



PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: **BA-2004-00343**

Control No: **2004-00850**

Result: **APPROVED WITH CONDITIONS**

Request: To allow a reduction of the required number of parking spaces and r-o-w buffer.

Code Section / Description	Required	Proposed	Variance
7.F.7.A Width of R-O-W Buffer	20 feet	8 feet for a portion of the right-of-way buffer	12 feet
6.A.1.B-1 Minimum Parking	348 spaces	94 spaces	254 spaces

Address: Vacant

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

- 1 By **February 17, 2006**, the applicant shall obtain a building permit for the proposed structures and pool in order to vest the variance approved pursuant to BA-2004-00343. **(DATE: MONITORING-BLDG PERMIT)**
- 2 Prior to receiving the Certificate of Occupancy, all the landscaping required by Art.7.F.7, R-O-W Buffer, must be installed within the reduced buffer area along Lake Worth Road. **(DATE: MONITOR:LANDSCAPE)**

The development order for this particular variance shall lapse on **February 17, 2006**, one year from the approval date. **(DATE: MONITORING:Zoning)**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-00485

Control No: 2004-00359

Result: POSTPONED

Request: To allow a reduction in the required right-of-way landscape buffer; to allow a reduction in the required incompatibility buffer along the east property line; and to allow a reduction of the minimum lot size requirement.

Code Section / Description	Required	Proposed	Variance
6.A.1.B-1 Minimum Parking	Minimum Off-Street Parking and Loading Requirements, marina facilities require 1 parking space per wet slip, plus one space per three dry slips. The total number of required on-site parking for the subject site is twenty-five (25), however only twenty (20) are provided.	Minimum Off-Street Parking and Loading Requirements, marina facilities require 1 parking space per wet slip, plus one space per three dry slips. The total number of required on-site parking for the subject site is twenty-five (25), however only twenty (20) are provided.	Minimum Off-Street Parking and Loading Requirements, marina facilities require 1 parking space per wet slip, plus one space per three dry slips. The total number of required on-site parking for the subject site is twenty-five (25), however only twenty (20) are provided.
3.D.1.A.5 Front setback	Minimum lot size of 1.0-acres	Existing lot is approx 0.896-acres	0.104-acres
Address: 18085 A1A , Jupiter, FL - 33477 18025 N A1A , Jupiter, FL - 33477			

The above variance request was POSTPONED FOR 60 DAYS.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2004-00637

Control No: 2004-00446

Result: APPROVED WITH CONDITIONS

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

Code Section / Description	Required	Proposed	Variance
3.D.1.A (Property Development Regulation - Front Setback)	25 ft. (Front)	21.1 ft (Front)	3.9 ft (Front)

Address: 11303 Avery Rd, West Palm Beach, FL - 33410

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

1. By **February 17, 2006**, the applicant shall obtain a building permit for the proposed garage in order to vest the variance approved pursuant to **BA 2004-00637**.
2. Prior to the issuance of a building permit, the applicant shall submit to the Building Division a copy of the Board of Adjustment Result Letter and a copy of the approved Survey.

The development order for this particular variance shall lapse on **February 17, 2006**, one year from the approval date. (DATE: MONITORING: Zoning).

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-00651

Control No: 2004-00450

Result: WITHDRAWN

Request: To allow a proposed SFD to encroach into the required front and rear setbacks, and for a reduction of the Country Oaks Lane lot depth.

Code Section / Description	Required	Proposed	Variance
3.D.1.A.5 Front setback	Min lot frontage 65 feet	Min lot frontage of 16 feet	variance of 49 feet
Address: 2330 Country Oaks Ln , West Palm Beach, FL - 33410 2278 Country Oaks Ln , West Palm Beach, FL - 33410			

The above variance request was WITHDRAWN by the applicant.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-00789

Control No: 1990-00012

Result: **POSTPONED**

Request: To allow a wall to exceed the maximum height requirement.

Code Section / Description	Required	Proposed	Variance
5.B.1.A.2 Accessory uses and structures: Fences, walls & hedges	A wall inside a rear landscape buffer must have a 6 ft maximum height.	A wall inside a rear landscape buffer to be 8 ft - 9 ft in height per FDOT request.	To allow a wall inside a landscape buffer to be 8 ft - 9 ft in height.
Address: 558 Marginal Rd , West Palm Beach, FL - 33411 630 Marginal Rd , West Palm Beach, FL - 33411			

The above variance request was POSTPONED FOR 30 DAYS.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-00993

Control No: 2000-30084

Result: POSTPONED

Request: to allow an existing sfd to encroach into the front setback

Code Section / Description	Required	Proposed	Variance
3.D.1.A Lot Width	35 ft	30.15 ft	4.85 ft

Address: 3445 US Highway 1, Delray Beach, FL - 33483

The above variance request was POSTPONED FOR 30 DAYS.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2004-00994

Control No: 1992-00044

Result: APPROVED WITH CONDITIONS

Request: To eliminate the required frontage on an arterial or collector roadway.

Code Section / Description	Required	Proposed	Variance
3.E.1 Planned Development Districts -Performance Standards	200 ft on an arterial or collector roadway	0 ft of frontage on an arterial or collector	200 ft.

Address: 20555 Boca Rio Rd , Boca Raton, FL - 33486

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

- 1 By **February 17, 2006**, the applicant shall obtain a building permit for the proposed development in order to vest the variance approved pursuant to **BA 2004-994**.

The development order for this particular variance shall lapse on February 17, 2006, one year from the approval date. (DATE: MONITORING:Zoning).

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-01001

Control No: 1980-00085

Result: POSTPONED

Request: To allow an exemption from platting of a preserve area.

Code Section / Description	Required	Proposed	Variance
3.F.3.G Conservation	All preserve areas shall be platted	No plat for preserve areas	no plat for preserve areas
Address: Vacant			

The above variance request was POSTPONED FOR 30 DAYS.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2004-01125

Control No: 1980-00200

Result: POSTPONED

Request: To permit altering or enlargement of a nonconforming sign; an increase in max sign height; encroachment in the required setbacks; to allow more than three signs; an increased sign face SF; and to allow sign separation distances of less than 200 feet.

Code Section / Description	Required	Proposed	Variance
3.B.9 NBOZ	NBOZ Art.5, Sec 5-6 Business Signs requires min distance between signs on same parcel at 200 foot Nonconforming signs along NLB do not meet the min (range from 55-140 feet) That's a max variance of 145 feet to cover the 5 signs	NBOZ Art.5, Sec 5-6 Business Signs requires min distance between signs on same parcel at 200 foot Nonconforming signs along NLB do not meet the min (range from 55-140 feet) That's a max variance of 145 feet to cover the 5 signs	NBOZ Art.5, Sec 5-6 Business Signs requires min distance between signs on same parcel at 200 foot Nonconforming signs along NLB do not meet the min (range from 55-140 feet) That's a max variance of 145 feet to cover the 5 signs
3.B.9 NBOZ	NBOZ Art.5, Sec 5-6 Business Signs, permits two face signs a max of 40 SF if min of 20 feet from right-of-way; and a max sign height of 10 feet That's a variance request of 4.9 feet over the 10 maximum height; sign SF meets NBOZ min		That's a variance request of 4.9 feet over the 10 maximum height; sign SF meets NBOZ min
3.B.9 NBOZ	Variance #1 Applicant proposes to remove 1 of 5 nonconforming pole signs within its cumulative two (Sandtree and NLB) frontages and replace it with a monument type sign NBOZ Art. 5, Sec 5-1.B.3 prohibits altering or enlarging a nonconforming sign. That's a variance request from the prohibition.	Variance #1 Applicant proposes to remove 1 of 5 nonconforming pole signs within its cumulative two (Sandtree and NLB) frontages and replace it with a monument type sign NBOZ Art. 5, Sec 5-1.B.3 prohibits altering or enlarging a nonconforming sign. That's a variance request from the prohibition.	Variance #1 Applicant proposes to remove 1 of 5 nonconforming pole signs within its cumulative two (Sandtree and NLB) frontages and replace it with a monument type sign NBOZ Art. 5, Sec 5-1.B.3 prohibits altering or enlarging a nonconforming sign. That's a variance request from the prohibition.
3.B.9 NBOZ	NBOZ Art.5, Sec 5-6 Business Signs requires a min of 20 foot setback from right-of-way with max 40 SF sign area The nonconforming signs vary from 5 foot down to 1 foot That's a max variance of 19 foot to cover the 5 signs	NBOZ Art.5, Sec 5-6 Business Signs requires a min of 20 foot setback from right-of-way with max 40 SF sign area The nonconforming signs vary from 5 foot down to 1 foot That's a max variance of 19 foot to cover the 5 signs	NBOZ Art.5, Sec 5-6 Business Signs requires a min of 20 foot setback from right-of-way with max 40 SF sign area The nonconforming signs vary from 5 foot down to 1 foot That's a max variance of 19 foot to cover the 5 signs

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2004-01125

Control No: 1980-00200

Result: POSTPONED

Request: To permit altering or enlargement of a nonconforming sign; an increase in max sign height; encroachment in the required setbacks; to allow more than three signs; an increased sign face SF; and to allow sign separation distances of less than 200 feet.

Code Section / Description	Required	Proposed	Variance
3.B.9 NBOZ	The cumulative length of Sandtree Drive and Northlake Boulevard is 1,528.55 feetNBOZ Art.5, Sec 5-6 Business Signs permits a max of three (3) signs (1/first300'+1/700' thereafter) That's a variance request to allow 2 additional signs	The cumulative length of Sandtree Drive and Northlake Boulevard is 1,528.55 feetNBOZ Art.5, Sec 5-6 Business Signs permits a max of three (3) signs (1/first300'+1/700' thereafter) That's a variance request to allow 2 additional signs	The cumulative length of Sandtree Drive and Northlake Boulevard is 1,528.55 feetNBOZ Art.5, Sec 5-6 Business Signs permits a max of three (3) signs (1/first300'+1/700' thereafter) That's a variance request to allow 2 additional signs

Address: 3720 Northlake Blvd , West Palm Beach, FL - 33403

The above variance request was POSTPONED FOR 30 DAYS.

RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2005-00004

Control No: 1987-00007

Result: APPROVED WITH CONDITIONS

Request: To allow existing and proposed SFDs to encroach into the required front setback.

Code Section / Description	Required	Proposed	Variance
3.D.1.A Property Development Regulations: Minimum lot area and dimensions	22.5 ft.	19.5 ft for the following lots only: POD D: lots 4, 6, 8, 9, 11, 13, 15, 17, 19, 21, 22, 24, 26, 28, 31, 32, 34 – 36 POD J: lots 1, 2, 4-8, 10, 11, 14 – 16, 19, 24, 26, 27, 31 – 37, 40, 44, 46 – 48, 50 – 52, 55 – 58 POD K: lots 2, 4, 8, 11-13, 21, 22, 24, 27, 29, 33, 36	3 ft. for the following lots only: POD D: lots 4, 6, 8, 9, 11, 13, 15, 17, 19, 21, 22, 24, 26, 28, 31, 32, 34 – 36 POD J: lots 1, 2, 4-8, 10, 11, 14 – 16, 19, 24, 26, 27, 31 – 37, 40, 44, 46 – 48, 50 – 52, 55 – 58 POD K: lots 2, 4, 8, 11-13, 21, 22, 24, 27, 29, 33, 36
Address: See File			

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

- This variance is only for **POD D:** lots 4,6,8, 9, 11, 13, 15, 17, 19, 21, 22, 24, 26, 28, 31, 32, 34-36, **POD J:** lots 1, 2, 4- 8, 10, 11, 14-16, 19, 24, 26, 27, 31-37, 40, 44, 46-48, 50-52, 55-58, **POD K:** lots 2, 4, 8, 11-13, 21, 22, 24, 27, 29, 33, 36. Any other improvements shall meet the ULDC requirements.

The development order for this particular variance shall lapse on 2/17/2006, one year from the approval date.
(DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2005-00005

Control No: 2005-00002

Result: POSTPONED

Request: To allow an existing garage to be converted into an accessory dwelling and encroach into the required side interior and rear setbacks. .

Code Section / Description	Required	Proposed	Variance
3.D.1.A Property Development Regulations: Minimum lot area and dimensions	41.8 ft. Rear Setback	15.4 ft. Rear Setback	26.4 ft. Rear Setback
3.D.1.A Building Coverage	31.35 ft Side Interior Setback	16 ft. Side Interior Setback	15.35 ft Side Interior Setback

Address: 13173 157 Ct N , Jupiter, FL - 33478

The above variance request was POSTPONED FOR 30 DAYS.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2005-00006

Control No: 2005-00003

Result: APPROVED WITH CONDITIONS

Request: To allow a reduction of an AGR-PUD perimeter landscape buffer.

Code Section / Description	Required	Proposed	Variance
3.E.2.F.4.d Bldg Height: Multi-family and residential	50' Wide Perimeter Landscape Buffer adjacent to Lyons Road and the rural parkway easement	15' Wide Perimeter Landscape Buffer adjacent to Lyons Road and the rural parkway easement	To Reduce by 35' in width the Perimeter Landscape buffer adjacent to Lyons Road and the Rural Parkway easement.
Address: 10025 N State Road 7 , Boynton Beach, FL - 33437 10679 Lyons Rd, Boynton Beach, FL - 33437			

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

- 1 By **February 17, 2006**, or prior to DRO certification, the applicant shall amend the site plan to reflect the variance approval pursuant to **BA-2005-0006**.
- 2 All plant material required by the ULDC within the 50 feet perimeter landscape buffer shall be installed within the approved condensed 15 feet perimeter landscape buffer.

The development order for this particular variance shall lapse on February 17, 2008, three years from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2005-00008

Control No: 1996-00039

Result: POSTPONED

Request: To allow a proposed addition to encroach into the required side interior setback

Code Section / Description	Required	Proposed	Variance
3.D.1.A Property Development Regulations: Minimum lot area and dimensions	24.72 ft	17 ft.	7.72 ft
Address: 11761 153 Ct N , Jupiter, FL - 33478			

The above variance request was **POSTPONED FOR 30 DAYS.**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **2/17/2005**

Application No: BA-2005-00009

Control No: 1981-00093

Result: APPROVED WITH CONDITIONS

Request: To allow a reduction in the R-O-W buffer along Via Delray and Military Trail.

Code Section / Description	Required	Proposed	Variance
7.F.7.A Width of R-O-W Buffer	20 ft.	7.5 ft. for the entire frontage along Via Delray Rd. (overall frontage 362.77 ft.)	12.5 ft.
7.F.7.A Width of R-O-W Buffer	20 ft.	5.0 ft. for the entire frontage along Military Trail (Overall frontage 167.0 ft.)	15 ft.

Address: 5035 Via Delray , Delray Beach, FL - 33484

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

- 1 Prior to final Certificate of Occupancy, all plant material required by the ULDC shall be installed within the 5ft right-of-way buffer along Military Trail and within the 7.5ft right-of-way buffer along Via Delray.

- 2 By **February 17, 2006** or prior to DRO certification, the applicant shall amend the Site Plan to indicate the variance pursuant to **BA 2005-009**.

The development order for this particular variance shall lapse on February 17, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

Hearing Date: 2/17/2005

Application No: BA-2005-00010

Control No: 1995-00022

Result: APPROVED WITH CONDITIONS

Request: To allow an alternative to interior island for the parking area & to exceed the percentage palm trees in the interior vehicular use area.

Code Section / Description	Required	Proposed	Variance
7.G Interior landscape requirements: Off-street parking and interior vehicular use areas	A minimum of 75% of all trees required in the interior of vehicular use area shall be canopy trees. Palms may count as one required tree, not to exceed 25% of the total required trees.	A maximum of 50% of all trees required in the interior of the display" parking will be Palm trees, in lieu of the 25% maximum allowed.	Variance from Article 7, Chapter G, Section 1 to allow an additional 25% use of Palm Trees in the display" parking area.
7.C U/S Tier Side Facade Foundation Planting	Interior Islands for display parking area (required 22)	0 interior Island for the display" parking area.	22 interior Island for the display area.

Address: 6500 Okeechobee Blvd , West Palm Beach, FL - 33411

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

- 1 The subject variances are contingent on the Board of County Commissioner (BCC) deleting their condition H3. If the BCC does not approve the deletion of that condition, the zoning variances will be null and void.
- 2 By **February 17, 2006** or prior to DRO certification, the applicant shall amend the site plan to reflect the variance approval.

The development order for this particular variance shall lapse on **February 17, 2006**, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: BA-2005-00011

Control No: 1993-00007

Result: APPROVED WITH CONDITIONS

Request: To allow a reduction in the number of off-street parking spaces for the proposed addition.

Code Section / Description	Required	Proposed	Variance
6.A.1 Parking requirements	72 spaces	24 spaces	48 spaces
Address: 12551 N State Road 7, Boynton Beach, FL - 33437			

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

- 1 By **February 17, 2006**, 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 of Adjustment at the February 17, 2005, hearing. These Exhibits can be found in the BA2005-011 BA file in the Zoning Division. **(BLDG PERMIT-ZONING)**

- 2 The parking variance is granted from a required 72 spaces to a proposed 24 spaces for a 48 space reduction for this specific warehouse distribution center. Any change in use shall require BA Staff review and approval to ensure compliance with the Board's approval. **(ONGOING)**

The development order for this particular variance shall lapse on February 17, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: SD-123

Result: APPROVED WITH CONDITIONS

Request: Requesting variances from the requirements that all streets used for access to residential subdivision lots shall be designed and constructed to local street standards as established by the subdivision regulations.

Code Section / Description	Required	Proposed	Variance
Art. 11.E.2.A Table 11.E.2.A-2	50 ft minimum right-of-way	16 ft wide right-of-way plus 14 ft wide road easement	To allow 16 ft wide right-of-way plus 14 ft wide road easement
Art. 11.E.2.A Table 11.E.2.A-2	20 ft minimum paved roadway width	16 ft wide unpaved roadway	To allow 16 ft wide unpaved roadway

Address: South side of Country Oaks Lane

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

- 1 In order to vest the variance approval, by **November 18, 2006**, the property shall be legally subdivided into two (2) lots by recordation of either an Affidavit of Plat Waiver or subdivision plat, approved in accordance with the applicable requirements of Article 11, ULDC.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 2/17/2005

Application No: SD-124

Control No: 1993-00007

Result: APPROVED WITH CONDITIONS

Request: Fairmont Place Homeowners Association, Inc., requesting variance from the requirement that the slope of lake maintenance easements be no steeper than 8(H):1(V). Requirements are set forth in the Unified Land Development Code, Article 11.E.4.G.2, Stormwater Management and Maintenance Access Rights.

Code Section / Description	Required	Proposed	Variance
11.E.4.G.2	Slope no steeper than 8(H):1(V)	To allow slope no steeper than 4(H):1(V)	Slope no steeper than 4(H):1(V)

Address: Location: E side of Military Trail, approximately one-half mile S of Boynton Beach Boulevard, in the PUD Zoning District.

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

- 1 A Hold Harmless and Indemnity Agreement acceptable to the County Attorney must be submitted by the Fairmont Place Homeowners Association, Inc. (the Applicant) releasing the County from any and all liability that may arise due to the nonconforming Lake Maintenance Easement cross slopes.
- 2 The Applicant must add Palm Beach County as a additional insured on the Homeowners Association insurance policy.
- 3 The above stated Conditions shall be fully complied with and completed not later than ninety (90) calendar days subsequent to the date of the variance approval by the Board of Adjustment in order to vest the variance.

END OF REPORT