

PALM BEACH COUNTY
ADMINISTRATIVE VARIANCE TYPE 1-B
STAFF PUBLIC MEETING

Thursday, December 21, 2006
10:03 a.m. - 10:16 a.m.
2300 North Jog Road
West Palm Beach, Florida 33411

Reporting:

Annette Stabilito
PBC Zoning Secretary

A T T E N D E E S

F. Alan Seaman, Principal Planner

Annie Helfant, Assistant County Attorney

C. Larry Roberts, P.E., Senior Registered Engineer

Joseph Cearley, Site Planner I

Aaron Taylor, Site Planner I

Juanita James, Zoning Technician

Annette Stabilito, Secretary

Lauren Benjamin, Student Para-professional

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P R O C E E D I N G S

The Palm Beach County Administrative Variance Type 1-B Staff Public Meeting began at 10:03am. Principal Planner, F. Alan Seaman, opened the meeting with a brief summary of the new process for Type 1-B variances under the Administrative Variance Staff Public Meetings, stating that the new procedure is no longer a Public Hearing, but a Public Meeting. Mr. Seaman explained the following: "Staff has reviewed your reports and has looked at your seven criteria for justification and have come to a conclusion, as a group, for a recommendation that the petition be either denied or approved".

Mr. Seaman then continued briefly explaining how items are called off from the Agenda. Staff calls off the particular items and if anyone in the public has any comments, they are free to state what their comments are. If staff feels that the comments addressed are irrelevant to the staff report, staff may or may not decide to postpone the variance to next month's meeting.

Mr. Seaman concluded the introduction to the variance public meeting process by explaining that there would be no voting action required at this meeting. If staff finds no opposition from the public, staff can approve the variance and the applicants are free to leave, and that their result letters will follow in the mail.

Confirmation of the 300ft notices that are mailed to neighbors informing them of this public meeting was confirmed by the Secretary, Annette Stabilito.

Mr. Seaman, then proceeded by calling off the items from the Agenda.

First item on the Agenda was called under **WITHDRAWN ITEMS:**

Item # **AVE2006-1754**, Bradely Miller, agent, for Piccadily Square, owner. The location of property is a vacant lot which is generally located approximately 0.11 mile North of Glades Road and approximately 0.13 mile West of Florida's Turnpike, in the CG Zoning District. The applicant's request was for a 12 month time extension on the Development Order and Condition #1 in order to vest the approved variance BA2003-0682. However, the applicant was able to meet the deadline requirements for the condition and therefore, requested a withdrawal of their application. Being that the time extension request was no longer required or needed, staff withdrew the item.

The next following items called from the Agenda were items on **CONSENT**. These are items that staff has reviewed and have found to have met the 7 Criteria and are recommending approval.

First item on consent Agenda was called:

Item # **AVB2006-1667**, Robert and Barbara Kreiner, owners. The location of property is a vacant lot that is abutting the principal parcel, 3140 Saginaw Avenue. The lot is generally located approximately 453 ft East of Suwanee Drive and 301.2 ft South of Hiawatha Avenue, within the Westgate Estates, in the RH Zoning District. The applicant, Robert Kreiner and Barbara Kreiner, were both present and stated

their names for the record. The variance request is to allow a single family dwelling to encroach into the required side interior setback. There were no response letters received by neighbors or any comments regarding this petition. Staff recommended approval with 2 conditions. The applicants stated that they agree with the conditions and staff approved the variance.

The second item on Consent Agenda was called:

Item # **AVB2006-1718**, Chris Thomas, petitioner, for Emerald Lakes Development LLC, owner. The location of property is: 4384, 4386, 4388, 4390, 4392, and 4394 Emerald Vista. The property is generally located 1274 ft NE of Melaleuca Avenue and 330 ft W of Davis Road, in the Emerald Lake PUD, in the PUD Zoning District. The applicant was not present. Project Manager, Joseph Cearley, stated that he had difficulty contacting the applicant, however, that the applicant was aware that staff was supporting the variance for approval. The variance request was to allow a reduction in the required front setback. Staff was recommending approval with 2 conditions. Seeing that there were no response letters received in opposition to the variance and that no one from the public was there to speak against the approval for this variance, staff approved the variance.

The third item on Consent Agenda was called:

Item # **AVB2006-1720**, Shutts & Bowen LLP, agent, for Vicente Investments N,U., owner. The location of property is 6151 Lake Worth Road. The property is generally located at the intersection of Wry Road and Lake Worth Road, within the Shoppes of Lake Worth, in the CG Zoning District. Speaking on behalf of the applicant was the agent, Michael McAllister, representing Shutts & Bowen. The variance request was to allow a reduction in the required number of parking spaces. There were two (2) response letters received in opposition to the variance, from the 300ft courtesy letters sent to neighbors. However, as per Joseph Cearley, Project Manager, no specific reason or comment was stated for denial. Staff recommended approval with 2 conditions. The applicant agreed on the conditions and staff approved the variance.

The fourth item on Consent Agenda was called:

Item # **AVB2006-1732**, Tammie S. Couch, owner. The location of the property is 8315 Winnepesaukee Way. The property is generally located approximately 2029 ft West of 80th Terrace South and 3008 ft East of Lyons Road, within the Lakes of Lantana PUD, in the PUD Zoning District. The applicant, Tammie Couch, was present and stated her name for the record. The variance request was to allow a proposed addition to encroach into the required rear setback and to allow an overhang to encroach into a reduced setback. There were two (2) response letters received in opposition to the variance, from the 300ft courtesy letters sent to neighbors. However, as per Joseph

Cearley, Project Manager, no specific reason or comment was stated for denial. Staff recommended approval with 2 conditions. The applicant agreed on the conditions and staff approved the variance.

The fifth item on Consent Agenda was called:

Item # **AVE2006-1753**, Kilday & Associates, agent, for Estates of Pennock Point LLC, owner. The property is located in the Cypress Island PUD, which is on the East side of Palmwood Road and just North of Donald Ross Road, in the RS/SE/PUD Zoning District. Speaking on behalf of the applicant was the agent, Colleen Walter, representing Kilday & Associates, Inc. The variance request is to allow a 12 month time extension on the Development Order and on Condition #1, in order to vest the approved variance BA2004-0645. Staff recommended approval with one condition of which the applicant agreed on. Ms. Walter made a clarification, for the record, in regards to a previous condition that the applicant had already complied with. The condition she stated was that "the applicant shall obtain DRO Certification and shall denote on the final site plan the conditions of approval for variance BA2004-0645". Ms. Walter confirmed this statement saying that the condition was met by the applicant on July 13, 2005. Based on the applicant's justification statement, staff granted the 12 month time extension with no opposition from the public.

The sixth item on Consent Agenda was called:

Item# **AVE2006-1775**, Noelle Zulli-Adams, owner. Property is located at 16114 East Cornwall Drive which is approximately 0.27 mile East of Seminole Pratt Whitney Road and approximately 0.26 mile North of Okeechobee Boulevard, in the AR Zoning District. Ms. Noelle Zulli, the applicant, was present and stated her name for the record. The variance request is to allow a 12 month time extension on the Development Order and on Condition #1, in order to vest the approved variance BA2005-0820. Staff recommended approval with one condition and the applicant agreed on the condition. Based on the applicant's justification statement, staff granted the 12 month time extension with no opposition from the public.

The seventh item on Consent Agenda was called:

Item# **AVE2006-1795**, Moyle Flannigan, agent, for Boca Raton Commerce Center, LLC, owner. The property is located at 21000 Boca Rio Road which is approximately 0.15 mile West of Florida's Turnpike and approximately 0.26 mile South of Glades Road, within the Palm Beach Farms Plat #3, in the IL/SE Zoning District. Speaking on behalf of the applicant was the agent, Chuck Millar, representing Moyle Flannigan. The variance request is to allow a 12

month time extension on the Development Order and on Condition #1, in order to vest the approved variance BA2004-0649. Staff recommended approval with one condition and the applicant agreed on the condition. Based on the applicant's justification statement, staff granted the 12 month time extension with no opposition from the public.

The last item on the consent agenda was called:

Item# **AVE2006-01819**, Land Design South, agent for Supertrail Manufacturing Co., Inc. The property is located at 1010 Stonewall Drive, which is approximately 1.13 miles South of Northlake Boulevard and approximately 0.53 mile East of Coconut Boulevard, within the Stonewall Estates PUD, in the RE/SE Zoning District. Speaking on behalf of the applicant was the agent, Doug Murray, representing Land Design South, Inc.. The variance request is to allow a 12 month time extension on the Development Order and on Condition #1, in order to vest the approved variance BA2004-0279. Staff recommended approval with one condition and the applicant agreed on the condition. Based on the applicant's justification statement, staff granted the 12 month time extension with no opposition from the public.

There were no items under **REGULAR** Agenda and no items were placed under **POSTPONED** items.

The meeting adjourned at 10:16am.