

Board of County Commissioners

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

County Administrator

Robert Weisman

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



**BOARD OF COUNTY COMMISSIONERS
ZONING MEETING**

AMENDMENTS TO THE AGENDA

NOVEMBER 17, 2005

AGENDA ITEM #
PAGE #

APPLICATION/CHANGE

WITHDRAWALS

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Page 55

SR 2001-003A – PALM BEACH THOROUGHBRED TRAINING FARM

(Reason: The alternative definition of development has been met.)

POSTPONEMENTS

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Page 317

PDD2004-664 – MEADOWBROOK PUD

Postpone thirty (30) days to January 5, 2006. (Requested by staff and the applicant)

AMENDMENTS TO THE AGENDA

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Page 98

Z/CA/DOA2005-146 – COMMUNITY CHRISTIAN CHURCH

Modify Engineering Condition 2. to read as follows:

2. RIGHT TURN LANE RIGHT OF WAY

Prior to issuance of the first building permit, the property owner shall convey to Palm Beach County Land Development Division by warranty deed additional right of way for the construction of a right turn lane on Jog Road at the project's south entrance road. This right of way shall be a minimum of 280 feet in length, twelve feet in width, and a taper length of 50 feet or as approved by the County Engineer. This additional right of way shall be free of all encumbrances and encroachments and shall include corner clips" where appropriate as determined by the County Engineer. Property owner shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. (BLDG PERMIT: MONITORING - ENG)

Palm Club Apartments/Termination of Restrictive Covenants

Add motion to read as follows:

MOTION: To approve the termination of Restrictive Covenants.

PDD/W2004-658 – TERRA NOVA PUD

Modify Engineering Conditions E.2., E.5. and E.15. to read as follows:

2. Acceptable surety required for the West Atlantic Avenue improvements identified in Condition No. E.1.b and E.1.c above shall be posted with the Office of the Land Development Division on or before ~~April 27, 2006~~ May 17, 2006. Surety shall be in the amount of 110% of a Certified Cost Estimate provided by the ~~Developer's~~ Property Owner's Engineer and approved by the County Engineer. This surety may be required to be adjusted within 30 days notification from the County Engineer. This revision shall be based upon an updated cost estimate prepared by the Roadway Production Division at the time the final construction plans are completed. (TPS - Maximum 6 month time extension) (DATE: MONITORING - ENG)
5. Prior to ~~September 15, 2006~~ May 15, 2007, the property owner shall complete construction of the West Atlantic Avenue improvements identified in Condition No. E.1.b and E.1.c above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. (DATE: MONITORING - ENG)
15. The mix of allowable uses between this project and the adjacent companion commercial parcel and the phasing requirements for this project may be adjusted by the County Engineer based upon an approved Traffic Study, addressing the combined impacts for both projects which complies with Mandatory Traffic Performance Standards in place at the time of the request. (~~DATE: MONITORING: Eng~~ ONGOING - ENG)

Add new Engineering Condition 16. to read as follows:

16. Any changes to the Master Plan as a result of conveyance of property to Atlantic Commons PUD which will be used for access shall be approved by the Development Review Officer. The revised Master Plan will not require reapproval by the Board of County Commissioners. (DRO: ENG - ENG)

Delete School Board Condition 2.

PDD2004-660 – TERRA NOVA MUPD

Modify Engineering Conditions E.2., E.5/ and E.12. to read as follows:

2. Acceptable surety required for the West Atlantic Avenue improvements identified in Condition No. E.1.a and E.1.b above shall be posted with the Office of the Land Development Division on or before ~~April 27, 2006~~ May 27, 2006. Surety shall be in the amount of 110% of a Certified Cost Estimate provided by the ~~Developer's~~ Property Owner's Engineer and approved by the County Engineer. This surety may be required to be adjusted within 30 days notification from the County Engineer. This revision shall be based upon an updated cost estimate prepared by the Roadway Production Division at the time the final construction plans are completed. (TPS - Maximum 6 month time extension) (DATE: MONITORING - ENG)

5. Prior to ~~September 15, 2006~~ May 15, 2007, the property owner shall complete construction of the West Atlantic Avenue improvements identified in Condition No. E.1a and E.1b above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. (DATE: MONITORING - ENG)

12. The mix of allowable uses between this project and the adjacent companion residential parcel and the phasing requirements for this project may be adjusted by the County Engineer based upon an approved Traffic Study, addressing the combined impacts for both projects which complies with Mandatory Traffic Performance Standards in place at the time of the request. (~~DATE: MONITORING: Eng~~ ONGOING ENG - ENG)

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Page 431

PDD/W2004-811 – ATLANTIC COMMONS PUD

Modify Engineering Condition 1. to read as follows:

1. TRAFFIC PERFORMANCE STANDARDS PHASING REQUIREMENTS

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

- a. Building Permits for more than 286 townhouse dwelling units (maximum 146 PM peak hour trips) shall not be issued until ~~the contract has been let~~ construction commences for the ~~4 6~~ lane median divided construction of West Atlantic Avenue from Lyons Road to Starkey Road Florida Turnpike plus the appropriate paved tapers. (BLDG PERMIT: MONITORING - ENG)

- b. Building Permits for more than 286 townhouse dwelling units (maximum 146 PM peak hour trips) shall not be issued until the contract has been let for the 4 lane median divided construction of West Atlantic Avenue from Starkey Road to the Florida Turnpike. (BLDG PERMIT: MONITORING - ENG)

- ~~c. b.~~ Building Permits for more than 112 detached dwelling units and 149 townhouse dwelling units (maximum 207 PM peak hour trips) shall not be issued until the contract has been let for the 6 lane median divided construction of Jog Road from Lake Ida Road to Atlantic Avenue plus the appropriate paved tapers. (BLDG PERMIT: MONITORING - ENG)

- d. e. Building Permits for more than 171 detached dwelling units ~~306 townhouse dwelling units and 112 detached dwelling units~~ (maximum 126 250 AM peak hour trips) shall not be issued until construction commences for the following improvements ~~contract has been let for the construction of an additional right turn lane west approach~~ at the intersection of West Atlantic Avenue and Jog Road:
-exclusive right turn lane north approach;
-exclusive right turn lane south approach; and,
-second right turn lane west approach.
~~plus the appropriate paved tapers.~~ (BLDG PERMIT: MONITORING - ENG)

- e. d. No Building Permits for the site may be issued after January 1, 2008. A time extension for this condition may be approved by the County Engineer only if 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.E of the Unified Land Development Code. (DATE: MONITORING - ENG)
- f. e. The date shown which indicates when the final building permit will be issued may be adjusted 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. (REVISED TRAFFIC STUDY: MONITORING - ENG)

Add new Engineering Conditions 13., 14., 15. and 16. to read as follows:

13. Acceptable surety required for the West Atlantic Avenue improvements identified in Engineering Condition 1.a. and 1.d. above shall be posted with the Office of the Land Development Division on or before May 17, 2006. Surety shall be in the amount of 110% of a Certified Cost Estimate provided by the property owner's engineer and approved by the County Engineer. This surety may be required to be adjusted within 30 days notification from the County Engineer. This revision shall be based upon an updated cost estimate prepared by the Roadway Production Division at the time the final construction plans are completed. (TPS - Maximum 6 month time extension) (DATE: MONITORING - ENG)
14. Prior to September 15, 2006 the property owner shall complete construction plans for the West Atlantic Avenue improvements identified in Engineering Conditions 1.a and 1.d above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. (DATE: MONITORING-ENG)
15. Prior to May 15, 2007 the property owner shall complete construction of the West Atlantic Avenue improvements identified in Engineering Conditions 1.a and 1.d above. All canal crossings (bridges and/or culverts) within the project limits shall be constructed to their ultimate paved configuration. (DATE: MONITORING-ENG)
16. Any changes to the Master Plan as a result of additional property obtained for a revised access location shall be approved by the Development Review Officer. The revised Master Plan will not require reapproval by the Board of County Commissioners. (DRO: ENG - ENG)

Tony Masilotti, Chairman
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Robert Weisman
Department of Planning, Zoning & Building
100 Australian Ave
West Palm Beach, FL 33406
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Fax: 561-233-5165

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

NOVEMBER 17, 2005
(OCTOBER 27, 2005 MEETING RESCHEDULED)

**THURSDAY
9:30 AM**

**SOLID WASTE AUTHORITY
AUDITORIUM**

- 1. CALL TO ORDER/CONVENE AS BOARD OF COUNTY COMMISSIONERS**
 - A. Roll Call
 - B. Opening Prayer and Pledge of Allegiance
 - C. Proof of Publication
 - D. Swearing In
 - E. Adoption of Agenda
- 2. CONVENE AS SOLID WASTE AUTHORITY BOARD**
- 3. RECONVENE AS BOARD OF COUNTY COMMISSIONERS**
- 4. POSTPONEMENTS (Pages 1-4)**
- 5. CONSENT AGENDA (Pages 5-9)**
 - o Staff
 - o Board
 - o Public
- 6. REGULAR AGENDA (Pages 10-17)**
- 7. DIRECTOR COMMENTS (Page 17)**
- 8. COMMISSIONER COMMENTS (Page 17)**
- 9. 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**

NOVEMBER 17, 2005

1. CALL TO ORDER/CONVENE AS BOARD OF COUNTY COMMISSIONERS

- A. Roll Call – **9:30 A.M.**
- B. Opening Prayer and Pledge of Allegiance

2. CONVENE AS SOLID WASTE AUTHORITY BOARD

- A. Discussion on additional funds to pay for debris collection and disposal from this year's storm.

3. RECONVENE AS BOARD OF COUNTY COMMISSIONERS

- A. Proof of Publication – Motion to receive and file
- B. Swearing In – County Attorney
- C. Motion to Adopt Agenda

4. POSTPONEMENTS

A. POSTPONEMENTS

- 1. **Z/CA2005-477** Title: Resolution approving an Official Zoning Map Amendment application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: Rezoning from the Residential Estate (RE) Zoning District to the Residential Transitional (RT) Zoning District. Title: Resolution approving a Class A Conditional Use application of Levy Ventures Limited Partnership, by Jon E. Schmidt & Associates, Agent. Request: To allow a private school. General Location: Southeast corner of Bates Road and Northlake Boulevard (**LEVY LEARNING CENTER**). (Control 2005-193)

N/A

Size: 0.98 acres ±

BCC District: 1

MOTION: None required. (Postponed by the Zoning Commission to January 5, 2006)

2. **DOA2005-480** Title: Resolution approving a Development Order Amendment application of Prime Projects Development LLC, by Kilday & Associates, Inc., Agent. Request: To re-designate land use from recreation to residential, reconfigure the master plan, and add units. General Location: Southwest corner of Grand Lacuna Boulevard and Rolling Hills Boulevard (**BALMORAL (LACUNA) COUNTRY CLUB POD H**). (Control 1981-233)

N/A

Size: 9.49 acres ±

BCC District: 3

MOTION: None required. (Postponed by the Zoning Commission to January 5, 2006)

3. **DOA2004-826** Title: Resolution approving a Development Order Amendment application of Mizner Trail Golf Club, Ltd., by Sanders Planning Group, P.A., Agent. Request: To re-designate land use from golf course to residential, add units, and add an access point. General Location: Northwest corner of SW 18th Street and Military Trail (**BOCA DEL MAR PUD**). (Control 1984-152)

N/A

Size: 43.29 acres ±

BCC District: 4

MOTION: None required. (Postponed by the Zoning Commission to January 5, 2006)

4. **Z2005-155** Title: Resolution approving an Official Zoning Map Amendment application of Hypoluxo/Jog LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 0.25 mile east of Jog Road on the south side of Western Way (**OSPREY OAKS PARCEL #5**). (Control 2005-061)

N/A

Size: 4.92 acres ±

BCC District: 3

MOTION: None required. (Postponed by the Zoning Commission to January 5, 2006)

5. **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)

Pages 1-36

Size: 40.0 acres ±

BCC District: 6

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

6. **SR 1975-069G.2** Status Report for Resolution R-2001-0430 (Petition 1975-069G), the petition of Wal-Mart Stores, Inc. Property owners: Michel P. Barberis; Krishna Realty, Inc.; Taco Bell America, Inc.; Walmart Stores #8140; and Action Business Corp. General Location: Southeast corner of Seacrest Boulevard and Hypoluxo Road. Zoning District: General Commercial with a Special Exception to allow a large scale Planned Community Commercial and Shopping Complex including a motel, gasoline station and financial institution (**SAM'S WHOLESALE CLUB**).

Pages 37-42

Size: 0.68 acres \pm of a 20.47 \pm acre project BCC District: 7

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

7. **SR 1997-004B** Status Report for Resolution R-2002-1017 (Petition 1997-004B), the petition of Don Stiller. Property owner: Steven Kerekes Trust. General Location: Northeast corner of Jog Road and Boynton Beach Boulevard. Zoning District: Multiple Use Planned Development with a general repair and maintenance facility, convenience store with gas sales and a car wash facility (**KEREKES PLAZA**).

Pages 43-46

Size: 24.97 acres \pm BCC District: 5

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

8. **SR 1998-062.4** Status Report for Resolution R-99-99 (Petition 1998-062), the petition of Pike Investments, Inc. and Capital Resources Group, Inc. Property owner: Whiteside Group, Inc. General Location: Approximately 1,000 feet east of Pike Road on the north side of 7th Place North. Zoning District: Light Industrial (**WEITZ AND SPARLING REZONING**).

Pages 47-50

Size: 10.00 acres \pm BCC District: 6

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

9. **SR 2000-011A** Status Report for Resolution R-2002-1482 (Petition 2000-011A), the petition of Marjorie and Paul Maloche. Property owners: Rick J. Meloche, Trust; Marjorie A. Meloche, Trust; Paul J. Meloche, Trust; Randy Meloche, Trust; and K. Edelman, Trust. General Location: Approximately 600 feet west of Haverhill Road on the north side of Lantana Road. Zoning District: Multiple Use Planned Development with a self-service storage facility (**ABLE'S STORAGE CENTER**).

Pages 51-54

Size: 8.28 acres \pm BCC District: 3

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

10. **SR 2001-003A** Status Report for Resolution R-2002-1483 (Petition 2001-003A), the petition of GPRA Thoroughbred Training Center, Inc. Property owner: Palm Meadows Estates LLC. General Location: Approximately 0.75 mile north of Boynton Beach Boulevard on the east side of Lyons Road. Zoning District: Agricultural Reserve with a Class A Conditional Use to allow 342 grooms quarters (**PALM BEACH THOROUGHBRED TRAINING FARM**).

Pages 55-59

Size: 148.26 acres ±

BCC District: 3

MOTION: To postpone to January 5, 2006. (Requested by the property owner)

– END OF POSTPONEMENTS –

5. CONSENT AGENDA

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING APPLICATIONS

11. [Z/CA2004-497](#) Title: Resolution approving an Official Zoning Map Amendment application of Bethel Temple of Lake Worth, 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 Bethel Temple of Lake Worth, by Land Research Management, Inc., Agent. Request: To allow a church or place of worship. General Location: Northwest corner of Lake Worth Road and Blanchette Trail (**BETHEL ASSEMBLY OF GOD**). (Control 2004-009)

Pages 60-83

Size: 18.26 acres ±

BCC District: 6

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 Transitional Zoning District.

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

C. ZONING APPLICATIONS

12. [Z2005-979](#) Title: Resolution approving an Official Zoning Map Amendment application of Palm Beach County Facilities Development and Operations. Request: Rezoning from the Light Industrial (IL) Zoning District to the Public Ownership (PO) Zoning District. General Location: Approximately 0.5 mile north of Southern Boulevard on the west side of Pike Road (**PALM BEACH COUNTY FIRE RESCUE TRAINING FACILITY**). (Control 2005-342)

Pages 84-97

Size: 14.99 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to voluntary commitments.

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

MOTION: To recommend approval of an Official Zoning Map Amendment from the Light Industrial Zoning District to the Public Ownership Zoning District on first hearing, and convene a second public hearing on January 5, 2006 at 9:30 a.m.

13. [Z/CA/DOA2005-146](#) Title: Resolution approving an Official Zoning Map Amendment application of Community Christian Church of Florida, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Estate (RE) Zoning District. Title: Resolution approving a Class A Conditional Use application of Community Christian Church of Florida, by Land Design South, Inc., Agent. Request: To allow a private school and a daycare, general. Title: Resolution approving a Development Order Amendment application of Community Christian Church of Florida, by Land Design South, Inc., Agent. Request: To modify/delete conditions of approval, add land area, add square footage, and reconfigure the site plan for a Special Exception to allow a church or place of worship. General Location: Approximately 0.5 mile south of Southern Boulevard on the west side of Jog Road **(COMMUNITY CHRISTIAN CHURCH)**. (Control 1980-133)

Pages 98-119

Size: 12.38 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 Zoning District to the Residential Estate Zoning District.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a private school and a daycare, general.

MOTION: To adopt a resolution approving a Development Order Amendment to modify/delete conditions of approval, add land area, add square footage, and reconfigure the site plan for a Special Exception to allow a church or place of worship.

14. [DOA/EAC2005-1135](#) Title: Resolution approving a Development Order Amendment application of Southland Centers II LLC, by Land Design South, Inc., Agent. Request: To modify a condition of approval for a Multiple Use Planned Development. General Location: Northeast corner of Jog Road and Lake Ida Road **(SPALDING MUPD)**. (Control 1999-092)

Pages 120-148

Size: 25.82 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving a Development Order Amendment to modify a condition of approval for a Multiple Use Planned Development.

D. STATUS REPORTS

15. **SR 1987-118.12** Status Report for Resolutions R-88-1803 and R-88-1804 (Petition 1987-118), the petition of Thomas B. and Nancy S. Cushing. Property owners: Thomas B. and Nancy P. Cushing. General Location: Approximately 330 feet northeast of Johnson Lane and Fairgrounds Road. Zoning District: Light Industrial District with a Special Exception to permit a Planned Industrial Park Development (**BELVEDERE P.I.D.**).

Pages 149-152

Size: 5.0 acres ±

BCC District: 6

MOTION: To 1) adopt a resolution to revoke Resolution No. R-88-1804, which approved a Special Exception to permit a Planned Industrial Park Development; and 2) exempt Resolution No. R-88-1803, which rezoned property to the Light Industrial Zoning District, from further Unified Land Development Code Article 2.E. review.

16. **SR 1987-124A.8** Status Report for Resolution R-91-371, (Petition 1987-124A), the petition of Systems Control, Inc. Property owner: CMCC Ventures LTD. General Location: Approximately 170 feet south of the Summit Boulevard on the west side of Congress Avenue. Zoning District: General Commercial with a Special Exception for a Planned Commercial Development including a financial institution with three (3) drive up teller windows and an auto service station with an accessory car wash facility (**SUMMIT PARK OF COMMERCE PCD**).

Pages 153-156

Size: 3.3 acres ±

BCC District: 2

MOTION: To adopt a resolution approving a Development Order Amendment for Resolution R-91-371 to delete the accessory car wash and an automatic teller machine facility.

17. **SR 1994-036.6** Status Report for Resolution R-94-1086 (Petition 1994-036), the petition of Valerie Zammit. Property owner: Pike Exchange, LLC. General Location: Approximately 0.25 mile east of Pike Road on the south side of Belvedere Road. Zoning District: Light Industrial with a Conditional Overlay Zone (**ZAMMIT PETITION**).

Pages 157-160

Size: 12.5 acres ±

BCC District: 6

MOTION: To exempt Resolution R-94-1086 from further Unified Land Development Code Article 2.E. review.

CONSENT AGENDA

18. **SR 1995-031.8** Status Report for Resolution R-95-1115 (Petition 1995-031), the petition of Johnson Brothers Consolidated Waste, Inc. Property owner: Kirms Communications, Inc. General Location: Approximately 0.1 mile north of Southern Boulevard on the west side of Tall Pines Road. Zoning District: Light Industrial (**JOHNSON PROPERTY**).

Pages 161-164

Size: 0.74 acres ±

BCC District: 6

MOTION: To approve a time extension until August 10, 2007, for Resolution R-95-1115.

19. **SR 2001-027** Status Report for Resolution R-2002-1254 (Petition 2001-027), the petition of True Tabernacle Ministries. Property owner: True Tabernacle of Jesus Christ. General Location: Approximately 1,600 feet east of Congress Avenue on the north side of 2nd Avenue North. Zoning District: Multifamily Residential with a Class A Conditional Use to allow a church or place of worship and a general daycare (**TRUE TABERNACLE**).

Pages 165-168

Size: 4.67 acres ±

BCC District: 3

MOTION: To approve a time extension until July 25, 2007, for Resolution R-2002-1254.

20. **SR 1984-058D.4** Status Report for Resolution R-96-1192.1 (Petition 1984-058D), the petition of U-Haul Company of Florida. Property owner: U-Haul Company of Florida. General Location: Approximately 0.6 mile east of Jog Road on the south side of West Atlantic Avenue. Zoning District: General Commercial with a Development Order Amendment to allow a self-service storage and vehicle rental (requested uses) in a Special Exception for a Planned Commercial Development. (**PEACHTREE PLAZA**).

Pages 169-172

Size: 7.49 acres ±

BCC District: 5

MOTION: To approve a time extension until August 22, 2007, for Resolution R-96-1192.1.

21. **SR 2000-061A** Status Report for Resolution R-2002-1470 (Petition 2000-061A), the petition of Marjorie and Paul Meloche. Property owners: Rick J. Meloche, Trust; Marjorie A. Meloche, Trust; Paul J. Meloche, Trust; Randy Meloche, Trust; and K. Edelman, 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 173-176

Size: 2.0 acres ±

BCC District: 3

MOTION: To approve a time extension until August 22, 2007, for Resolution R-2002-1470.

22. **CR 2004-327** Status Report for Resolution R-2005-0374 (Control #2004-327, Application 2004-447), the petition of Steven Zeiger. Property owners: Steven & Nancy Zeiger. General Location: Approximately 350 feet south of Fredrick Small Road on the east side of Palmwood Road. Zoning District: Residential Transitional (**ZEIGER PROPERTY**).

Pages 177-182

Size: 2.3 acres ±

BCC District: 1

MOTION: To adopt a resolution approving a Development Order Amendment to amend conditions of approval (right-of-way and easement) in Resolution R-2005-0374.

E. CORRECTIVE RESOLUTION

23. **Corrective Resolution:** To correct the Zoning - Landscaping-Along the North, South, East and West Property Lines condition of Exhibit C-1 of Resolution No. R-2005-1801 (**MINTO OKEECHOBEE PUD**). (PDD2005-475, Control 1974-081)

Pages 183-184

MOTION: To adopt a resolution to correct Resolution No. R-2005-1801.

F. TDR DEED

24. **DRO2004-021** Execute a deed conveying 5 Development Rights units to Colony Lake Development LLC, as authorized by Palm Beach County, Zoning Division, Development Review Officer, which approved the purchase of 5 Development Rights from the County's TDR Bank at a cost of \$15,837.00 per unit and the designation of the Colony Oaks at Boynton Beach as a TDR Receiving Area for those units (**COLONY OAKS at BOYNTON BEACH**).

Pages 185-186

BCC District: 3

MOTION: To execute a deed conveying 5 Development Right units to Colony Lake Development, LLC, as authorized by Palm Beach County, Zoning Division, Development Review Officer.

G. TERMINATION OF RESTRICTIVE COVENANTS

25. **Palm Club Apartments/Termination of Restrictive Covenants**

Pages 187-216

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

6. REGULAR AGENDA

A. ITEMS PULLED FROM CONSENT

B. PREVIOUSLY POSTPONED STATUS REPORTS

26. **SR 1988-065.11** Status Report for Resolutions R-89-1069 and R-89-1070 (Petition 1988-065), the petition of Howard Dardashti. Property owners: Hani Enterprises, Inc.; America's Sound, Inc.; and Shatara & Sons Enterprises, Inc. General Location: Approximately 0.1 mile south of Lake Worth Road on the west side of Congress Avenue. Zoning District: General Commercial with a Special Exception to permit a Planned Commercial Development (**DARDASHTI PCD**).

Pages 217-220

Size: 0.96 acres ±

BCC District: 3

MOTION: To approve a time extension until June 6, 2007, for Resolutions R-89-1069 and R-89-1070.

C. STATUS REPORTS

27. **SR 1975-104A.2** Status Report for Resolutions R-2000-1231 and R-2000-1232 (Petition 1975-104A), the petition of Marathon Ashland Petroleum, LLC. Property owners: 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 221-227

Size: 0.97 acres ±

BCC District: 3

MOTION: To approve a time extension until August 24, 2007, for Resolutions R-2000-1231 and R-2000-1232.

28. **SR 1978-040A.3** Status Report for Resolution R-1999-104 (Petition 1978-040A), the petition of Nicholas & Joan Wellman. Property owners: Wellman Care, Inc. and Ortega Management Corporation. General Location: Northwest corner of Melaleuca Lane and Military Trail. Zoning District: General Commercial with a Special Exception to allow a Planned Commercial Development including an auto service station, financial institution with drive-up teller windows, and general daycare (**WELLMAN PLAZA**).

Pages 228-231

Size: 3.53 acres ±

BCC District: 2

MOTION: To approve a time extension until August 10, 2007, for Resolution R-1999-104.

REGULAR AGENDA

29. **SR 1985-113B.10** Status Report for Resolution R-94-12 (Petition 1985-113B), the petition of William and Daphne Cleve. Property owner: Francalby Corp. General Location: Northeast corner of Hypoluxo Road and High Ridge Road. Zoning District: Community Commercial with a Conditional Overlay Zone (**FRANCALBY CORPORATION**).

Pages 232-235

Size: 1.5 acres ±

BCC District: 3

MOTION: To approve a time extension until August 10, 2007, for Resolution R-94-12.

30. **SR 1986-114B.4** Status Report for Resolution R-97-148 (Petition 1986-114B), the petition of Summit Christian School. Property owner: Summit Christian School of Palm Beach County. General Location: Southeast corner of Haverhill Road and Summit Boulevard. Zoning District: Multifamily Residential with a Special Exception to allow a private educational institution (**SUMMIT CHRISTIAN SCHOOL**).

Pages 236-239

Size: 18.16 acres ±

BCC District: 2

MOTION: To 1) approve a time extension until August 10, 2007, for Resolution R-97-148, and 2) revoke concurrency for unbuilt square footage (concurrency reservation number 93-03-03-001-C).

31. **SR 1980-173C.6** Status Report for Resolution R-94-1681 (Petition 1980-173C), the petition of Wal-Mart Stores, Inc. Property owner: Wal-Mart Stores #1398. General Location: Northwest corner of Hypoluxo Road and Military Trail. Zoning District: General Commercial with a Development Order Amendment to increase square footage in a Special Exception to allow a Large Scale Community Shopping Center (**WAL-MART PLAZA**).

Pages 240-243

Size: 9.75 acres ±

BCC District: 3

MOTION: To approve a time extension until August 10, 2007, for Resolution R-94-1681.

32. **SR 1983-091A.2** Status Report for Resolutions R-1999-0971 and R-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 244-247

Size: 5.91 acres ±

BCC District: 2

MOTION: To approve a time extension until May 27, 2007, for Resolutions R-1999-0971 and 1999-0972.

33. **SR 1998-042.4** Status Report for Resolution R-98-1313 (Petition 1998-042), the petition of Bruce K. Greenfield & Charles E. Vallovich. Property owner: FMM 1 LLC. General Location: Approximately 1,300 feet west of D Road on the north side of Southern Boulevard. Zoning District: Community Commercial (**SOUTHERN RETAIL**).

Pages 248-251

Size: 1.76 acres ±

BCC District: 6

MOTION: To approve a time extension until August 10, 2007, for Resolution R-98-1313.

D. PREVIOUSLY POSTPONED SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING APPLICATION

34. **SCA 2005-00001** Lake Wellington Professional Center, Inc. & Thomas V. Messier, by Basehart Consulting, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Low Residential, 2 units per acre (LR-2) to Commercial Low, with an underlying 2 units per acre (CL/2). General Location: Approximately 1,400 feet east of Lyons Road on the south side of Lantana Road (**LANTANA/SHERBROOKE COMMERCIAL a.k.a. WESTERN RETAIL CENTER**).

Pages 252-294

Size: 2.25 acres ±

BCC District: 3

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

LPA Recommendation: Denial of the requested future land use change from LR-2 to CL/2 (6-6 vote).

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

35. **PDD2004-589** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Lake Wellington Professional Center, Inc., by Basehart Consulting, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) and the General Commercial (CG) Zoning Districts to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 1,400 feet east of Lyons Road on the south side of Lantana Road (**WESTERN RETAIL CENTER**). (Control 2004-354)

Pages 295-316

Size: 4.82 acres ±

BCC District: 3

Staff Recommendation: Denial.

Zoning Commission Recommendation: Approved as amended, 5-1.

MOTION: To adopt a resolution denying an Official Zoning Map Amendment from the Agricultural Residential and the General Commercial Zoning Districts to the Multiple Use Planned Development District.

E. PREVIOUSLY POSTPONED ZONING APPLICATIONS

36. **PDD2004-664** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Centex Homes, by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: Rezoning from the Multifamily Residential (RM) and the Neighborhood Commercial (CN) Zoning Districts to the Residential Planned Unit Development (PUD) District. General Location: Approximately 1,300 feet south of Okeechobee Boulevard on the west side of Drexel Road (**MEADOWBROOK PUD**). (Control 2004-452)

Pages 317-361

Size: 83.26 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 5-2.

MOTION: Adequate mobile home parks or other suitable facilities exist for the relocation of the mobile home owners.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Multifamily Residential and the Neighborhood Commercial Zoning Districts to the Residential Planned Unit Development District

37. **PDD/W2004-658** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Anasca Communities, LLC, by Land Design South, Inc., 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 Anasca Communities, LLC, by Land Design South, Inc., Agent. Request: To allow deviation from cul-de-sac and dead-end restrictions. General Location: Northwest corner of Hagen Ranch Road and Atlantic Avenue (**TERRA NOVA PUD**). (Control 2004-456)

Pages 362-400

Size: 93.67 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendations: PDD - Approved as amended, 5-1; W – Approved as advertised, 6-0.

MOTION: To adopt a resolution approving the abandonment of a Special Exception to allow a Commercial Sales and Service Center for Farm-Related Equipment only granted by Resolution R-79-351.

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 Waiver to allow deviation from cul-de-sac and dead-end restrictions.

38. **PDD2004-660** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of Anasca Communities, LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Multiple Use Planned Development (MUPD) District. General Location: Northwest corner of Hagen Ranch Road and Atlantic Avenue (**TERRA NOVA MUPD**). (Control 2004-457)

Pages 401-430

Size: 17.99 acres ±

BCC District: 5

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 Multiple Use Planned Development District.

39. **PDD/W2004-811** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District application of M/I Homes of West Palm Beach, LLC, 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 Waiver application of M/I Homes of West Palm Beach, LLC, by Julian Bryan & Associates, Agent. Request: To allow deviation from cul-de-sac and dead-end restrictions. General Location: Northeast corner of West Atlantic Avenue and Florida's Turnpike (**ATLANTIC COMMONS PUD**). (Control 2004-525)

Pages 431-462

Size: 123.62 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 Agricultural Residential Zoning District to the Residential Planned Unit Development District.

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

F. ZONING APPLICATIONS

40. **DOA2005-986** Title: Resolution approving a Development Order Amendment application of Young Mens Christian Association of South Palm Beach County, Inc., by Michael Linet, Inc., Agent. Request: To modify a condition of approval. General Location: Northwest corner of Palmetto Circle South and Toledo Road (**YMCA of BOCA RATON**). (Control 1984-152)

Pages 463-480

Size: 15.0 acres ±

BCC District: 4

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 modify a condition of approval.

41. **Z2005-149** Title: Resolution approving an Official Zoning Map Amendment application of Hypoluxo/Jog LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 0.25 mile east of Jog Road on the north side of Western Way (**OSPREY OAKS PARCEL #2**). (Control 2005-058)

Pages 481-496

Size: 4.84 acres ±

BCC District: 3

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 Transitional Zoning District with a Conditional Overlay Zone.

42. **Z2005-152** Title: Resolution approving an Official Zoning Map Amendment application of Hypoluxo/Jog LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 0.25 mile east of Jog Road on the north side of Western Way (**OSPREY OAKS PARCEL #3**). (Control 2005-059)

Pages 497-513

Size: 7.27 acres ±

BCC District: 3

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 Transitional Zoning District with a Conditional Overlay Zone.

43. **Z2005-154** Title: Resolution approving an Official Zoning Map Amendment application of Hypoluxo/Jog LLC, by Land Design South, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Transitional (RT) Zoning District. General Location: Approximately 0.25 miles east of Jog Road on the south side of Western Way (**OSPREY OAKS PARCEL #4**). (Control 2005-060)

Pages 514-529

Size: 5.02 acres ±

BCC District: 3

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 Transitional Zoning District with a Conditional Overlay Zone.

REGULAR AGENDA

- 44. [Z/CA2005-472](#) Title: Resolution approving an Official Zoning Map Amendment application of HMRS, LLC, by Basehart Consulting, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Commercial Low Office (CLO) Zoning District. Title: Resolution approving a Class A Conditional Use application of HMRS, LLC, by Basehart Consulting, Inc., Agent. Request: To allow a medical office. General Location: Approximately 450 feet south of Woolbright Road on the west side of Jog Road (**JOG MEDICAL CENTER**). (Control 2004-200)

Pages 530-548

Size: 3.87 acres ±

BCC District: 5

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 Commercial Low Office Zoning District with a Conditional Overlay Zone.

MOTION: To adopt a resolution approving a Class A Conditional Use to allow a medical office.

7. DIRECTOR COMMENTS

A. COUNTY ATTORNEY

B. ZONING DIRECTOR

- 45. TDR Annual Report

(under separate cover)

MOTION: To receive and file the 2004-05 TDR Annual Report including the recommended price per County TDR unit.

- 46. [Tree Replacement Policy Update](#)

Pages 549-550

- 47. Workforce Housing Program

(under separate cover)

Pages

C. PLANNING DIRECTOR

8. COMMISSIONER COMMENTS

9. ADJOURNMENT