



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

TO: Results File

FROM: Jon MacGillis, Principal Site Planner

DATE: November 15, 2001

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

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

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

JPM/jeq
Attachment

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

**BOFA 2001077
Richard R. Nevitte And Annette Fulwood**

RESULT - APPROVED WITH CONDITIONS

To convert an existing accessory building to a detached garage and add square footage to an existing non-conforming structure, which encroaches into the front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001077	6.5.G Property Development Regulations: AR Front Setback for converted single family dwelling to garage	100 Feet	39.12 Feet	60.88 Feet
ADDRESS OF PROPERTY:	7964 Old Military Trail			

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

- 1. Prior to February 15, 2003, or issuance of the Certificate of Occupancy on the garage conversion and addition, the applicant shall paint the garage to match the existing SFD, install a driveway to the garage and install landscaping between the detached garage and Old Military Trail to mitigate the setback encroachment. The landscaping shall utilize native plant material and match the landscaping surrounding the existing SFD.(DATE: MONITORING-BLDG INSPECTION-CO)**
- 2. Prior to the Certificate of Occupancy on the garage the applicant shall install a 36 inch hedge between the street and garage. The hedge shall extend along the property line to mitigate the setback encroachment. The hedge shall be maintained at all times to ensure buffering from the street. (DATE: MONITORING-BLDG INSPECTION-CO)**
- 3. By November 15, 2002, the applicant shall obtain a building permit for the proposed garage conversion and expansion in order to vest the front setback variance approved pursuant to BA2001-77. (DATE: MONITORING-ZONING- BA)**

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

**BOFA 2001078
Stanley P. Miller, A.I.A.**

RESULT - APPROVED WITH CONDITIONS

Developer cut off remainder parcel for sale as commercial use. To allow Rec Bldg., Pool Equip. room and laundry room to encroach the side and rear yard setbacks.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001078	6.8 Property Development Regulations: MHP, Rec Bldg - Side Yard setback	20 Feet	13 Feet	7 Feet
	6.8 Property Development Regulations: MHP, Rec Bldg - Side Yard setback	20 Feet	10.8 Feet	9.2 Feet
	6.8 Property Development Regulations: MHP, Rec Bldg - Rear Yard Setback	20 Feet	5 Feet	15 Feet
	6.8 Property Development Regulations: MHP, Pool Equipment Rm, Rear Yard Setback	20 Feet	14.9 Feet	5.1 Feet
6.8 Property Development Regulations: MHP, Laundry Room				
ADDRESS OF PROPERTY	8279 E Club 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. By January 15, 2002, the applicant shall amend the certified site plan through the DRC administrative amendment process to reflect the approved side and rear setback for the recreation building, the rear setback for the pool equipment room, and the rear setback for the laundry room. Also, the BA conditions shall be placed on the Site Plan. (DATE: MONITORING-DRC-BA)**
- 3. By September 15, 2002, the Mobile Home Development, shall obtain a building permit for the addition to the club house in order to vest the setback variances, approved subject to BA2001-78. (DATE: MONITORING-BLDG PERMIT)**

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

**BOFA 2001079
Eleanor Halperin, Esq**

RESULT - APPROVED WITH CONDITIONS

The owner is seeking a blanket variance for the entire mobile home park to lower the separation between mobile homes to 10 feet.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001079	1.5.B.4 Property Development Regulation: Mobile Home Rental Park: Separation between replacement mobile homes and existing mobile homes	20 Foot	10 Feet	10 Feet
	1.5.B.4 Property Development Regulations: Mobile Home Rental Park; Reduce Side Corner Setback for replacement mobile homes	20 Feet	10 Feet	10 Feet
ADDRESS OF PROPERTY:	190 State Rd 7			

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

1. **By December 15, 2001, the applicant shall amend the Site Plans on file for the Mobile Home Park to reflect the new "typical" for the unit layout on the lots and ensure the BA conditions are placed on the plan. The variance shall be vested for all units once the Site Plans are amended with the DRC Section. (DATE: MONITORING-DRC)**
2. **The variance BA2001-079, is limited to the separation between mobile homes and the side corner (street) setback. All other mobile home regulations shall be complied with consistent with the Master Plan approval of Petition 76-16, 715 Mobile Home Park. (ONGOING)**
3. **Staff recommends the owner of the Mobile Home Park notify the residents of the change to the setback/separation. (ONGOING)**

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

**BOFA 2001082
Tonya Rector**

RESULT - APPROVED WITH CONDITIONS

To allow an existing storage shed to encroach into the required rear setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001082	6.5.J.2.d. Property Development Regulations: Storage shed to encroach into rear setback	15 Feet	3.4 Feet	11.6 Feet
ADDRESS OF PROPERTY:	16888 W Gold Cup Drive			

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

- 1. By November 15, 2001, the property owner shall provide the Building Division with a copy of the Board of Adjustment result letter and a copy of the Survey/Site plan (Exhibit 10) presented to the Board, simultaneously with the building permit application for the shed. (BLDG PERMIT: BLDG)**
- 2. By February 15, 2002, the applicant shall obtain a building permit for the shed. (DATE: MONITORING-BLDG PERMIT).**
- 3. By April 15, 2002, the applicant shall have obtained the first building inspection for the shed in order to vest the setback variance and resolve the Code Enforcement Case CO107060026. (DATE: MONITORING-INSPECTION-CODE ENFORCEMENT).**

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

**BOFA 2001083
August Urbanek,Trust.**

RESULT - APPROVED WITH CONDITIONS

To allow for a reduction in the right of way buffer along Quail Drive and to reduce the buffer width along western property line and install palms in western buffer instead of shade trees.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001083	7.3.F.2 Landscape Code: Right-of-Way buffer reduction along the east property line adjacent to Quail Drive	15 Feet	10 Feet	5 Feet
	7.3.F.4. Landscape Code: Right-of-way buffer reduction along the west property line	10 Feet	5 Feet	5 Feet
	7.3.F.1.a Landscape Code: Substitute shade trees with only palm trees	Canopy trees	Booted Sabal Palms	Install only Palms
ADDRESS OF PROPERTY:	0 Quail Drive			

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. By September 15, 2002, the applicant shall obtain a building permit for the 7,900 square foot daycare center in order to vest the three landscape variances approved pursuant to BA2001-083. (DATE: MONITORING-BLDG PERMIT)
3. Prior to DRC certification, the applicant shall ensure the BOFA conditions are shown on the site plan. (DRC)

4. This variance BA2001-083, is limited to the right-of-way reduction along Quail Drive and the buffer and tree planting along the western property line as shown on Site Plan, Exhibit, 9, in BA2001-083 file in the Zoning Division. (ONGOING)
5. The requested landscape variances are approved subject to the upgraded plant material as required by Conditional Use B approval CB2001-039, H, I J, K and L. Any modifications to these conditions to the Zoning Commission shall ensure the quantity and size of plant material in the eastern and western buffer are not reduced. The variances were approved subject to the Zoning Commission conditions imposed on the CB Daycare approval. (ONGOING)

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

**BOFA 2001084
Peter & Kathleen Petracco**

RESULT - APPROVED WITH CONDITIONS

To allow for a reduction in the required front back for a proposed garage to be built with the existing family residence.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001084	6.5.A Property Development regulations AGR Zoning: Encroachment of front setback for proposed garage.	100 Feet	26.4 Feet	73.6 Feet
ADDRESS OF PROPERTY:	8187 Stage Coach Ln			

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. By September 15, 2002, the applicant shall obtain a building permit for the proposed garage addition to the existing dwelling. (DATE: MONITORING- BLDG PERMIT)
3. By October 15, 2002, the applicant shall have obtain a building permit and obtain the first inspection on the garage in order to vest the setback variance approved pursuant to BA2001-84. (DATE: MONITORING-BLDG PERMIT)
4. All improvements to the existing dwelling shall be consistent with the setbacks shown on Exhibit 9, in the Board of Adjustment File, BA2001-084. (BLDG PERMIT)

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

**BOFA 2001086
Gator Leasing**

RESULT - APPROVED WITH CONDITIONS

To allow landscape buffers to encroach into the eastern property line, the northern property line, and western property line; another variance request a variance to allow an existing fence to have the buffer remain inside the fence and request a variance for the fence height to remain at 6 feet instead of the required 8-foot fence by the ULDC requirements.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 2001086	7.3.F.2 Landscape Code: Right-Of-Way buffer along East property line. (Central Industrial Drive)	20 Foot Buffer	10 Foot Buffer	10 Feet
	7.3.F.2 Landscape Code: Right-Of-Way buffer along North property line. (Prospect Avenue)	15 Feet	5 Feet	10 Feet
	7.3.F.2 ULDC Regulations: Right-Of-Way buffer along the western property line. Enterprise Drive	15 Feet	5 Feet	10 Feet
	7.3.F.2.b Landscape Code: Landscape buffer to be located on outside of wall adjacent to ROW	Buffer between ROW and Fence	Fence located on property line shall remain. Buffer will be located on the inside of the fence	Landscaping on inside of fence.
ADDRESS OF PROPERTY:	7709 Central Industrial Drive			

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

1. Prior to final DRC certification the landscape buffers along all rights-of way shall be upgraded as follows:
 - a) Native Shade trees planted at 14 feet in height and 30 feet on center supplemented by clusters of 3 sabal palms every 40 feet
 - b) Ficus hedge planted along all property lines inside the fence at 4 feet and maintained at 6 feet to provide 75% opaqueness.
 - c) Install vines on the outside of the north, east and west property line to visual screen the fence from the street. The vines shall be maintained at all times to accomplish the screening of the fence.
(DRC-LANDSCAPE)
2. By July 15, 2002, the applicant shall contact the Landscape Section for a final inspection on the landscaping to ensure compliance with the BA approval.
(DATE: MONITORING-LANDSCAPE)
3. The BCC may impose more stringent conditions related to right of way buffer plant quantities and size in order to mitigate the proposed use. (ONGOING)
4. By July 15, 2002, the existing chain link fence shall be painted black to blend in with the required landscaping and reduce the impact on adjacent rights-of-ways and properties. At the time of the required landscape inspection, the fence will be reviewed for compliance with this condition.
(DATE: MONITORING-LANDSCAPE)
5. All required perimeter landscaping shall be maintained in accordance with Article 7.3. H. Failure to maintain landscaping may result in the lapse of the buffer and fence variances.
(ONGOING)
6. By July 15, 2002, the applicant shall install 2 feet of fence to top of existing fence along south property line to comply with Article 6.4.D.97. supplementary requirements for screening adjacent to interior property lines for vehicle sales and rental.
(DATE: MONITORING-LANDSCAPE)