



ZONING BOARD OF ADJUSTMENT RESULTS LIST

March 16, 2000

BOFA 2000005
Office Depot

RESULT - APPROVED WITH CONDITIONS

To allow a proposed wall sign to exceed the maximum-allowable sign area.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000005	7.14.I Site Development Standards: Wall sign area	144 feet	195.03 feet	51.03 Feet
ADDRESS OF PROPERTY:	14539 Military Tr			

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

1. By September 16, 2000, the applicant shall obtain a building permit for the five signs on the facade of the Office Depot. (DATE: MONITORING: BLDG. PERMIT)
2. The proposed total sign faces on the Office Depot shall not exceed 195.03 square feet. (ONGOING)

RESULTS LIST
BOARD OF ADJUSTMENT
March 16, 2000

BOFA 2000008
Sherlock Home Finders

RESULT - APPROVED WITH CONDITIONS

To allow a reduction of the required right-of-way buffers and two (2) required compatibility buffers and to reduce the queuing distance between the property line and first parking space.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000008	7.3.F.1 Landscaping and Buffering: Right-of-way buffer along A1A	15 Feet	9.5 Feet	5.5 Feet
	7.3.F.2 Landscaping and Buffering: Landscape buffer between compatible uses(west)	5 Feet	2.5 Feet	2.5 Feet
	7.3.F.2 Landscaping and Buffering: Landscape buffer between compatible uses(east).	5 Feet	2.5 Feet	2.5 Feet
	7.2.C.12a Off-Street Parking and Loading: Parking area design and construction standards-Queuing Distance	20 Feet	10 Feet	10 Feet
ADDRESS OF PROPERTY:	18091 A1A Hwy 18093 A1A Hwy			

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

1. The applicant shall submit a copy of the BA Result Letter for the approved variances and copy of Site Plan Exhibit 22, submitted at the Board of Adjustment Hearing March 16, 2000, when applying for the parking/ drainage permit.(DATE-MONITORING-BLDG PERMIT)
2. By May 20, 2000, the applicant shall implement the approved modifications to the parking site and install the upgraded landscaping, as shown on the Site Plan, Exhibit 22, found in the BA File 2000-008. (DATE/MONITORING- BLDG PERMIT)
3. By June 20, 2000, the applicant shall have obtained a final landscape inspection by contacting the Landscape Section for an inspection. (DATE MONITOR-(LANDS)
4. In order to vest the variance a paving drainage permit must be obtained by February 17, 2001. (DATE/MONITORING-BLDG-ZONING)

RESULTS LIST
BOARD OF ADJUSTMENT
March 16, 2000

BOFA 2000010
Transeastern Properties, Inc.

RESULT - APPROVED WITH CONDITIONS

To allow a reduction in the width of the requirement for Type B & C perimeter landscape buffers and allow an existing 1.8 acre lake to extend across a common property line.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000010	7.3.F Landscaping and Buffering: Perimeter landscape requirements (along 427 Feet of South property line abutting 1.8 acre lake adjacent to POD F)	20 Feet	0 Feet	20 Feet
	7.3.F Landscaping and Buffering: Perimeter landscape requirements (South Side of S.R. & US 441 Entry)	20 Feet	0 Feet	20 Feet
	7.3.F Landscaping and Buffering: Perimeter landscape requirements. (North Side of S.R. & US 441 Entry)	20 Feet	0 Feet	20 Feet
	7.6.F.5.c Setback Requirement: Interior Setback for existing 1.8 acre lake adjacent to Pod F. (Type 2 Excavation)	30 Feet	0 Feet	30 Feet
ADDRESS OF PROPERTY:	State Rd 7			

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. Prior to DRC certification, the applicant shall ensure the BOFA conditions are shown on the site plan and reference to the location of the buffer variances and setback for the 1.8 acre lake. (DRC-Zoning)

3. The variances are limited to the buffers and lake setback as shown on Exhibit 9, in the Board of Adjustment File, BA2000-10 in the Zoning Division. All other buffers must be installed in accordance with BCC conditions or code requirements. (ONGOING)

4. By March 16, 2001, the applicant shall install the following landscaping along the south side of 50 foot easement road (942 feet in length).

Alternate between one native shade trees/clusters of 3 Sabal palms planted 40 feet on-center.

The native canopy trees shall be installed at 12 feet in height, the palm trees shall be planted with 8 feet of clear trunk or twelve feet in overall height.

RESULTS LIST
BOARD OF ADJUSTMENT
March 16, 2000

BOFA 2000011
Michael J. & Rosemary Laprete

RESULT - APPROVED WITH CONDITIONS

To allow proposed 5,539 sq/ft single family dwelling and detached 440 sq/ft garage to encroach into the required front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000011	6.5.G.1 Property Development Regulations: Front Setback in AR for proposed Single Family Dwelling	140 Feet 100 + 40 BBL	65 Feet	75 Feet
	6.5.G.1 Property Development Regulations: Front Setback in AR for proposed Accessory Garage.	140 Feet 100 + 40 BBL	70.34 Feet	69.66 Feet
ADDRESS OF PROPERTY:	Bald Cypress Lane			

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, in order for PR99042776 for a 5,539 square foot single family dwelling to be processed. (BLDG PERMIT-Bldg Intake)
2. The applicant shall construct the 5,539 square foot dwelling and 440 square foot detached garage consistent with the layout present to the Board of Adjustment on Site Plan, Exhibit 9 in BA2000-11 File in the Zoning Division. (BLDG PERMIT-Bldg)
3. By the December 20, 2000 or prior to the Issuance of a Final Building permit for the Single family dwelling the property owner shall contact the Landscape Inspection for a landscape inspection to ensure the native vegetation, both understory and cypress trees are still remaining along the south side of Bald Cypress Lane. As a condition of the variance approval the applicant will maintain and enhance this buffer along the length of the property line adjacent to Bald Cypress Lane to ensure the front setback encroachment is mitigated by creating a visual buffer from street. (DATE: MONITORING-LANDSCAPE-Zoning)

RESULTS LIST
BOARD OF ADJUSTMENT
March 16, 2000

BOFA 2000012
Herbert F. Kahlert As Co-Trustee

RESULT - APPROVED WITH CONDITIONS

To allow proposed building to exceed height limitation and to encroach required setback, and to allow the number of parking spaces to exceed the minimum required.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000012	6.8.E.8.b Planned Development District Regulations: MUPD Parking not to exceed minimum required	96 Parking Spaces	186 Parking Spaces	90 Parking Spaces
	6.8.E.7 Planned Development Regulations: building rear setback for proposed decorative tower (60 foot tower)	55' Building setback	25' Building setback	Reduce building setback by 30'
ADDRESS OF PROPERTY:	Vacant			

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 for the 60 foot architectural free standing tower. (BLDG PERMIT-BLDG)
2. Prior to DRC certification of the revised Site Plan for Shoppes at New Albany, the applicant shall reflect the revised parking lot, setback for the proposed 60 foot high tower and additional landscape required by Board of Adjustment conditions of approval. (DRC-Zoning)

3. Prior to DRC certification of the site plan for Shoppes at New Albany MUPD the applicant shall reflect the upgraded landscape in the parking lot:
 - A. Landscape islands shall be constructed every 10 parking spaces or fraction thereof
 - B. For the proposed addition 90 parking spaces and additional 40 sq/ft of landscaping shall be shown within the parking lot in proximity to buildings 2 and 3 shown on Site Plan Exhibit 9 in BA2000-12 File. This additional landscaping, 3,600 square feet, shall support additional 5 additional shade trees over minimum code and 75 shrubs. This landscape is intended to compensate for the 90 additional parking spaces being granted with variance 2000-12. The plant material shall be maintained at all times to ensure the parking lot is adequately shaded and buffered from the street. (DRC-Zoning-Landscape)
4. By March 16, 2001, the applicant shall obtain a final inspection on the parking lot for this use in order to vest the parking variance for 90 additional parking spaces and obtain a building permit for the architectural 60 foot tower by this date.
(DATE:MONITORING-INSPECTION)
5. If a final landscape plan has been issued for this site the applicant shall amend it to reflect the additional 3,600 square feet of landscaping and plant material by July 16, 2001 or prior to issuance of the final certificate of occupancy for any of the three buildings on site. (DATE: MONITORING-LANDSCAPE)
6. The construction of the 60 foot high tower in the platted Conservation easement along the south property line is permitted only if the designated Open Space is not counted toward the required 6 acres open space for the LSMU project. (DRC-ZONING)
COMPLETED -See note on Site Plan
7. LIGHTING:
 - A) All outdoor lighting used to illuminate the decorative architectural tower shall be of low intensity, minimum necessary to satisfy Palm Beach County Security Code, shielded and directed down and away from adjacent properties and streets.
(CO/ONGOING:BLDG/CODE ENF-Zoning)
 - B) The lighting condition above shall not apply to proposed security or low voltage landscape/accent type lights to emphasize plant material at the base of the decorative tower or the tower's clock face. (ONGOING:CODE ENF) C) No beacon-style lighting shall be permitted on the decorative architectural tower.
(CO/ONGOING/CODE ENF)

ZONING COMMENT:

The applicant has administratively amended the site plan to note that the Conservation/Open space tract of land area that the tower is to be constructed on shall not count toward the overall 6 acre LSMU (Ordinance 96-66) Conservation/Open Space Acreage. This note was placed on the Site Plan at staff request since the applicant chose not to amend the plat to delete the land area under the tower which is within the designated conservation/open space easement. The ULDC definition of Open Space specifically precludes any structure in an open space easement. (ZONING)