

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BATE 2000035
Oregon Partners 7 Ltd.**

RESULT - APPROVED WITH CONDITIONS

The applicant has applied for a 4 months time extension of condition #2, for BA 99-033 approved May 20, 1999.

BATE 2000035	<p>The applicant has applied for a 4 months time extension of condition #2, for BA 99-033 approved May 20, 1999. The condition reads:</p> <p>Prior to final Certificate of Occupancy for the Walgreens Store or by May 20, 2000, which ever occurs first, the applicant shall upgrade the size of the trees and shrubs along both Haverhill Road and Okeechobee Blvd, as follows:</p> <p>a. Trees shall be upgrade to 20 feet on-center, if palms are to be used the applicant shall be required to plant 3 palms for each shade tree.</p> <p>b. Hedges shall be upgrade to 36 inches in height All plant material above shall be number 1 Florida Plant material and native. (DATE:MONITORING-CO-INSP</p>	FROM: May 20, 2000	TO: September 20, 2000	TOTAL OF: 4 months
ADDRESS OF PROPERTY:	0 Haverhill Rd. 5028 Okeechobee Blvd. 5052 Okeechobee Blvd.			

The above variance was granted subject to the following zoning condition(s):

1. **The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board. simultaneously with the building permit application. (BLDG. PERMIT:BLDG) COMPLETED ON SEPTEMBER 16, 1999 PR99-032760**
2. **Prior to final Certificate of Occupancy for the Walgreen's Store or by May 20, 2000, which ever occurs first, the applicant shall upgrade the size of the trees and shrubs along both Haverhill Road and Okeechobee Blvd., as follows:**
 - a. **Trees shall be upgraded to 20 feet on-center, if palms are to be used the applicant shall be required to plant 3 palms for each shade tree.**
 - b. **Hedges shall be upgraded to 36 inches in height. All plant material above shall be number 1 Florida Plant material and native. (DATE:MONITORING -CO-INSP)**

IS HEREBY AMENDED TO READ:

Prior to final Certificate of Occupancy for the Walgreens Store, or by September 20, 2000, the applicant shall upgrade the size of the trees and shrubs along both Haverhill Road and Okeechobee Blvd., as follows:

- a. Trees shall be upgraded to 20 feet on-center, if palms are to be used the applicant shall be required to plant 3 palms for each shade tree.
- b. Hedges shall be upgraded to 36 inches in height. All plant material above shall be number 1 Florida Plant material and native. (DATE: MONITORING-CO-INSP)

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BATE 2000036
Oregon Partners #18**

RESULT - APPROVED WITH CONDITIONS

The applicant has applied for a six month time extension for BA99-050, approved June 17, 1999.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 2000036	<p>The applicant has applied for a six month time extension for condition #3 for BA99-50 that required:</p> <p>By May 20, 2000 or issuance of the Certificate of Occupancy for the 15,120 square foot commercial building, the applicant shall upgrade and install the following landscaping along Military Trail and Summit Blvd.</p> <p>a) 16 foot tall native canopy trees planted 20 feet on-center. Palms may be substituted for the shade trees only on a ratio of 3 palms for each shade tree.</p> <p>b) 36 inch native hedge to be installed 24 inches on-center. The existing mahogany trees and ficus hedge along the western portion of the Summit Blvd., right-of-way buffer shall remain.</p>	<p>FROM:</p> <p>May 20, 2000</p>	<p>TO:</p> <p>December 20, 2000</p>	<p>TOTAL OF:</p> <p>6 Months</p>
ADDRESS OF PROPERTY:	4509 Summit Blvd 963 S Military Trl			

The above variance was granted subject to the following zoning condition(s):

- 3. By January 20, 2000, the applicant shall apply to the Building Division for a building permit for the proposed 15,120 square foot commercial building. The applicant shall provide the Building Division with a copy of the Board of Adjustment Result Letter and copy of the final DRC site plan for this site. (DATE:MONITORING-BLDG PERMIT) **COMPLETED ON OCTOBER 25, 1999- PR99037151****
- 4. Prior to DRC certification of the final site plan, the applicant shall ensure the BOFA conditions are shown on the site plan. (DRC) **COMPLETED ON JUNE 23, 1999, SEE SITE PLAN EXHIBIT 1****

5. By May 20, 2000 or issuance of the Certificate of Occupancy for the 15,120 square foot commercial building, the applicant shall upgrade and install the following landscaping along Military Trail and Summit Blvd.

1. 16 foot tall native canopy trees planted 20 feet on-center. Palms may be substituted for the shade trees only on a ration of 3 palms for each shade tree.

2. b) 36 inch native hedge to be installed 24 inches on-center. The existing mahogany trees and ficus hedge along the western portion of the Summit Blvd . right-of-way buffer shall remain. (DATE:MONITORING-LAND:CO)

IS HEREBY AMENDED TO READ:

By December 20, 2000, or issuance of the Certificate of Occupancy for the 15,120 square foot commercial building, the applicant shall upgrade and install the following landscaping along Military Trail and Summit Blvd.

a) 16 foot tall native canopy trees planted 20 feet on-center. Palms may be substituted for the shade trees only on a ratio of 3 palms for each shade tree.

b) 36 inch native hedge to be installed 24 inches on-center. The existing mahogany trees and ficus hedge along the western portion of the Summit Blvd ., right-of-way buffer shall remain. (DATE:MONITORING-LAND:CO)

6. The existing mature mahogany trees along Summit Blvd. shall be preserved and incorporated into the Landscape design. (LANDSCAPING-ZONING)

NOTE: One of the three mahogany trees to be preserved along Summit Blvd. was removed by the contractor after consultation with the Landscape Inspector. The tree was damaged and was permitted to be removed and replaced with 3 new 12 foot high native canopy trees. Prior to the final Certificate of Occupancy the applicant and Landscape Inspector shall ensure the 3 additional trees are planted on site. (CO-LANDSCAPE-BA)

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BOFA 2000038
Joseph M & Concetta Benemerito**

RESULT - APPROVED WITH CONDITIONS

To allow a reduction in the required rear setback for the existing and proposed screen enclosures with solid roofs additions to the existing townhouses.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000038	6.6.A.10.c Supplemental Regulations - Accessory Uses and Structures:			
	A Rear Setback for 5 Existing Screen Enclosures with Solid Roof Additions (For Lots 41, 44, 52, 53 & 55)	20 Feet	15 Feet	5 Feet
	A Rear Setback for 2 Proposed Screen Enclosures with Solid Roof Additions (For Lots 47 & 48)	20 Feet	14.8 Feet	5.2 Feet
ADDRESS OF PROPERTY:	15400 Rosaire Ln 15404 Rosaire Ln 15420 Rosaire Ln 15424 Rosaire Ln 15436 Rosaire Ln 15448 Rosaire Ln 15392 Rosaire Ln			

The above variance was granted subject to the following zoning condition(s):

1. **By Septemberr 20, 2000, the BA Zoning staff shall administratively amend the certified Final Master Plan (Exhibit 77, Pet. 91-040), and Final Subdivision Plan (Exhibit 78, Pet. 91-040) for lots 41, 44, 47, 48, 52, 53, and 55 in Phase I of Floral Lakes PUD to reflect the approved variance and conditions for the existing and proposed screen enclosures with solid roofs. (DATE:MONITORING-ZONING-BA)**
2. **By March 20, 2001, the property owners shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, to allow the building permit applications for lots 52 and 53 in Phase I of Floral Lakes PUD for the proposed screen enclosures wthi solid roofs to be processed. (BLDG PERMIT: BLDG)**
3. **By May 20, 2001, the property owners shall obtain building permits for the two unbuilt solid roofs for the screen enclosures on lots 52 and 53 in order to vest this variance approval to the Development Order. (DATE: MONITORING-BLDG.PERMIT)**
4. **The solid-roofed screen enclosure elevations and layouts shall be consistent with Exhibit 16, 21, and 22, in the BA2000-038 File in the Zoning Division. (ON-GOING)**

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BOFA 2000039
Ralph J & Judy S Chackal**

RESULT - APPROVED AS AMENDED

To allow a reduction in the required front setback for a proposed SFD and a reduction in the required side interior setback for a proposed swimming pool.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000039	6.5.G.1 Property Development Regulations: Front Setback for a Proposed SFD	25 feet	15 feet	10 feet
	6.6.A.9 Supplemental Regulations: Interior Side Setback for a Proposed Swimming Pool	3 feet	.83 feet	2.17 feet
ADDRESS OF PROPERTY:	2114 S Suzanne Cir			

The above variance was granted subject to the following zoning condition(s):

1. By March 20, 2001, the applicant shall provide the Building Division with a copy of the board of Adjustment Result letter and a copy of the Site Plan (Exhibit No. 23, BA2000039) presented to the Board, simultaneously with the building permit application. (DATE:BLDG PERMIT-Bldg)
2. By May 20, 2001, the applicant shall obtain a building permit for the proposed single family residence. (DATE-MONITORING-Bldg Permit)
3. By May 20, 2001, the applicant shall obtain a building permit for the proposed swimming pool. (DATE-MONITORING-Bldg Permit)
4. By March 20, 2001, simultaneously with the building permit application the applicant shall submit a Conceptual Landscape Plan to include the following material in front of the proposed residence. The specific location to be determined by staff and applicant at time of permitting. (DATE:MONITORING-LANDSCAPE)
 - One 14 ft. high native shade tree;
 - Three palm trees with 30 feet measured from the center of the required shade tree;
 - Continuous 36" high native hedge planted 24" on center along the front property line.
5. Prior to issuance of a final Certificate of Occupancy for the proposed SFD, the applicant shall install the landscape material as indicated in condition #4. (CO-INSPECTIONS:LANDSCAPE).
6. By September 20, 2000, the applicant shall contact the Zoning Division for inspections to verify that all the existing and proposed fences on the subject property comply or shall comply with the code requirements. (DATE-MONITORING-INSPECTION: ZONING)

7. **By September 20, 2000, the applicant shall contact the Zoning Division for an inspection to verify that the existing vinyl fence along the south side of the existing driveway in front of the existing residence at 2112 S. Suzanne Circle is removed as well as the required off-street parking space standards are in compliance. (DATE-MONITORING: ZONING - BA)**

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

BOFA 2000040
Elizabeth Dalton

RESULT - APPROVED WITH CONDITIONS

To allow for a reduction in the required number of parking spaces.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000040	7.2.B Off-Street Parking: Office Use	30 parking spaces	10 parking spaces	20 parking spaces
ADDRESS OF PROPERTY:	Us 1			

The above variance was granted subject to the following zoning condition(s):

1. Prior to June 20, 2001, the property owner shall obtain a Paving/Drainage Permit from Palm Beach County Building Division in order to vest this parking variance. (DATE:MONITORING BLDG PERMIT-ZONING)
2. Prior to DRC certification, the applicant shall ensure the BofA conditions (BA 2000-040) are shown on the approved Site Plan. (DRC-zoning)
3. The property owner shall acquire an Occupational License from Palm Beach County Tax Collector Division specifying the size and type of business exactly the same as indicated in the justification documentation presented in variance application BA2000-040. The method of service delivery (if applicable) should also be delineated on the occupational license, as outlined below:
 - Interior Yacht Design Firm
 - Total of four staff members
 - Appointment-only method of service delivery (OCC. LIC.: TAX COLLECTOR)
4. The applicant shall submit a Restrictive Covenant to limit the use of the subject property to an interior yacht design firm with four staff members, and operating on an appointment-only basis- as indicated in the variance application BA2000-040. This Restrictive Covenant is to be reviewed and approved by the County Attorney's Office, prior to being recorded in the Public Records of Palm Beach County, Florida. One copy of the recorded document shall be submitted to the Zoning Division for inclusion in the applicable Zoning Petition file. (RESTRICT. COV.: ATTORNEY'S OFFICE-ZONING)
5. The variance is approved subject to limited use of the property as an interior yacht design consulting firm in a manner consistent with the provisions of this condition. The business shall be operated solely as an interior yacht design business, with no more than four staff members, and on an appointment only basis. The property owner shall adhere to the letters of affirmation identified as Exhibit Numbers 25 and 28 and floor plans (Exhibit 24) filed with variance request BA2000040. The variance shall automatically cease if the provisions of this condition are violated . Any future increases in the number of staff members or the size of the structure or modifications of the types of business services offered or method of business operation will require review by the Palm Beach County Zoning Division and may require a new variance from the provisions of Section 7.2.B of the Unified Land Development Code. (ZONING)

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BATE 2000041
Standard Oil Co**

RESULT - APPROVED WITH CONDITIONS

The applicant is requesting a 12 month time extension on BATE99-067 condition #2 that required a building permit for the convenience store be obtained by July 17, 2000.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 2000041	Allow a six month time extension to BATE99-067 condition #2, that required a building permit be obtained by July 17, 2000 for the convenience store	July 17, 2000	July 17, 2001	12 months
ADDRESS OF PROPERTY:	Camino Real			

The above variance was granted subject to the following zoning condition(s):

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT:BLDG)
2. The applicant shall obtain a building permit for the 2,122 square foot convenience store by July 17, 2000. (DATE:MONITORING-Bldg.)

IS HEREBY AMENDED TO READ:

The applicant shall obtain a building permit for the 2,122 square foot convenience store by July 17, 2001. (DATE:MONITORING-Bldg)

3. Prior to July 17, 1999, the applicant shall provide the Zoning Division staff with proof that the Utility Agreement form to allow the existing landscaping in the buffer along Power Line Road has been secured. (DATE:MONITORING-Zoning-BA) **COMPLETED**
4. This variance approval is contingent upon this specific use, convenience store and gasoline sales. (ONGOING)

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

**BOFA 2000042
Linh T. Huyen Mai**

RESULT - APPROVED WITH CONDITIONS

To allow an existing SFD to be converted to a retail food store. The proposed addition will encroach into two required side yard setbacks and the rear setback, to allow a reduction in the required East & West incompatibility buffers, and to allow a reduction in the required number of off-street parking spaces.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000042	6.5.G.2 Property Development Regulations: Proposed 608 sq/ft addition East Side Setback	30 Feet	13.92 Feet	16.08 Feet
	6.5.G.2 Property Development Regulations: Proposed 608 sq/ft addition West Side Setback	30 Feet	14.97 Feet	15.03 Feet
	6.5.G.2 Property Development Regulations: Proposed 608 sq/ft addition Rear Setback	30 Feet	22 Feet	8 Feet
	7.3.F Landscape & Buffer: East Perimeter Incompatibility Landscape Buffer	15 Feet	5 Feet	10 Feet
	7.3.F Landscape & Buffer: West Perimeter Incompatibility Landscape Buffer	15 Feet	5 Feet	10 Feet
	7.2.B	9	7	2
ADDRESS OF PROPERTY:	4557 Myla Ln			

The above variance was granted subject to the following zoning condition(s):

1. By October 20, 2000, the property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan (Exhibit 9, revised indicating the removal of the carport and denoting the BOFA conditions), simultaneously with the building permit application. (DATE:MONITORING-BLDG PERMIT).
2. By April 17, 2000, the applicant shall obtain a building permit for the landscaping, parking lot, building renovations, and the 570 sq/ft. building addition. (DATE:MONITORING-BLDG PERMIT)
3. By October 20, 2000, the property owner shall provide a copy of the revised site plan, as required under condition number 1, to the Board of Adjustment Staff. (BOFA-ZONING)

**RESULTS LIST
BOARD OF ADJUSTMENT
July 20, 2000**

BOFA 2000043

D.X. Property, L.P., a Delaware L.P.

RESULT - APPROVED WITH CONDITIONS

To allow a readjustment of allocation of gross floor area for approved uses for the commercial tract in accordance with the Board of County Commissioner's conditions.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000043	Supplemental Use Standards: CN District Regulations			
	Sec. 6.4.D.68 Office, Business or Professional use shall not exceed 8,000 square feet of gross floor area per lot.	8,000 Sq. Ft.	10,000 Sq. Ft.	2,000 Sq. Ft.
	Sec. 6.4.D.82 Retail Sales use shall be limited to a maximum of 1,500 square feet of gross floor area per use	1,500 Sq. Ft.	8,250 Sq. Ft.	6,750 Sq. ft.
ADDRESS OF PROPERTY:	100 Century Blvd.			

The above variance was granted subject to the following zoning condition(s):

- 1. All future modifications to square footage allocation within the 2-acre commercial tract may be done through a variance to the Board of Adjustment. The cumulative square footage will not exceed 31,800 sq/ft. of accessory commercial development. (ON-GOING)**
- 2. Prior to certification of the revised Site Plan for the Residence Center of the Century Village from the Development Review Committee (DRC), the applicant shall place both the approved zoning tabular data regarding square footage allocation for each use (Exhibit 22, BA2000-043) and Board of Adjustment conditions on the revised Site Plan. (DRC-ZONING)**
- 3. Prior to DRC certification the applicant shall obtain Conc. Approval for modification to the square footage allocation for the approved uses. (CONCURRENCY-DRC:ZONING)**