



## AGENDA

### PALM BEACH COUNTY BOARD OF ADJUSTMENT

1/19/2006

- I. ROLL CALL AND DECLARATION OF QUORUM
- II. OPENING PRAYER AND PLEDGE OF ALLEGIANCE
- III. PROOF OF PUBLICATION
- IV. REMARKS OF THE CHAIRMAN OF THE BOARD
- V. APPROVAL OF MINUTES
- VI. REMARKS OF THE ZONING DIRECTOR
- VII. APPROVAL OF AGENDA
- VIII. SWEARING IN
- IX. AGENDA

#### Postponed Items:

##### **BA2005-01683**

Basem Bishai, owner, to allow an existing single family dwelling to encroach into both the required side interior setbacks and the front setback. LOC: 5121 Norma Elaine Rd., approx. 450 ft S of Elmhurst Rd. and approx. 670 ft. W of Haverhill Rd., within the Haverhill Homesites Subdivision, in the RH Zoning District (Pet: 2005-583).

#### Consent Item(s):

##### **BA2005-01304**

Edward Patrick Blunck, agent, for United Civic Organization, Inc., owner, to allow a proposed fence to exceed the maximum height of 6 ft. in a residential district. LOC: 5416 Southampton Rd., on the N side of Okeechobee Blvd., and approx. 0.10 mile W of Haverhill Rd., within the Century Village Subdivision, in the PUD Zoning District (PET: 1973-215).

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Development Order and 2 Condition(s) – Pg. 5

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

##### **BA2005-01447**

Land Design South of Florida, agent, for residents located on lots 36-44, lot No. 3 (PB-2, Pg. 45-42) and lots 46-55 (PB-2, Pg 45-54), owners, to allow a reduction of an existing and required compatibility buffer for lots 36-44 and lots 46-55, in the Rainberry of West Boca PUD. LOC: approx. 0.35 mile E of SR-7, and approx. 0.23 mile N of W. Palmetto Park Rd., within the Rainberry of West Boca PUD, in the PUD Zoning District (PET: 1983-057).

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Development Order and 1 Condition(s) – Pg. 10

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

#### **BA2005-01448**

Land Design South, agent, for Home Devco Tivoli Lakes, LLC, owner, to allow roof overhangs to encroach into an easement; to allow overlapping easements and to allow habital structures to encroach into an easement for lots: 2, 6-17, 19, 26, 29-32, 66-74, 100,101, and 110-193, within the Tivoli Lakes PUD. LOC: along the S side of Boynton Beach Blvd. and approx. 0.70 mile W of Hagen Ranch Rd., within the Tivoli Lakes PUD, in the PUD Zoning District (PET: 2002-015).

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Development Order and **3** Condition(s) – Pg. 17

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

#### **BA2005-01449**

Christopher Burch, owner, to allow a proposed attached garage to encroach into the required front setback. LOC: 17971 122nd Dr. N, approx. 280 ft. S of Indiantown Rd., and approx. 0.28 mile W of Alexander Run, within the Jupiter Farms Subdivision, in the AR Zoning District (PET. 2005-505).

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Development Order and **3** Condition(s) – Pg. 23

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

#### **BA2005-01452**

Beril Krueger Planning & Zoning Consultants, agent, for Michael & Tammy Smith, owners, to allow a proposed detached garage to occupy more than 25% of the distance between property lines; to allow an existing SFD to encroach into the required rear setback. LOC: 3960 89th Rd. S, approx. 0.23 mile S of Gateway Blvd., and on the W side of Lawrence Rd., in the AR Zoning District (PET: 2005-183).

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Development Order and **3** Condition(s) – Pg. 28

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

#### **BA2005-01564**

Ellie Halperin, agent, for Jimmy K. Boyd, Lowe's Home Center, Inc., and Harland Properties, owners, to allow a fourth free standing sign on the north side of Okeechobee Blvd., approx. 1/4 mile W of Military Trail, in the MUPD Zoning District (PET: 2004-454).

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No Development Order and **0** Condition(s) – Pg. 32

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

#### **BA2005-01567**

Land Design South, agent, for Good Shepherd Lutheran Church, owner, to allow a reduction in the minimum separation between a proposed off-site directional sign and residential zoning; to exceed the allowable text and logo sign area and the overall sign area. LOC: 6301 SW 18th St., approx. 0.75 mile W of Military Trail, within the Boca Point No. 3 PUD, in the RS-PUD Zoning District (PET: 1973-085).

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Development Order and **3** Condition(s) – Pg. 37

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

#### **BA2005-01671**

Akerman Senterfitt, agent, for Jeffrey & Dana Cohen, owners, to allow a proposed room addition to encroach into the required front setback. LOC: 4619 Brady Blvd., approx. 0.50 mile N of W. Atlantic Ave. and approx. 568 ft. W of Barwick Rd., within the Kingsland Pines Subdivision, in the RS Zoning District (PET: 2005-579).

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Development Order and **2** Condition(s) – Pg. 42

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

#### **BA2005-01686**

Ken-Cor Builders, Inc., agent, for Westchester Golf & Lake Estates, owner, to allow two proposed single family dwellings to exceed the allowable building coverage. LOC: Piper's Glen lots 136 and 138, approx. 1.3 miles S of Woolbright Rd. and approx. 1.2 miles W of Military Trail, within the Piper's Glen PUD, in the PUD Zoning District (PET: 1980-212).

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Development Order and **3** Condition(s) – Pg. 48

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

#### **BA2005-01690**

Denise & Brad Fishel, owners, to allow a proposed accessory dwelling to encroach into the required side interior and front setbacks. LOC: 9478 Yearling Dr., approx. 0.35 mile E of SR-7 and approx. 0.72 mile S of Lake Worth Rd., within the Palm Beach Ranchettes Subdivision, in the AR Zoning District (PET: 2005-584).

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Development Order and **2** Condition(s) – Pg. 53

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

**BA2005-01694**

Daniel and Deborah Floyd, owners, to allow a proposed room addition to encroach into the required side street setback. LOC: 9194 Patina Drive, approx. 0.25 mile of Gateway Blvd. and approx. 0.4 mile E Jog Rd., within the Rainbow Lakes PUD, in the PUD Zoning District (PET: 1979-177).

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Development Order and **3** Condition(s) – Pg. 58

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01697**

Harris & Gloria J. Cherkis, owners, to allow a proposed pool to encroach into the required side and rear setbacks. LOC: 11530 Cherrybrooke Lane, approx. 0.49 mile S of Woolbright Rd. and approx. 1.8 miles W of Military Trail, within the Jones PUD, in the PUD Zoning District (PET: 1995-019).

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Development Order and **3** Condition(s) – Pg. 63

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01699**

JPR Planning Services, agent, for Palm Beach County Property and Real Estate Management Division, owner, to allow a proposed fence to exceed the maximum height and be of non-natural materials; to eliminate the required parking space; to have a two foot berm; to allow a hedge outside the fence. LOC: Vacant lot on 40th Rd. North, approx. 0.35 mile W of Avocado Blvd. and approx. 0.45 mile S of Orange Grove Blvd., in the AR Zoning District (PET: 2005-565).

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Development Order and **1** Condition(s) – Pg. 68

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

**BA2005-01702**

Christine Montas, owner, to allow an existing single family dwelling and a proposed carport enclosure to encroach into the required side interior and rear setbacks. LOC: 4438 Melaleuca Ln., approx. 235 ft. E of Military Trail and approx. 605 ft. N of Forest Hill Blvd., within the Melaleuca Trail Subdivision, in the RM Zoning District (PET: 2005-587).

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Development Order and **2** Condition(s) – Pg. 73

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01703**

Greg Mambourg, owner, to allow an existing detached garage and a proposed carport enclosure to encroach into the required side interior and rear setbacks. LOC: 910 Rudolph Rd., approx. 225 ft. S of 10th Ave. and approx. 0.23 mile W of Florida Mango Rd., within the Seiber Subdivision, in the RM Zoning District.

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Development Order and **2** Condition(s) – Pg. 78

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

**BA2005-01704**

Kilday & Associates, agent, for Five Friends Properties, Inc., owner, to allow the elimination of the compatibility buffer along 167 feet of east property line and the elimination of the required landscape material along the same 167 feet. LOC: 8740 Belvedere Rd., approx. 400 ft. S of Belvedere Rd. and approx. 0.49 mile W of Benoist Farms Rd., within the Palm West Industrial Park PIPD, in the PID Zoning District (PET: 1985-055).

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Development Order and **1** Condition(s) – Pg. 83

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01705**

Kilday & Associates, agent, for Florida Auto Auction of Orlando, JMC-IV Real Estate Co. and Palm Beach Newspaper, Inc., owners, to allow the elimination of compatibility buffers and the required landscape material along a section of the N property line and along the access road; to allow a reduction of the quantity of interior landscape islands and driver medians and required landscaping; and to allow a reduction of the required pervious surface area and required landscape. LOC: 770 Sansbury's Way, approx. 638 ft. S of Belvedere Rd., on the E side of Sansbury's Way, within the Belvedere Commerce Center MUPD, in the PO Zoning District (PET: 1999-028).

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Development Order and **1** Condition(s) – Pg. 86

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01706**

Land Design South, agent, for Gulfstream Polo, LLC, Barbara & Ilhan Uskup, Turtle Land Holding Corp., Hooks Road Properties, LLC., Morning Midst Farms, TLH Bo's Corp., Stephen Orthwein, Theodore Brinkman, Michelle D. Kohl, owners, to allow the elimination of the requirement for a PUD to have legal access on an arterial street. LOC: SE of Lake Worth Rd. and Lyons Rd., approx. 0.47 mile E of Lyons Rd. and approx. 0.37 mile S of Lake Worth Rd., within the Gulfstream Groves PUD, in the AR Zoning District (PET: 2005-594).

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Development Order and **1** Condition(s) – Pg. 93

Staff Recommendations: **Approval with Condition(s)**

Timothy Sanford, Planner I

**BA2005-01708**

Julian Bryan, agent, for Centerline Homes at B&A, LLC, owner, to allow an existing entrance sign to exceed the maximum height. LOC: 8710 Cobblestone Point, approx. 0.51 mile N of Boynton Beach Blvd., and approx. 1 mile W of Florida's Turnpike, within the Countryside Meadows PUD, in the PUD Zoning District (PET: 2003-035).

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Development Order and **1** Condition(s) – Pg. 100

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BA2005-01738**

Land Design South, agent, for TBI/Palm Beach Limited Partnership, owner, to allow a balcony to encroach into the required front setback. LOC: 8877 Valhalla Dr., on the east side of Lyons Rd. and 1 mile S of Atlantic Ave., within the Delray Training Center PUD, in the PUD Zoning District (PET: 1987-070).

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Development Order and **4** Condition(s) – Pg. 105

Staff Recommendations: **Approval with Condition(s)**

Oscar Gamez, Site Planner I

**BATE2005-01780**

South East Architect Services, agent, for Arcadia Properties, owner, to allow a 12-month time extension on the Development Order and Condition #1, in order to vest the approved variance BA-2003-0673. LOC: Vacant, on the W side of Military Trail, 0.25 mile N of Flavor Pict Rd. and 0.25 mile S of Piper's Glen Blvd., in the CC Zoning District (PET: 1984-163).

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Development Order and **3** Condition(s) – Pg. 107

Staff Recommendations: **Approval with Condition(s)**

F. Alan Seamn, Sr. Site Planner & Juanita James, Zoning Technician

**BATE2005-01819**

Juran Consulting, agent, for Athena Vista, Ltd., owner, to allow a 12-month time extension on the Development Order and Condition #1, in order to vest the approved variance BA-2005-1314. LOC: part of 2085 Vista Parkway, approx. 0.08 mile E of Jog Rd., and approx. 0.50 mile N of Okeechobee Blvd., within the Vista Center PIPD, in the PIPD Zoning District (PET: 1984-130).

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Development Order and **1** Condition(s) – Pg. 109

Staff Recommendations: **Approval with Condition(s)**

F. Alan Seamn, Sr. Site Planner & Juanita James, Zoning Technician

**X. ADJOURNMENT**

In accordance with the ADA, this document may be requested in an alternative format. Auxiliary aids or services will also be provided upon request with at least three days notice. Please contact the Board of Adjustment Secretary at (561) 233-5088.