

**RESULTS LIST
BOARD OF ADJUSTMENT
November 16, 2000**

**BOFA 2000056
Matthew M & Susan Miller**

RESULT - APPROVED WITH CONDITIONS

To allow a proposed addition to a SFD to encroach into the required side interior setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000056	1.9.A.3 Non-Conforming Lots: Side Interior Setback	35.7 Feet	26 Feet	9.7 Feet
ADDRESS OF PROPERTY:	12781 52nd Rd N			

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

- 1. Prior to issuance of the building permit (PR00-027100), the applicant shall receive approval from the Zoning Staff for a Conceptual Landscape Plan, to supplement the existing native vegetation to buffer the addition from the lot to the west and 52nd Rd. North. (BLDG.PERMIT-ZONING/BA)**

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BOARD OF ADJUSTMENT
November 16, 2000**

**BOFA 2000057
Douglas L & Karen M Kelley**

RESULT - APPROVED WITH MODIFICATIONS

To allow a proposed SFD to encroach into the required front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000057	6.5.G.1 Property Development Regulations: Front Setback for a Proposed SFD	25 Feet	12 Feet	13 Feet
ADDRESS OF PROPERTY:	6516 Riparian Rd			

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

- 1. By March 16, 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. 9, BA2000057) presented to the Board, simultaneously with the building permit application. (DATE:BLDG PERMIT-Bldg)**
- 2. By July 16, 2001, the applicant shall obtain a building permit for the proposed single family residence. (DATE-MONITORING-Bldg Permit)**
- 3. Prior to issuance of a final Certificate of Occupancy for the proposed SFD, the applicant shall install the landscape material as indicated in the submitted conceptual landscape plan. (Exh. 24, File BA2000057) (CO-INSPECTIONS:LANDSCAPE).**

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**BOFA 2000058
CIAO Construction Investment Mgt. Inc.**

RESULT - APPROVED WITH CONDITIONS

To allow existing pond to encroach into the required side and rear setbacks .

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000058	Lot 43: 1.5.B Existing Excavation: Side Interior Setback (East Property Line)	15 Feet	10 Feet	5 Feet
	1.5.B Rear Setback (South Property Line)	15 Feet	0 Feet	15 Feet
	Lot 44: 1.5.B Existing Excavation: Rear Setback (North Property Line)	15 Feet	0 Feet	15 Feet
	1.5.B Existing Excavation: Side Interior Setback (East Property Line)	15 Feet	10 Feet	5 Feet
ADDRESS OF PROPERTY:	13050 40th Ln N 40 Th St N			

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

- 1. Prior to February 2, 2001, the property owners for tract 44 and tract 43, shall submit to the Zoning Division a Hold Harmless and Indemnification Agreement to be forwarded to the County Attorney's office for review and approval. The agreement shall specifically include indemnification against any negligence on the part of Palm Beach County in approving the indemnifier's request for east side interior and rear setback variance relief from the literal intent of the Unified Land Development Code, Excavation standards. (DATE: MONITORING-ZONING-Ctty Att)**
- 2. Prior to the issuance of the final Certificate of Occupancy for the proposed single family dwelling on tract 44, the property owner shall provide the Building Inspection Section with a copy of the Board of Adjustment Result Letter and a copy of the Plot Plan, (Exhibit 18), submitted to the Board of Adjustment. (CO-INSPEC)**
- 3. By July 2, 2001 or before issuance of a building permit for Lot 44, a recorded copy of the Hold Harmless and Indemnification Agreement shall be submitted to the Zoning Department from both Lots 43 and 44. (DATE: MONITORING-ZONING-BA)**
- 4. By May 16,2001, and prior to the issuance of a certificate of occupancy for Lot #44 both applicants shall backfill the west end of the existing pond to provide the minimum 15 foot setback required between the water's edge and the west property line for both Lots #44 and #43. (ZONING:LANDSCAPE)**

**RESULTS LIST
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November 16, 2000**

**BOFA 2000062
MBS Spec Properties, Inc.**

RESULT - APPROVED WITH CONDITIONS

To allow a reduction in the required number of required off-street parking spaces.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2000062	7.2.B OFF-STREET PARKING AND LOADING: Reduction in number of spaces	50 Spaces	40 Spaces	10 Spaces
ADDRESS OF PROPERTY:	729 N Military Trl			

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, Exhibit 9 and the Building Floor Plan, Exhibit 21, presented to the Board of Adjustment at the November 16, 2000, Hearing. These Exhibits can be found in the BA2000-062 BA file in the Zoning Division. (BLDG PERMIT-ZONING)
2. The applicant shall construct the retail building on this property (PCN00424336190001440), consistent with the Site Plan, Exhibit 9, found in the BA2000-062 BA file in the Zoning Division. Any modifications to the submitted floor plan, Exhibit 21 or the Site Plan shall be submitted to the BA staff to ensure compliance with the Board's approval. (BLDG PERMIT-ZONING-BA)
3. By January 19, 2001 or submittal of a building permit the applicant shall have received approval from the County Attorney's Office of a Restrictive Covenant, limiting this variance to this specific country/ western retail clothing business, for the purpose of complying with the Parking Analysis Study. (DATE: MONITORING-ZONING-CTTY ATTORNEY)
4. This parking variance is granted for 10 parking spaces for this specific retail business. Any change in use shall require BA staff review and approval to ensure the intent of the Board's approval is met. (ONGOING)
5. Applicant shall also comply with all conditions of approval of BA2000-033, approved on June 15, 2000 for two landscape variances on this site. (ZONING-BA)
6. By February 19, 2001, a copy of the recorded Restrictive Covenant shall be submitted by the applicant to the Zoning Division, BA Staff for inclusion in the BA2000-062 BA file. (DATE:MONITORING-ZONING-BA)
7. The Concurrency Reservation for this site shall be amended by the applicant for the additional 2,000 square feet, by January 2, 2001 or submittal of a building permit, whichever occurs first. (DATE:MONITORING-ZONING- CONCURRENCY)

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**BATE 2000064
Palm Beach County**

RESULT - APPROVED WITH CONDITIONS

To allow a 60 day time extension for condition #4 of BA99-089 approved on October 21, 1999.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 2000064	<p>To allow a 60 day time extension for condition #4 of BA99-089 approved on October 21, 1999.</p> <p>By October 21, 2000, the applicant shall obtain a final inspection on the parking for this site to vest this parking variance. (DATE:MONITORING-BLDG:CO)</p>	October 21, 2000	December 21, 2000	2 month
ADDRESS OF PROPERTY:	Vacant Parcel			

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**
2. By December 21, 1999, the applicant shall ensure the BA conditions are shown on the certified Site Plan. (DATE:MONITORING-ZONING-DRC) **COMPLETED**
3. This parking variance shall be limited to 45 additional spaces. The final site plan shall be revised to show a total 185 off street parking spaces for this site.(DRC) **COMPLETED**
4. By October 21, 2000 the applicant shall obtain a final inspection on the parking for this site to vest this parking variance. (DATE:MONITORING-BLDG: CO)

is hereby amended to read:

By December 21, 2000, the applicant shall obtain a final inspection on the parking for this site to vest this parking variance. (DATE:MONITORING-BLDG: CO)

5. By March 21, 2000, or prior to DRC certification of the site plan, which ever occurs first, the applicant shall receive approval of the landscape plan that reflects the additional 1,800 square feet of landscaping that will be installed around the proposed buildings as shown on Exhibit 20, in the BA99-089 File. (DATE:MONITORING-ZONING/DRC) **COMPLETED**