



AGENDA

PALM BEACH COUNTY BOARD OF ADJUSTMENT

6/15/2006

- 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

Withdrawn Item(s):

None.

Postponed Item(s):

None.

Consent Item(s):

BA2006-00461

Scott Levine, agent, for Ocean Avenue LLC, owner, to allow a reduction of the R-O-W buffer along the north property line. LOC: 4450 N. Ocean Blvd., approx. 0.8 mile S of the intersection of Woolbright Rd. and Ocean Blvd., in the RH Zoning District.

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Development Order and **1** Condition(s) – Pg. 5

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

Timothy Sanford, Planner I

BA2006-00485

Lucido and Associates, for Lost Tree Village, Inc., owner, to allow a reduction in the width of the north and south incompatibility buffers, and to allow a reduction in the number of required trees and parking spaces. LOC: 11240 Turtle Beach Rd. and approx. 1 mile E of US-1 (Federal Highway) and approx. 0.3 mile N of Mclean Road, within the Lost Tree Subdivision, in the RS Zoning District (PET: 1997-050).

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Development Order and **3** Condition(s) – Pg. 11

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

F. Alan Seaman, Senior Site Planner

BA2006-00699

Tawn & Susanna Miller, owners, to allow a hurricane damaged solid roof replacement to encroach into the required side interior setback. LOC: 1241 Sunrise Road, approx. 0.25 mile S of Summit Blvd. and approx. 0.10 mile E of Kirk Road, within the Pine Air Subdivision, in the RM Zoning District.

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Development Order and **2** Condition(s) – Pg. 15

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

Joseph Cearley, Planner I

BA2006-00700

Ernest and Sophie Marks, to allow a proposed structure to encroach into the required rear setback. LOC: 11021 Malaysia Circle, approx. 0.10 mile S of Woolbright Road, and approx. 0.5 mile E of Hagen Ranch Road, within the Valencia Isles PUD, in the PUD Zoning District (PET: 1997-074).

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Development Order and **3** Condition(s) – Pg. 20

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

Joseph Cearley, Planner I

BA2006-00704

Daniel and Deborah Floyd, owners, to allow an overhang to encroach into a utility easement. LOC: 9194 Patina Drive, approx. 0.25 mile S 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. 25

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

Joseph Cearley, Planner I

BA2006-00705

Robert & Judith Sams, owners, to allow a hurricane damaged solid roof screen enclosure to encroach into the required rear setback. LOC: 9073 Fashion Place, approx. 0.75 mile N of Lantana Road, and approx. 0.25 mile W of Lyons Road, within the Tropical Country Estates Subdivision, in the AR Zoning District.

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Development Order and **2** Condition(s) – Pg. 30

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

Joseph Cearley, Planner I

BA2006-00707

Jonathan & Susan Harris, owners, to allow a hurricane damaged screen roof screen enclosure to encroach into the required side interior setback. LOC: 22479 Martella Ave., approx. 0.8 mile W of Florida's Turnpike, and approx. 0.5 mile S of Palmetto Park Road, within the Boca Rio Heights Subdivision, in the RS Zoning District.

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Development Order and **2** Condition(s) – Pg. 35

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

Joseph Cearley, Planner I

BA2006-00709

Christine Montas, owner, to allow an accessory structure (cabana) to be constructed in the front yard. LOC: 4438 Melaleuca Trail, approx. 0.10 mile E of Military Trail, and approx. 0.3 mile 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. 40

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

Timothy Sanford, Planner I

BA2006-00710

Timothy Mahoney, owner, to allow an existing solid roof structure to encroach in to the required rear setback. LOC: 1961 Highland Drive, approx. 0.1 mile E of Ellison Wilson Road, and approx. 0.3 mile N of PGA Blvd., in the RM Zoning District. (PET: 2006-243).

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Development Order and **2** Condition(s) – Pg. 45

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

Timothy Sanford, Planner I

BA2006-00717

Miller Land Planning, Inc., agent, for SRR Holdings, LLC, Petitioner, and Dennis & Grace Gartner, owners, to allow a reduction in the required R-O-W Buffer. LOC: 5301 South State Road 7, approx. 0.10 mile W of SR-7, and approx. 0.4 mile N of Lantana Road, within the Palm Beach Farms Subdivision, in the AR Zoning District. (PET: 2006-0245).

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Development Order and **2** Condition(s) – Pg. 50

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

Timothy Sanford, Planner I

BA2006-00718

Courchene Development Corp., agent, for John & Linda Schroer, owners, to allow a portion of an existing roof overhang to encroach into a drainage easement. LOC: 15965 D'Alene Drive, approx. 1 mile S of West Atlantic Ave., and approx. 0.4 mile E of One Mile Road, within the Delray Training Center PUD, in the PUD Zoning District.

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Development Order and **1** Condition(s) – Pg. 55

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

Timothy Sanford, Planner I

BA2006-00720

Edward & Tonia Jones, owners, to allow a proposed addition to encroach into the required side setback and for a portion of a roof overhang to encroach into an easement. LOC: 4571 Willow Pond Court East, approx. 0.02 mile W of Military Trail, and approx. 0.3 mile N of Roebuck Road, within the Lakeside Green PUD, in the PUD Zoning District.

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Development Order and **3** Condition(s) – Pg. 60

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

Timothy Sanford, Planner I

BA2006-00721

James Kimes and Cynthia Shannon, owners, to allow an existing lake to encroach into the required side setback. LOC: 3000 D Road, approx. 0.6 mile E of C Road, and approx. 1 mile N of Okeechobee Blvd., within the Loxahatchee Groves Subdivision, in the AR Zoning District. (PET: 2006-246).

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Development Order and **3** Condition(s) – Pg. 65

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

Joseph Cearley, Planner I

BA2006-00722

Jeremiah Croke, agent, for F.P. Dino & Associates, Inc., owner, to allow windows other than glass block or other translucent material on a ZLL side. LOC: 7001 Mallorca Crescent, approx. 0.02 mile W of Powerline (a/k/a Jog Road) and approx. 0.5 mile N of Palmetto Park Road, within the Island in the Grove PUD, in the PUD Zoning District. (PET: 1980-214).

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Development Order and **2** Condition(s) – Pg. 70

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

Timothy Sanford, Planner I

BA2006-00723

Gregg Roesch, owner, to allow a proposed wall to exceed the maximum height requirement. LOC: 2923 Hinda Road, approx. 0.4 mile W of Prosperity Farms Road, and approx. 0.10 mile E of Gardens East Dr., within the Kelly Acres Subdivision, in the RM Zoning District. (PET: 2006-247).

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Development Order and **3** Condition(s) – Pg. 75

Timothy Sanford, Planner I

BA2006-00741

Eddie Gonzalez, owner, to allow a proposed addition to encroach into the required side and front setbacks. LOC: 4790 Palm Way, approx. 0.2 mile E of Haverhill Road, and approx. 0.10 mile S of Dolphin Drive, within the Biltmore Terrace Subdivision, in the AR Zoning District (PET: 2006-250).

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Development Order and **2** Condition(s) – Pg. 79

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

Timothy Sanford, Planner I

BA2006-00834

Allen Preston, owner, to allow an accessory structure to encroach into the side corner setback. LOC: 542 Cherry Road, approx. 0.5 mile W of Congress Ave. and approx. 0.4 mile N of Belvedere, in the RM Zoning District.

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Development Order and **2** Condition(s) – Pg. 84

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

Timothy Sanford, Planner I

BATE2006-00805

Ruben D. & Martha I. Espinosa, owners, to allow a 12 month time extension on the development order and conditions 1, 2, and 3, from the approved variance application BA-2004-205. LOC: 2191 Scott Avenue, approx. 0.30 mile E of Military Trail, and approx. 0.20 mile N of Okeechobee Blvd., within the Okeechobee Gardens Estates Subdivision, in the IL Zoning District (PET. 2001-054).

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Development Order and **4** Condition(s) – Pg. 87

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

F. Alan Seaman, Senior Site Planner and Juanita James, Zoning Technician

BATE2006-00809

Dror Tregar, agent, for Anya Group, Inc., owner, to allow a 12 month time extension on condition #2, for the approved variance BA-2005-1217. LOC: 4335 N. Federal Highway, on the NE corner of US Highway #1 and Turner Rd., in the RS Zoning District.

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Development Order and **3** Condition(s) – Pg. 89

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

F. Alan Seaman, Senior Site Planner and Juanita James, Zoning Technician

Regular Items(s):

BA2006-00578

Kilday & Associates, agent, for Tree Brothers, Ltd., owner, to allow an existing SFD to encroach into the required rear setback; to allow a 6ft vinyl coated - chain link fence on property line; and to allow 100% plant material installed on the interior side of fence. LOC: 11061 Indiantown Road, approx. 0.90 mile E of Mack Dairy Rd. and approx. 100 ft N of Indiantown Rd., within the Philo Farms Subdivision, in the AR Zoning District. (PET: 2006-185).

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There are No Conditions or a Development Order on this petition.

Staff is recommending **Denial without prejudice in Part & Approval with Conditions in Part.** Pg. 96

Ora Owensby, Senior Site Planner

BA2006-00725

Kilday & Associates, agent, for Spots, Inc., owner, to allow a proposed hotel and parking garage to exceed the maximum height without additional setbacks; to allow a reduction in the minimum PDR for a MUPD (in lot size, width, frontage, FAR, percentage of building coverage, and 24 hr operation) and to allow a reduction of the R-O-W buffer with overlap easements and reduced landscaping. LOC: 560 S. Congress Ave., and approx. 0.10 mile N of Summit Blvd., within the Palm Acres MUPD Subdivision, in the CG & CN Zoning Districts (PET: 1977-031).

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There are No Conditions or a Development Order on this petition.

Staff is recommending **Denial without prejudice.** Pg. 104

F. Alan Seaman, Senior Site Planner

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) 233-5302.