



PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: **BA-2005-00603**

Control No: **1987-00092**

Result: **APPROVED WITH CONDITIONS**

Request: To allow an existing hedge to exceed the maximum height requirement along the E property line.

Code Section / Description	Required	Proposed	Variance
7.D.2.B.2.a PDD Perimeter Buffer Hedge Height	Hedge height to be a max of 12 ft (east perimeter)	Hedge height to be a max of 20 ft	8 ft increase in hedge height

Address: Landscape buffer between Palm Isle II and Estates of Boynton Waters

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

- 1 The ficus hedge shall not exceed a maximum height of 20 feet; and shall be kept trimmed/clipped in a "formal-fashion" displaying thriving foliage from ground to top of hedge. **(ON-GOING: LANDSCAPE: ZONING)**
- 2 By **January 20, 2006**, the applicant shall schedule an appointment with a landscape inspector (561-233-5037) for an on-site inspection to ensure the ficus hedge has been reduced in height down to 20 feet. **(DATE: LANDSCAPE: ZONING)**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: BA-2005-01100

Control No: 2005-00366

Result: APPROVED WITH CONDITIONS

Request: To allow an existing single family dwelling to encroach into the required side interior setbacks and to exceed the maximum building coverage; to allow an existing solid roof screen enclosure to encroach into a required rear setback and easement; and to allow a proposed pool to encroach into a required rear setback.

Code Section / Description	Required	Proposed	Variance
5.F.2.A Easement Encroachment	No portion of any building or structure designed for human occupancy, screen enclosure, pool, or spa shall not be permitted within any easement	To allow the existing solid roof screen enclosure to be within an easement	To allow the existing solid roof screen enclosure to be within an easement
Table 3.D.1.A-5 Property Development Regulations (south side)	15 feet rear setback (south side)	4.4 feet	10.64 feet
Table 3.D.1.A-5 Property Development Regulations (west side)	7.5 feet side interior setback (west side)	6.41 feet	1.09 feet
Table 3.D.1.A-5 Property Development Building Coverage	Max. of 40% building coverage	43%	3%
Table 3.D.1.A-5 Property Development Regulations setback (east side)	7.5 feet side interior setback (east side)	5.76 feet	1.74 feet
5.B.1.A Pool/Spa Setback	10.5 feet rear setback (south side)	8.5 feet	2 feet

Address: 9348 SW 1 Pl , Boca Raton, FL - 33428

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

- 1 By **10/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 2 Prior to the Development Order expiration (**10/20/2007**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: BA-2005-01217

Control No: 2000-30084

Result: POSTPONED 30 DAYS

Request: To allow an existing single family dwelling to encroach into the required front and rear setbacks.

Code Section / Description	Required	Proposed	Variance
3.D.1.A.5 Front setback	15 feet rear setback	12.91 feet	2.09 feet
3.D.1.A.5 Front setback	25 feet front setback	20.15 feet	4.85 feet

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

The above variance was POSTPONED for 30 Days.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BATE-2005-01269

Control No: 2004-00317

Result: APPROVED WITH CONDITIONS

Request: To allow a 12-month time extension for the Development Order and Condition #1 in order to vest the approved pursuant to BA-2004-431

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension on Development Order	10/21/2005	10/21/2006	12 months
2.B.3.G.2 Time Extension on Condition #1	10/21/2005	10/21/2006	12 months

Address: 2288 N Wallen Dr., West Palm Beach, FL - 33410

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

- 1 By **October 21, 2005**, the applicant shall obtain a building permit for the proposed addition in order to vest the variance approved pursuant to BA-2004-00431. **(DATE: MONITORING-BLDG PERMIT)**

IS HEREBY AMENDED TO READ:

By **October 21, 2006**, the applicant shall obtain a building permit for the proposed addition in order to vest the variance approved pursuant to BA-2004-00431. **(DATE: MONITORING-BLDG PERMIT)**

- 2 Prior to the issuance of a "Building Permit", the applicant shall submit both the Board of Adjustment letter and a copy of the approved survey/site plan to the Building Division.
- 3 The existing hedges shall be maintained at a height between 6 and 10 feet.

The development order for this particular variance shall lapse on October 21, 2005, one year from the approval date. (DATE: MONITORING:Zoning)

IS HEREBY AMENDED TO READ:

The development order for this particular variance shall lapse on October 21, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01299

Control No: 2005-00436

Result: APPROVED WITH CONDITIONS

Request: To allow an existing detached garage to encroach into the required side interior and rear setback, and to allow a proposed room addition to encroach into the required side and front setbacks.

Code Section / Description	Required	Proposed	Variance
Table 3.D.1.A-5 Property Development Regulations, Front setback (South)	15 feet rear setback (south)	10.3 feet	4.7 feet
Table 3.D.1.A-5 Property Development Regulations, Front setback (West)	7.5 feet side interior setback (west)	5.9 feet	1.6 feet
Table 3.D.1.A-5 Property Development Regulations, Front setback (North)	25 feet front setback (north)	17 feet	8 feet

Address: 3248 Cove Rd. Jupiter, FL - 33469

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

- 1 By **10/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 2 Prior to the Development Order expiration (**10/20/2007**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2007, two years from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: **BA-2005-01301**

Control No: **2005-00437**

Result: APPROVED WITH CONDITIONS

Request: To allow an existing room addition modification to encroach into the required side and rear setbacks.

Code Section / Description	Required	Proposed	Variance
Table 3.D.1.A-5 Property Development Regulations (front setback)	25 ft	18.05 ft	6.95 ft
Table 3.D.1.A-5 Property Development Regulations (side interior setback)	15 ft	6.55 ft	8.45 ft

Address: 9639 SW 11 St , Boca Raton, FL - 33428

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

- 1 By **10/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 2 Prior to the Development Order expiration (**10/20/2006**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01302

Control No: 1979-00205

Result: APPROVED WITH CONDITIONS

Request: To allow a proposed pool to encroach into an easement.

Code Section / Description	Required	Proposed	Variance
5.F.2.A.2 Easement Encroachment	No portion of any pool shall be permitted within any an easement	To allow a pool within an easement	To allow a pool within an easement
Address: 8350 Dynasty Dr, Boca Raton, FL - 33433			

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

- 1 By **10/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 2 Prior to the Development Order expiration (**10/20/2006**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**
- 3 By **10/20/2006**, the applicant shall amend the Approved Site Plan petition (79-205 exhibit 24) through the DRO section to reflect the variance approval pursuant BA-2005-1302. **(DRO: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: BA-2005-01303 (REVISED)

Control No: 2005-00439

Result: APPROVED WITH CONDITIONS

Request: To allow an existing convenience store & car wash to encroach into the required side & rear setbacks and to allow the use to operate 24 hrs. a day.

Code Section / Description	Required	Proposed	Variance
3.D.1.C Property Development Regulations CC Zoning District for a side interior setback	30 ft	15 ft	15 ft
3.D.1.C Property Development Regulations CC Zoning District for a convenience store	30 ft	15 ft	15 ft
3.D.3.A.2 Property Development Regulations District Specific Regulations – All Commercial Districts	17 hours (6am-11pm)	24 hours	7 hours

Address: Hypoluxo Rd. and Military Trail

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 certified by the DRC. The final site plan shall be consistent with the Site Plan, Exhibit 38, shown to the Board of Adjustment at the October 20, 2005 Hearing. **(BUILDING-OUTGOING)**.
- 2 The setback and hours of operation variances are limited to the use and structures shown on the Site Plan, Exhibit 38, presented to the Board of Adjustment at the October 20, 2005, Public Hearing. Any new use or re-design of the site shall require BA approval. **(ON-GOING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **10/20/2005**

Application No: **BA-2005-01304 (REVISED)**

Control No: **1973-00215**

Result: **POSTPONED 30 DAYS**

Request: To allow a proposed fence to exceed the maximum height of 6ft in a residential district.

Code Section / Description	Required	Proposed	Variance
5.B.1.A.2 Accessory uses and structures: Fences, walls & hedges	Fence with a height maximum of 6ft in a residential district	to allow fence 8ft tall	2ft

Address: 2750 Golf Club Cir, West Palm Beach, FL - 33417

The above variance was **POSTPONED** for a period of **30 days**.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01312

Control No: 2005-00446

Result: APPROVED WITH CONDITIONS

Request: To allow a proposed SFD to exceed the maximum building coverage.

Code Section / Description	Required	Proposed	Variance
Table 3.D.1.A-5 Property Development Regulations (Front setback)	maximum of 40%	43.7%	plus 3.7% of building coverage
Address: 7097 Lake Island Dr. Lake Worth, FL - 33467			

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

- 1 By **08/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 2 Prior to the Development Order expiration (**10/20/2006**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**
- 3 By **12/20/2005**, the applicant shall amend the Approved Site Plan petition (86-25 A exhibit 95) through the DRO section to reflect the variance approval pursuant BA-2005-1312. **(DRO: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01314

Control No: 1984-00130

Result: APPROVED WITH CONDITIONS

Request: To allow an existing ROW buffer to be less than the required 20 ft. minimum width.

Code Section / Description	Required	Proposed	Variance
7.F.7.A Width of R-O-W Buffer	20 ft	13 ft	7 ft

Address: Parking lot, approx. 0.08 mile E of Jog Rd., and approx. 0.50 mile N of Okeechobee Blvd.

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

- 1 By 12/20/2005, the applicant shall amend the Approved Site Plan petition (84-130 J exhibit 138) through the DRO section to reflect the variance approval pursuant BA-2005-1314. (DRO: DATE: ZONING)

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01315

Control No: 2005-00447

Result: APPROVED WITH CONDITIONS

Request: To allow a proposed addition to encroach into the required side and front setback.

Code Section / Description	Required	Proposed	Variance
Table 3.D.1.A-5 Property Development Regulations (side interior setback)	7.5 ft	6.5 ft	1.0 ft
Table 3.D.1.A-5 Property Development Regulations (front setback)	25 ft	17.8 ft	7.2 ft

Address: 9291 Birmingham Dr ., West Palm Beach, FL - 33410

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

- 1 By **12/20/05**, the applicant shall move the existing shed outside of the 6 feet utility easement at the rear of the property and 5 feet from the side interior setbacks. The applicant shall call the Code Enforcement Department (561-233-5500) to schedule an inspection to satisfy this condition. **(CODE ENFORCEMENT: DATE: ZONING)**
- 2 By **10/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 3 Prior to the Development Order expiration (**10/20/2007**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. **(DATE: MONITORING:Zoning)**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01316

Control No: 2005-00448

Result: APPROVED WITH CONDITIONS

Request: To allow an existing solid roof screen enclosure to encroach into the side interior setback.

Code Section / Description	Required	Proposed	Variance
Table 3.D.1.A.5 Property Development Regulations (Side interior setback)	7.5 ft	3.0 ft	4.5 ft

Address: 15035 Jackson Road, Delray Beach FL 33484

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

- 1 By **01/20/2005**, the applicant shall obtain a building permit to install a privacy fence along the south property line. The fence shall be installed at the maximum allowable height according to the ULDC. **(BUILDING: DATE: ZONING)**
- 2 By **01/20/2006**, the applicant shall obtain a building permit for the existing solid roof screen enclosure. **(BUILDING: DATE: ZONING)**
- 3 By **01/20/2006**, the applicant 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. **(BUILDING: DATE: ZONING)**
- 4 Prior to the Development Order expiration (**10/20/2006**), the project shall have received and passed the first building inspection. **(BUILDING: DATE: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01317

Control No: 2005-00466

Result: APPROVED WITH CONDITIONS

Request: To allow a proposed fence and existing hedge to exceed height requirements; to allow a reduction and alternative distribution of required plant material along the exterior wall and Right-Of-Way.

Code Section / Description	Required	Proposed	Variance
7.C.3 U/S Tier Side Facade Foundation Planting	3 layers of shrubs along all property lines	1 layer of shrubs (hedge) along all property lines	2 less layers on all property lines
5.B.1.A.2 Accessory uses and structures: Fences, Walls & Hedges	8 feet max. hedge height in side yard	Existing 20 foot high hedge on south property line to remain	12 foot increase in hedge height
5.B.1.A.2.e Fence Walls & Hedges – Residential Districts - Front	Max. of 4 foot fence height in front setback	6 foot fence height in front setback	2 foot increase in fence height
7.F.3.A Landscape - Walls & Fences: Conflict of Easement	75% of landscaping on exterior of fence, shrubs on both sides of fence	100% of landscaping on exterior of fence on east and south sides; 100% of landscaping on interior of fence on north side	100% of landscaping on exterior of fence on east and south sides; 100% of landscaping on interior of fence on north side

Address: 5475 Okeechobee Blvd.

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

- 1 By **12/20/2005**, the applicant shall amend the Approved Site Plan through the DRO section to reflect the variance approvals pursuant BA-2005-1317. **(DRO: DATE: ZONING)**
- 2 By **8/20/2006**, the applicant 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.** **(BUILDING: DATE: ZONING)**
- 3 Prior to DRO approval, the variance approval pursuant BA-2005-1317 shall be reflected on the approved site plan. **(DRO: EVENT: ZONING)**

The development order for this particular variance shall lapse on 10/20/2006, one year from the approval date. **(DATE: MONITORING:Zoning)**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BA-2005-01318

Control No: 2005-00535

Result: APPROVED WITH CONDITIONS

Request: To allow a reduction of two incompatibility buffers.

Code Section / Description	Required	Proposed	Variance
7.F.9 Perimeter landscape requirements: Perimeter incompatibility buffer	Minimum 10 ft width between incompatibility uses	Buffer width will vary along Maximum 10 ft – 0 ft (along the east property line, South of proposed building)	Buffer width will vary along Maximum 10 ft – 0 ft along the east property line, South of proposed building
7.F.9 Perimeter landscape requirements: Perimeter incompatibility buffer	Minimum 15 ft width between incompatibility uses	Buffer width will vary along Maximum 15 ft – 0 ft (along the east property line, South of proposed bridge)	Buffer width will vary along Maximum 15 ft – 0 ft along the east property line, South of proposed bridge
Address: 4630 Lantana Rd., Lake Worth, FL - 33426			

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

- 1 Prior to DRO approval, the variance approval pursuant BA-2005-1318 shall be reflected on the approved site plan. **(DRO: EVENT: ZONING)**
- 2 Prior to issuance of the Certificate of Occupancy, all landscape material required by the ULDC within both buffers addressed in BA 2005-1318, shall be planted throughout the remaining landscape buffers. **(LANDSCAPE: EVENT: ZONING)**

The development order for this particular variance shall lapse on October 20, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 10/20/2005

Application No: BATE-2005-01397

Control No: 1984-00130

Result: APPROVED WITH CONDITIONS

Request: To request a 12-month time extension for a Development Order and Condition #1

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension	10/21/2005	10/21/2006	12 months
2.B.3.G.2 Time Extension	10/21/2005	10/21/2005	12 months

Address: 6827 Vista Center

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

- 1 By **October 21, 2005** or prior to DRO certification, the applicant shall ensure the BA conditions are shown on the certified site plan. (DATE: MONITORING-DRO)

IS HEREBY AMENDED TO READ:

By **October 21, 2006** or prior to DRO certification, the applicant shall ensure the BA conditions are shown on the certified site plan. (DATE: MONITORING-DRO)

The development order for this particular variance shall lapse on October 21, 2005, one year from the approval date. (DATE: MONITORING:Zoning)

IS HEREBY AMENDED TO READ:

The development order for this particular variance shall lapse on October 21, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

END OF REPORT