead-end restrictions.

5. DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

38. **TITLE: ULDC AMENDMENTS - PLACES OF ASSEMBLY**

Pages 397-407

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, AS AMENDED, AS RELATED TO PLACES OF ASSEMBLY, AS FOLLOWS: **ARTICLE 1** – GENERAL PROVISIONS; CHAPTER I – DEFINITIONS AND ACRONYMS; **ARTICLE 3** – OVERLAYS & ZONING DISTRICTS; 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 6** – PARKING; CHAPTER A – PARKING; 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.

C. PLANNING DIRECTOR

6. COMMISSIONER COMMENTS

7. ADJOURNMENT