



**INTER-OFFICE COMMUNICATION
PALM BEACH COUNTY
DEPARTMENT OF PLANNING, ZONING AND BUILDING**

TO: Results File

FROM: Jon MacGillis, Principal Site Planner

DATE: March 15, 2001

RE: Results of March 15, 2001, Board of Adjustment Hearing

Please find attached the result list of the Board of Adjustment hearing held on **March 15, 2001**.

If you have any questions, please contact me at (561) 233-5223 or the Board of Adjustment Secretary at (561) 233-5216.

JPM/mm
Attachment

**RESULTS LIST
BOARD OF ADJUSTMENT
March 15, 2001**

**BATE 2001015
Packer Family Limited Partnership**

RESULT - APPROVED WITH CONDITIONS

The applicant is requesting a time extension 7 month time extension to condition #4 of BATE2000-024, granted on May 18, 2000.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 2001015	The applicant is requesting a 7 month time extension for condition #4 of BATE 2000-024, granted on May 18, 2000.	November 21, 2000	June 21, 2001	7 Months
ADDRESS OF PROPERTY:	2720 Okeechobee Blvd 2738 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 Letter and a copy of the Site Plan, certified by DRC, 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. (ZONING-DRC) (COMPLETED)
3. There shall be no modifications to the site layout or improvements, unless shown on Exhibit 19. Any minor modifications shall be reviewed by Board of Adjustment staff to ensure the intent of the Board of Adjustment approval is satisfied. (ZONING-DRC)
4. By November 21, 2000, the applicant shall have commenced construction of the proposed building in order to vest the setback and landscape variance granted pursuant to BA98-032 and this Time Extension (BA2000-024). DATE:MONITORING-ZONING/BA)

Is hereby modified to read:

By June 21, 2001, the applicant shall have commenced construction of the proposed building in order to vest the setback and landscape variance granted pursuant to BA98-032, BA2000-024TX, and this Time Extension BA2001- 015. (DATE:MONITORING-ZONING/BA)

**RESULTS LIST
BOARD OF ADJUSTMENT
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**BOFA 2001016
Karen Padyjasek**

RESULT - APPROVED WITH CONDITIONS

The applicant is requesting two variances for an existing established use: to allow an existing raised deck to encroach the side interior setback and an accessory building to encroach into the side interior setback. Both structures were constructed without permits.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001016	6.5.A Property Development Regulations: RH Side Interior Setback for existing Building	15 Feet	10.38 Feet	4.62 Feet
	6.5.G.2.a Property Development Regulations: Accessory Structure Side Interior Setback for an existing raised deck	15 Feet	-23.60 Feet	23.60 Feet
ADDRESS OF PROPERTY:	3597 Airport Rd			

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. (DRC:ZONING)
3. By December 15, 2001, the applicant shall obtain a building permit for both the 100 by 40 foot metal building and a permit for the 64 by 59 foot raised wood deck along the south property line, in order to vest the side interior setback variance of BA2001-019. (DATE: MONITORING-BLDG PERMIT-BA)
4. Prior to final DRC approval of the Site plan, the property owner shall provide documentation that money has been contributed to the Glades Thoroughfare Beautification Master Plan equal to the cost of installing a 36" hedge along that portion of the South property line where the two setback encroachments occur. (DRC:Zoning)
5. Prior to July 15, 2001, or issuance of a building permit for the raised deck or metal shed, the applicant shall provide the Zoning Division and Building Division with a copy of a executed Removal Agreement for the deck. The Removal Agreement shall be specific to the removal of the deck at no cost to the Palm Beach County or Pahokey Airport. (DATE: MONTIORING-ZONING-BLDG PERMIT-BA)

March 15, 2001

BOFA 2001017
Jupiter Farms Community Church

RESULT - APPROVED WITH CONDITIONS

To allow an existing church with proposed addition to encroach into the front and rear setbacks and exceed the building coverage.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001017	6.5.A Property Development Regulations: AR Building Coverage 10% for church	10%	10.5%	.5%
	6.5.A Property Development Regulations: AR Front Setback for church	100	68	32
	6.5.A Property Development Regulations: AR Rear Setback for church	100	65	35
ADDRESS OF PROPERTY:	12600 W Indiantown Rd			

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, presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)
2. Prior to DRC certification the applicant shall ensure the BA2001-017 conditions are attached to the Site Plan. (DRC)
3. Prior to March 20, 2002, the applicant shall obtain a building permit for the expansion to the church to vest the front, rear setback variances and the lot coverage variance approved pursuant to BA2001-004. (DATE: MONITORING: BLDG PERMIT)
4. Prior to DRC certification the applicant shall provide additional landscaping around the foundation of the future expansion at both the rear and front to mitigate the setback variances. The use of native plant material is encouraged to maintain the natural character created by the existing vegetation. (DRC)

**RESULTS LIST
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**BOFA 2001018
Ann W. Throgmorton**

RESULT - APPROVED WITH CONDITIONS

To allow a reduction in the width of a required perimeter landscape buffer along 260 feet of the south east corner of the site and to allow an existin FPL easement to encroach 100% over the same landscape buffer.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001018	7.3.E.12 Landscape Code, Overlap of easements into required landscape buffers	Maximum 5 feet overlap	100% or 15' overlap	100% or 15 Feet
	7.3.F.4.b Landscape Code, Required perimeter landscape buffer along SE 260 feet of site.	15 Feet	10 Feet	5 Feet
ADDRESS OF PROPERTY:	No Addr Given 006772			

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 certified Site Plan, 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. (DRC: ZONING)
3. Prior to DRC certification of the final Site Plan the applicant shall indicate a cross section and planting detail on the Plan for the south property line buffer. The cross section (elevation) and planting detail shall clearly outline all required plant material, which shall comply with the FPL suggested tree list. The specific plant material shall provide a solid visual buffer to the properties to the south. The final planting plan for this buffer shall be reviewed by the BA Project Manager to ensure compliance with the variance approval and to meet the intent of the code to buffer the properties to the south. (DRC-BA)
4. This variance to reduce the width of the buffer is only for 280 feet along the SE corner of the site due to existing easements (FPL and 50 road). The remainder of the total 1080 foot buffer (800 feet) shall be installed consistent with code. (ONGOING)

**RESULTS LIST
BOARD OF ADJUSTMENT
March 15, 2001**

**BATE 2001019
Albertson's**

RESULT - APPROVED WITH CONDITIONS

The applicant is requesting to amend Condition #4 of BATE2000-53. The condition required the applicant to applicant to upgrade the landsaping on site by November 15, 2001 according to Exhibit 22. The applicant has dedicated additional righ-of-way along Military Trail and will have to amend the landscaping and Exhibit 22 to comply with the BA approval.

BATE 2001019	<p>Condition Modification: BATE2000-53, Condition #4</p> <p>The applicant is requesting to amend Condition #4 of BATE2000-53. The condition required the applicant to upgrade the landscaping on site by November 15, 2001 according to Exhibit 22. The applicant has dedicated additional right-of-way along Military Trail to Palm Beach County in 2001 and as a result will have to amend the landscaping along Military Trail, Exhibit 22 to comply with the BA approval.</p> <p>Condition #4, currently states:</p> <p>By November 15, 2001, the applicant shall install the upgraded landscape in the right-of way buffers along Military Trail and Lake Worth Road as well as on site according to the approved Landscape Plan, Exhibit 22, in the BA File (BA99-59)</p> <p>Condition #4, amended to read:</p> <p>By November 15, 2001, the applicant shall install the upgraded landscape in the right-of way buffers along Military Trail and Lake Worth Road, as well as on site, according to the approved Landscape Plan, Exhibit 42, which supercedes Exhibit 22 in the BATE 2001-019 File.</p>
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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 to the Site Plan, the applicant shall ensure the Board of Adjustment conditions are on the final certified site plan. (ZONING-DRC)
3. By November 15, 2001, the applicant shall apply for a renovation permit for the Albertson's store. (DATE:MONITORING-BLDG PERMIT)
4. By November 15, 2001, the applicant shall install the upgraded landscape in the right-of-way buffers along Military Trail and Lake Worth Road as wella as on site according to the approved Landscape Plan, Exhibit 22, in the BA File (BA99-059).

Is hereby amended to read:

By November 15, 2001, the applicant shall install the upgraded landscape in the right-of-way buffers along Military Trail and Lake Worth Road as well as on site according to the approved Landscape Plan, Exhibit 42, in the BA file BATE 2001-020 (MONITORING-DATE-LANDSC)

5. The parking variance is limited to the reduction of 24 spaces for a total of 278 spaces to be provided on site. Prior to final Certificate of Completion of the renovations to the Albertson's Store the required on-site parking shall be confirmed by the Building Inspector. (CO-Bldg Inp)

- 6. Prior to Nov. 15, 2000, or issuance of a Certificate of Completion for the proposed renovations to the Albertson's store, the applicant shall contact the Landscape Section to request a final landscape inspection for the site. All required upgraded landscape shall be in accordance with the approved plan. The spacing and height of the trees along both Military Trail and Lake Worth Road shall be upgraded to compensate for the reduction in the width of the landscape buffer. (DATE:MONITORING-LAND INSP)**
- 7. Two additional off-street spaces that currently abut Military Trail shall be eliminated to allow for a 10 foot wide interior landscape island in the parking lot. The islands shall include 3 booted sabal palms. (LANDSCAPE)**
- 8. The Landscape Plan, Exhibit 42, submitted with BATE 2001019 application, shall be submitted to the Landscape Section, simultaneously with the Building Permit application for the renovations to Albertson's. (BLDG PERMIT-LANDSCAPE)**

**RESULTS LIST
BOARD OF ADJUSTMENT
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**BATE 2001020
At & T, A New York Corporation**

RESULT - APPROVED WITH CONDITIONS

Applicant is requesting a one year time extension for the Development Order for BA2000-004, approved on January 20, 2000.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 2001020	Applicant is requesting a one year time extension for the Development Order for BA2000-004 approved on January 20, 2000.	January 20, 2001	January 20, 2002	1 Year
ADDRESS OF PROPERTY:	21000 Boca Rio Rd			

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 JULY 07,2000, SEE PR00-025480)**
- 2. By October 20, 2000, the applicant shall obtain DRC certification of the amended site plan to reflect the AT&T lot configuration and building layout. The Board of Adjustment approval of the variance does not approve the proposed layout. The layout shall be reviewed by the DRC for compliance with all property development regulations. The approved Site Plan shall reflect the BA variance approval and conditions. (DATE: MONITORING-ZONING/DRC) COMPLETED**
- 3. The applicant shall obtain all necessary approvals (DRC, subdivision), building permits and inspections. The property owner agrees to develop the site consistent with the site plan and to be party to maintaining all common areas, consistent with the intent of the Unity of Control.(ONGOING)**
- 4. In granting this approval, the board of adjustment relied upon the oral and written representations of the petitioner both on the record and as part of the application process. Deviations from or violations of these representations shall cause the approval to be presented to the board of adjustment for review under the compliance conditions of this approval. (ONGOING-MONITORING-ZONING)**
- 5. In order to vest this variance the applicant will have to obtain DRC certification of the amended site plan for Petition 84-30(A) reflecting the proposed layout of the AT & T use on the 1.7 acre portion of the site, by October 20, 2000. (DATE:MONITORING-ZONING/BA) COMPLETED**