

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



Robert Weisman

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

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

SEPTEMBER 30, 2004

- 1. & 2. BIOTECHNOLOGY RESEARCH PARK RELATED ITEMS RESCHEDULED TO OCTOBER 5, 2004**
- 3. POSTPONEMENTS/WITHDRAWALS FOR REGULAR ZONING ITEMS (AUGUST /SEPTEMBER) (Pages 7-9)**
- 4. CONSENT AGENDA FOR REGULAR ZONING ITEMS (AUGUST /SEPTEMBER) (Pages 10-17)**
 - o Staff
 - o Board
 - o Public
- 5. REGULAR AGENDA FOR REGULAR ZONING ITEMS (AUGUST /SEPTEMBER) (Pages 18-23)**
- 6. DIRECTOR COMMENTS (Page 23)**
- 7. COMMISSIONER COMMENTS (Page 23)**
- 8. ADJOURNMENT (Page 23)**

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

SEPTEMBER 30, 2004

**1.& 2. BIOTECHNOLOGY RESEARCH PARK RELATED ITEMS RESCHEDULED TO
OCTOBER 5, 2004**

**3. POSTPONEMENTS/WITHDRAWALS FOR REGULAR ZONING ITEMS
(AUGUST/SEPTEMBER)**

A. POSTPONEMENTS

10. **CA/DOA1986-064B** Title: Resolution approving a Class A Conditional Use petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To allow a private school. Title: Resolution approving a Development Order Amendment petition of Holy Spirit Lutheran Church, Inc., by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: To reconfigure the site plan and add square footage for a Special Exception to allow a church or place of worship. General Location: Approximately 0.6 mile south of Donald Ross Road on the west side of Ellison Wilson Road (**HOLY SPIRIT LUTHERAN CHURCH**).

Page 1

Size: 5.25 acres ±

BCC District: 1

MOTION: To postpone thirty (30) days to October 28, 2004 (Petitioner requested).

11. **AI-2004-02** Palm Beach Park of Commerce

N/A

MOTION: To postpone thirty (30) days to October 28, 2004.

12. **SR 1992-007.6** Status Report for Resolutions R-1993-515 and R-1993-516 (Petition 1992-007), the petition of Shirley K. Bernstein and Ann K. Schulman. Property owner: Morningstar Nursery, Inc. General Location: Northeast corner of Hypoluxo Road and Military Trail. Current zoning: Community Commercial with a Special Exception to allow a Planned General Commercial Development, including a fast food restaurant with drive-thru window, auto service station (automatic) and financial institution with 3 drive-up tellers (**LIPKINS PCD**).

Pages 2-5

Size: 7.92 acres ±

BCC District: 3

MOTION: To postpone thirty (30) days to October 28, 2004.

13. **SR 1973-157A.4** Status Report for Resolution R-1991-243 (Petition 1973-157A), the petition of King's Academy, Inc. Property owner: Palm Beach County. General Location: Approximately 0.1 mile east of Military Trail on the north side of Cherry Road. Current zoning: Multifamily Residential with a Special Exception to allow a private school (**KING'S ACADEMY**).

Pages 6-9

Size: 30.31 acres ±

BCC District: 2

MOTION: To postpone one-hundred twenty (120) days to January 27, 2005.

B. WITHDRAWALS:

14. **SR 1991-042.6** Status Report for Resolution R-1992-364 (Petition 1991-042), the petition of Methodist Church Board of Missions and Church Extension, Inc. Property owner: Faith United Methodist Church of Boynton Beach of Florida, Inc. General Location: Approximately 600 feet east of Jog Road on the south side of Boynton Beach Boulevard. Current zoning: Agricultural Residential with a Special Exception to allow a church or place of worship, accessory buildings and structures, and day care center (max 60 children) (**FAITH UNITED METHODIST CHURCH OF BOYNTON BEACH FLORIDA**).

Pages 10-13

Size: 10.17 acres ±

BCC District: 5

MOTION: None required.

15. **SR 1995-014.4** Status Report for Resolution R-1995-716 (Petition 1995-014), the petition of Mary Mother of Light Maronite Catholic Church. Property owner: Hidden Acres Venture, Inc. General Location: Approximately 600 feet north of Forest Hill Boulevard at the northern terminus of Lone Pine Way. Current zoning: Multifamily Residential with a Class A Conditional Use to allow a church or place of worship (**MARY MOTHER OF LIGHT PARISH HALL**).

Pages 14-16

Size: 4.7 acres ±

BCC District: 2

MOTION: None required.

16. **SR 2000-099** Status Report for Resolution R-2001-0445 (Petition 2000-099), the petition of Whitworth Farms. Property owner: MPG Flavor Pict Road Ltd. General Location: Northwest corner of Hagen Ranch Road and Flavor Pict Road. Current zoning: Multiple Use Planned Development with a requested use to allow a financial institution (**WHITWORTH FARMS**).

Pages 17-20

Size: 15.46 acres ±

BCC District: 5

MOTION: None required.

17. **CR 2002-020/E7** Status Report for Resolution R-2003-0561 (Petition 2002-020), the petition of George Haas & Dorothy Haas & Edward Bernard. Property owner: Haas Properties LLC. General Location: Approximately 0.25 mile south of Lake Worth Road on the east side of Lyons Road. Current zoning: Residential Planned Unit Development (**BERNARD HAAS PUD**).

Pages 21-24

Size: 47.96 acres ±

BCC District: 6

MOTION: None required.

18. **SR 1977-141A.2** Status Report for Resolution R-1999-965 (Petition 1977-141A), the petition of Chevron Products Company. Property owner: Cedars Oil Boca Raton. General Location: Northwest corner of Camino Real and Powerline Road. Current zoning: General Commercial with a Special Exception to allow a Planned Commercial Development, including a convenience store with gas sales (Requested Use) (**CHEVRON #47205**).

Pages 25-27

Size: 1.08 acres ±

BCC District: 4

MOTION: None required.

– END OF POSTPONEMENTS/WITHDRAWALS –

4. CONSENT AGENDA FOR REGULAR ZONING ITEMS (AUGUST /SEPTEMBER)

A. REQUESTS TO PULL ITEMS FROM CONSENT

B. PREVIOUSLY POSTPONED ZONING PETITIONS

- 19. **DOA1992-048C** Title: Resolution approving a Development Order Amendment petition of Muslim Community Center, by Tasnim Uddin & Assoc. Int'l, Inc., Agent. Request: To add land area for off-site parking and to modify a condition of approval for a Class A Conditional Use to allow a church or place of worship. General Location: Approximately 300 feet east of Haverhill Road on the north and south sides of Purdy Lane (**MUSLIM COMMUNITY CENTER**).

Pages 28-52

Size: 4.98 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

MOTION: To adopt a resolution approving a Development Order Amendment to add land area for off-site parking and to modify a condition of approval for a Class A Conditional Use to allow a church or place of worship.

C. ZONING PETITIONS

- 20. **DOA/EAC2004-347** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of Vincent and Maria Disisto & Chevron USA, by Land Design South, Agent. Request: To modify a condition of approval for a Multiple Use Planned Development. General Location: Northeast corner of Lake Worth Road and Nassau Road (**LAKE WORTH & NASSAU MUPD**).

Pages 53-77

Size: 8.39 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: N/A

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

21. **DOA/EAC1987-150B** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of Florence Fuller Child Development Ctr., by Land Research Management, Inc., Agent. Request: To modify a condition of approval for a Special Exception to allow a daycare, general. General Location: Approximately 500 feet west of State Road 7 on the south side of Yamato Road (**FLORENCE FULLER CHILD DEVELOPMENT CENTER**).

Pages 78-94

Size: 5.96 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/Expedited Application Consideration to modify a condition of approval for a Special Exception to allow a daycare, general.

22. **DOA2004-302** Title: Resolution approving a Development Order Amendment petition of Atlantic Retail LLC, by Ruden McClosky, Agent. Request: To modify/delete a condition of approval. General Location: Southeast corner of Atlantic Avenue and Jog Road (**RBC CENTURA BANK**).

Pages 95-117

Size: 2.79 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 4-0.

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

23. **DOA1996-019A** Title: Resolution approving a Development Order Amendment petition of All Star Kids Early Learning Ctr., Inc., by Miller Land Planning Consultants, Inc., Agent. Request: To add square footage and reconfigure site plan for a Class A Conditional Use to allow a daycare, general. General Location: Southwest corner of 143rd Drive and Orange Boulevard (**ALL STAR KIDS LEARNING CTR.**).

Pages 118-138

Size: 2.0 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as advertised, 4-0.

MOTION: To adopt a resolution approving a Development Order Amendment to add square footage and reconfigure site plan for a Class A Conditional Use to allow a daycare, general.

24. **DOA1985-089C** Title: Resolution approving a Development Order Amendment petition of Belvedere Isles Developers, Inc., by Land Design South, Agent. Request: To delete land area from a Special Exception to allow a Residential Planned Unit Development. General Location: Northwest corner of Golden Lakes Boulevard and Belvedere Road (**GOLDEN LAKES VILLAGE PUD SECTION 18**).

Pages 139-153

Size: 18.18 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

MOTION: To adopt a resolution approving a Development Order Amendment to delete land area from a Special Exception to allow a Residential Planned Unit Development.

25. **PDD2003-090** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Dorismae Kerns & Charles Warwick III, by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) and the Single Family Residential /Special Exception (RS/SE) Zoning Districts to the Residential Planned Unit Development (PUD) District. General Location: Northwest corner of Belvedere Road and Golden Lakes Boulevard (**BELVEDERE ISLES II PUD**).

Pages 154-175

Size: 25.58 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

MOTION: To adopt a resolution approving an Official Zoning Map Amendment from the Agricultural Residential Zoning District and the Single Family Residential Zoning District with a Special Exception to the Residential Planned Unit Development District.

26. **PDD2003-058** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Coral Lakes Apartments, by Richard W. Carlson, Jr., Esq., Agent. Request: Rezoning from the Residential Planned Unit Development (PUD) District to the Multiple Use Planned Development (MUPD) District. General Location: Approximately 600 feet north of Melaleuca Lane on the west side of Congress Avenue (**CORAL LAKES CENTER**).

Pages 176-203

Size: 18.26 acres ±

BCC District: 3

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 Residential Planned Unit Development District to the Multiple Use Planned Development District.

D. PREVIOUSLY POSTPONED STATUS REPORTS – CONSENT

- 27. **SR 1984-163A.6** Status Report for Resolution R-1994-358 (Petition 1984-163A), 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, west of Military Trail. Current zoning: Community Commercial with a Conditional Overlay Zone (**ARCADIA PROPERTIES**).

Pages 204-207

Size: 4.04 acres ±

BCC District: 5

MOTION: To approve a time extension until May 24, 2006, for Resolution R-1994-358.

- 28. **SR 1989-76.6** Status Report for Resolutions R-1990-355 and R-1990-356 (Petition 1989-076), the petition of Arminell, Duncan William, and Stanley Allen Mason. Property owner: Arminell Mason, Duncan William Mason, and Stanley Allen Mason. General Location: Approximately 0.3 mile west of Boutwell Road on the north side of 2nd Avenue North. Current zoning: Light Industrial with a Special Exception to allow a Planned Industrial Development (**MASON INDUSTRIAL**).

Pages 208-211

Size: 2.0 acres ±

BCC District: 3

MOTION: To approve a time extension until May 26, 2006, for Resolutions R-1990-355 and R-1990-356.

E. STATUS REPORTS – CONSENT

- 29. **SR 81-233.6** Status Report for Resolutions R-1982-151 and R-1982-152 (Petition 1981-233), the petition of Crouch-Palermo Florida, Inc. Property owner: Fairfield Communities, Inc. General Location: Southwest corner of Florida's Turnpike and Lantana Road. Current zoning: Residential Transitional with a Special Exception to allow a Planned Unit Development, including an on-site water and sewage treatment facility and excavation (**BALMORAL PUD**).

Pages 212-215

Size: 5.24 acres ± of a 271 acre PUD

BCC District: 3

MOTION: To approve a time extension until June 13, 2006, for Resolutions R-1982-151 and R-1982-152.

30. **SR 1995-090** Status Report for Resolution R-1996-0131 (Petition 1995-090), the petition of Robert F. Griffith, Jr. & Gene Moore, III. Property owner: Formation Properties III, LLC. General Location: Approximately 0.1 mile north of Old Boynton West Road on the east side of Lawrence Road. Current zoning: Single Family Residential with a Class A Conditional Use to allow a nursing facility or convalescent center (**MARINER HEALTH CARE**).

Pages 216-219

Size: 9.82 acres ±

BCC District: 3

MOTION: To approve a time extension until June 25, 2006, for Resolution R-1996-0131.

31. **CR 2001-013/E1** Status Report for Resolution R-2001-1857 (Petition 2001-013), the petition of Southeastern Conf. Assoc. of 7th Day Adventist, Inc. Property owner: Southeastern Conference Assn. General Location: Southwest corner of Okeechobee Boulevard and "E" Road. Current zoning: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship (**FIRST S.D.A. CHURCH OF ROYAL PALM BEACH**).

Pages 220-223

Size: 5.03 acres ±

BCC District: 6

MOTION: To approve a time extension until February 1, 2005, to comply with condition number E.1. of Resolution R-2001-1857.

32. **SR 77-133G.3** Status Report for Resolution R-1998-876 (Petition 1977-133G), the petition of Cross County Associates. Property owner: Cross County Associates Ltd. Partnership. General Location: Southeast corner of Military Trail and Okeechobee Boulevard, on the north side of Westgate Avenue. Current zoning: Multiple Use Planned Development (**CROSS COUNTY MALL**).

Pages 224-227

Size: 43.05 acres ±

BCC District: 2

MOTION: To approve a time extension until July 24, 2006, for Resolution R-1998-876.

33. **SR 1981-024A.2** Status Report for Resolution R-1999-1215 (Petition 1981-024A), the petition of Florida Gardens Land Development Co. Property owner: Meyer Dev. LLC Lessor. General Location: Southwest corner of Lake Worth Road and Ohio Road. Current zoning: Community Commercial with a Conditional Overlay Zone (**KEY CENTERS COMMERCIAL**).

Pages 228-231

Size: 1.7 acres ±

BCC District: 2

MOTION: To approve a time extension until July 22, 2006, for Resolution R-1999-1215.

34. **SR 1991-023B.3** Status Report for Resolution R-1996-1736 (Petition 1991-023B), the petition of Palms West Presbyterian Church. Property owner: Palms West Presbyterian Church, Inc. General Location: Approximately 0.1 mile west of "F" Road on the north side of Okeechobee Boulevard. Current zoning: Agricultural Residential with a Class A Conditional Use to allow a church or place of worship with accessory buildings and structures (**PALMS WEST PRESBYTERIAN CHURCH**).

Pages 232-235

Size: 8.0 acres ±

BCC District: 6

MOTION: To approve a time extension until July 10, 2006, for Resolution R-1996-1736.

35. **SR 1997-045.4** Status Report for Resolution R-1997-968 (Petition 1997-045), the petition of Nisize Realty, Inc. Property owner: IS & RG LLC. General Location: Northeast corner of Bellevue Avenue and Lake Worth Road. Current zoning: General Commercial (**PALM BEACH SURGICAL ASSOCIATES**).

Pages 236-239

Size: 1.5 acres ±

BCC District: 3

MOTION: To adopt a resolution to rezone from the CG-General Commercial Zoning District to the CN-Neighborhood Commercial Zoning District.

36. **SR 1998-090.2** Status Report for Resolutions R-1999-1217 and R-1999-1218 (Petition 1998-090), the petition of C/O Iron City Sash & Door Co. Property owner: Southeastern Conference Assn. General Location: Approximately 800 feet south of Coconut Lane on the east side of Military Trail. Current zoning: Residential Transitional Urban with a Class A Conditional Use to allow a church or place of worship (**7TH DAY ADVENTIST CHURCH**).

Pages 240-243

Size: 2.93 acres ±

BCC District: 4

MOTION: To approve a time extension until July 22, 2006, for Resolutions R-1999-1217 and R-1999-1218.

37. **SR 2000-006** Status Report for Resolution R-2000-1082 (Petition 2000-006), the petition of Thomas Hahn. Property owner: FJB Enterprises, LLC. General Location: Approximately 1 mile west of Military Trail on the south side of West Atlantic Avenue. Current zoning: General Commercial with a Conditional Overlay Zone (**HAHN PROPERTY**).

Pages 244-246

Size: 2.27 acres ±

BCC District: 5

MOTION: To approve a time extension until July 27, 2006, for Resolution R-2000-1082.

F. ABANDONMENT RESOLUTIONS

38. **ABN1978-003** To abandon the Special Exception for a Planned Industrial Development granted by Resolution R-1978-217. (**WATERLINK TECHNOLOGIES**)

Pages 247-249

BCC District: 6

MOTION: To adopt a resolution approving the abandonment of a Special Exception to allow a Planned Industrial Development granted by Resolution R-1978-217.

39. **ABN1977-141A** To abandon the Development Order Amendment to allow a convenience store with gas sales granted by Resolution R-1999-0965. (**CHEVRON #47205**)

Pages 250-252

BCC District: 4

MOTION: To adopt a resolution approving the abandonment of a Development Order Amendment to allow a convenience store with gas sales granted by Resolution R-1999-0965.

G. TRANSFER OF DEVELOPMENT RIGHTS ASSIGNMENT

40. **DRC2002-058A** Request: To execute an Assignment of Contract for the Sale and Purchase of Development Rights between TLHC-2, Inc., Greyhawk, a Florida Joint Venture, and Palm Beach County. (**10 ACRE DILLMAN**)

Pages 253-258

BCC District: 6

MOTION: To execute an Assignment of Contract for the Sale and Purchase of Development Rights.

41. **DRC2002-058A** Request: To execute an Amendment to Transfer of Development Rights Escrow Agreement. (**10 ACRE DILLMAN**)

Pages 259-263

BCC District: 6

MOTION: To execute the Amendment to Transfer of Development Rights Escrow Agreement.

42. **DRC2002-058A** Request: To execute a deed conveying 4 Development Rights units to Greyhawk, a Florida Joint Venture as authorized by Palm Beach County, Zoning Division, Development Review Officer. (**10 ACRE DILLMAN**)

Pages 264-265

BCC District: 3

MOTION: To execute a deed conveying 4 Development Rights units to Greyhawk, a Florida Joint Venture as authorized by Palm Beach County, Zoning Division, Development Review Officer.

H. TERMINATION OF DECLARATION OF RESTRICTIONS

43. Motion to Approve: Termination of Declaration of Restrictions dated October 11, 2001 regarding property located on the Southwest corner of Haverhill Road and Forest Hill Boulevard. Background: Approval of comprehensive plan amendment Ordinance No. 2004-003 (Abbey Park III) and Zoning Resolution No. R-2004-0156 (Abbey Park MUPD) makes the restriction obsolete. Release of the restriction requires approval of the Board of County Commissioners.

Pages 266-268

– END OF CONSENT AGENDA –

– START OF REGULAR AGENDA –

5. REGULAR AGENDA FOR REGULAR ZONING ITEMS (AUGUST /SEPTEMBER)

A. ITEMS PULLED FROM CONSENT

B. SMALL SCALE LAND USE PLAN AMENDMENT AND ZONING PETITION

44. **SCA 2004-00004** Wilson B. Greateon, Jr. and Colson & Colson Construction Co., by Curry Brandaw Architects and Miller Land Planning Consultants, Inc. Small Scale Land Use Amendment (SCA): Amend land use from Commercial Low - Office (CL-O), with conditions on 6.21 acres to Commercial Low - Office, with an underlying 8 units per acre (CL-O/8), with conditions. General Location: Approximately 0.25 mile north of Gateway Boulevard on the east side of Military Trail (**MILITARY/GATEWAY CLF a.k.a. SOUTHWIND HEIGHTS**)

Pages 269-290

Size: 6.21 acre ±

BCC District: 3

Staff Recommendation: Approval of the requested future land use change from CL-O with conditions to CL-O/8 with conditions.

LPA Recommendation: Approval of the applicant's request for a future land use change from CL-O with conditions to CL-O/8 with conditions (11-0 vote).

MOTION: To adopt an ordinance approving the request for a future land use change from CL-O, with conditions to CL-O/8, with conditions.

45. **PDD/R/TDR2003-105** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Colson & Colson Construction Co., by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Multiple Use Planned Development (MUPD) District to the Residential Planned Unit Development (PUD) District. Title: Resolution approving a Requested Use petition of Colson & Colson Construction Co., by Miller Land Planning Consultants, Inc., Agent. Request: To allow a Congregate Living Facility, Type III. Title: Resolution approving a Transfer of Development Rights petition of Colson & Colson Construction Co., by Miller Land Planning Consultants, Inc., Agent. Request: To allow the Transfer of Development Rights for 8 units and to designate this petition as the receiving area. General Location: Approximately 0.25 mile north of Gateway Boulevard on the east side of Military Trail (**SOUTH WIND HEIGHTS**).

Pages 291-319

Size: 6.21 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

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

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

MOTION: To adopt a resolution approving the Transfer of Development Rights for 8 units and to designate this petition as the receiving area.

C. PREVIOUSLY POSTPONED ZONING PETITIONS

46. **DOA1998-032A** Title: Resolution approving a Development Order Amendment petition of Southern Waste Systems, Ltd., by Sara Lockhart, Agent. Request: To modify/delete conditions of approval for a Multiple Use Planned Development with a permanent air curtain incinerator. General Location: Northeast corner of Cleary Road and Wallis Road (**PALM BEACH TRANSFER & RECYCLING**).

Pages 320-353

Size: 8.75 acres ±

BCC District: 6

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 modify/delete conditions of approval for a Multiple Use Planned Development with a permanent air curtain incinerator.

47. **PDD2003-085** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Simsational Homes, LLC, by Miller Land Planning Consultants, Inc., Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 0.5 mile south of Lake Ida Road on the west side of Sims Road (**ASPEN GLEN PUD**).

Pages 354-378

Size: 11.85 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.

48. **PDD2004-014** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Gordon WPB, Inc., by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 4,400 feet west of Haverhill Road on the south side of Belvedere Road (**FAIRWAY LAKE PUD**).

Pages 379-418

Size: 31.22 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

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

MOTION: To adopt a resolution approving the abandonment of a Special Exception to allow recreation facilities including a private golf course and country club granted by Resolution R-1985-0722.

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

D. ADMINISTRATIVE INQUIRY – LAND DEVELOPMENT

49. **AI 2004-03** – Median Cutout Landscaping

Page 419

E. ZONING PETITIONS

50. **DOA/EAC2004-435** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of R. B. Graves and Sons, by F. Martin Perry & Associates, P.A., Agent. Request: To modify/delete a condition of approval for a Class A Conditional Use to allow a convenience store with gas sales and car wash. General Location: Approximately 1 mile west of Haverhill Road on the south side of Okeechobee Boulevard (**OKEECHOBEE MOBIL**).

Pages 420-443

Size: 0.81 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions

Zoning Commission Recommendation: N/A

MOTION: To adopt a resolution approving a Development Order Amendment/Expedited Application Consideration to modify/delete a condition of approval for a Class A Conditional Use to allow a convenience store with gas sales and car wash.

51. **DOA/EAC2004-436** Title: Resolution approving a Development Order Amendment/Expedited Application Consideration petition of Blue Green Enterprises, Inc., by F. Martin Perry & Associates, PA, Agent. Request: To modify/delete a condition of approval for a Multiple Use Planned Development. General Location: Southeast corner of Okeechobee Boulevard and Golden Lakes Boulevard (**GOLDEN LAKES PLAZA (OKEECHOBEE BLVD MUPD)**).

Pages 444-481

Size: 24.53 acres ±

BCC District: 2

Staff Recommendation: Approval, subject to conditions

Zoning Commission Recommendation: N/A

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

52. **PDD2003-074** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of AMKBJ Partners Ltd. & Tuttle Land Holding Corp., by Land Design South, Agent. Request: Rezoning from the Agricultural Residential (AR) Zoning District to the Residential Planned Unit Development (PUD) District. General Location: Approximately 1,572 feet east of State Road 7/US 441 on the south side of Pioneer Road (**PIONEER TRAIL PUD**).

Pages 482-503

Size: 38.5 acres ±

BCC District: 6

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

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

53. **Z2004-017** Title: Resolution approving an Official Zoning Map Amendment petition of Victor & Eloisa Gonzalez, by John T. Paxman, PA, Agent. Request: Rezoning from the Neighborhood Commercial (CN) and the Multifamily Residential (RM) Zoning Districts to the General Commercial (CG) Zoning District. General Location: Southwest corner of Lake Worth Road and Price Street (**TACOS AL CARBON**).

Pages 504-522

Size: .24 acres ±

BCC District: 3

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

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

54. **PDD2004-232** Title: Resolution approving an Official Zoning Map Amendment to a Planned Development District petition of Ascot Development, by Gentile, Holloway, O'Mahoney & Associates, Inc., Agent. Request: Rezoning from the Agricultural Reserve (AGR) Zoning District to the Agricultural Reserve Residential Planned Unit Development (AGR-PUD) District. General Location: Approximately 700 feet north of Atlantic Avenue on the east side of State Road 7/US 441 (**ASCOT DEVELOPMENT PUD**).

Pages 523-564

Size: 330.60 acres ±

BCC District: 5

Staff Recommendation: Approval, subject to conditions.

Zoning Commission Recommendation: Approved as amended, 4-0.

MOTION: To adopt a resolution approving the abandonment of a Class A Conditional Use to allow Agricultural Excavation in the Agricultural Residential (AR) Zoning District granted by Resolution R-98-1790.

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

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