

AGENDA

PALM BEACH COUNTY BOARD OF ADJUSTMENT

Novemeber 16, 2006

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(District 3)

Robert Basehart, Vice Chairman
(District 2)

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(District 5)

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(District 1)

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Robert Weisman
County Administrator

"An Equal Opportunity - Affirmative Action Employer"

2300 N. Jog Rd, West Palm Beach, Florida 33411 (561) 233-5200



AGENDA

PALM BEACH COUNTY BOARD OF ADJUSTMENT

11/16/2006

- 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Withdrawn Items:

BA2006-01355

Warren Hemminger, agent, for Marvin & Mildred Waghelstein, owners, to allow a proposed addition to encroach into the required rear setback and to exceed the maximum lot coverage. LOC: 7768 Dundee Lane, approx. 0.22 mile N of Linton Blvd., and approx. 0.31 mile S of Florida's Turnpike, within the Glen E PUD, in the PUD Zoning District (PET: 1980-215).

BA2006-01549

Urban Design Studio agent, for Okee Property West LLC and Okee Property East LLC, owners, to allow a structure to encroach into the required front & side interior setbacks; to allow a reduction in foundation planting, and to waive the build-to-line requirement. LOC: 1870 Okeechobee Blvd; and 910, 915, 917, 918, 921, 1000, 1010, 1014 and 1030 Oklawaha Ave., LOC: approx. 0.38 mile E of N. Congress Ave and approx. 0.68 mile N of Worthington Rd., in the CG Zoning District.

Postponed Item(s):

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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Postponed Item(s) Continued:

BA2006-01537

Frogner Consulting, agent, for Ron Lamneck, owner, to allow an existing fence to to exceed the maximum height requirement. LOC: Vacant, 4221 S. Haverhill Rd., approx. 0.20 mile S of Lake Worth Rd., and approx. 0.29 mile NE of Sunset Trail, in the AR Zoning District (PET:1986-065).

BA2006-01545

Ruden McClosky, agent, for Carolyn & James Shamblin; James Hill; and BP Products of North America, owners, to allow an extension of the hours of operation. LOC: Vacant lot, approx. 0.26 mile N of Palm Beach Canal Rd. and approx. 0.53 mile W of N. Military Trail, in the RM Zoning District (PET. 2004-237).

BA2006-01552

Kilday and Associates, Inc., agent, for the School Board of PBC, owner, to delete required screening within R-O-W buffer adjacent to Rural Pkwy; to delete shrub & fence required within incompatibility buffer along Civic site at the south property line; delete wall requirement between residential & non-residential use; to exceed the max allowed building frontage per single tenant; to increase the max allowed % of square footage for free standing structures; to reduce the min. allowable % of a main street for designated primary frontage; to allow a deviation from the min. % of arcaded sidewalks required along the primary street frontages (for east side of building A1, south side of building A2, & north side of buildings D1 thru D3); & from the required min. % of transparent glass along ground floor. LOC: 10725 Acme Dairy Rd at the SE corner of of Boynton Beach Blvd. & Lyons Road in the AGR-TMD Zoning District (pet. 2004-0471).

Consent Item(s):

BA2006-01361

Miller Land Planning, agent, for SRR Holding, LLC, owner, to exceed the maximum allowed distance between interior landscape islands and for a structure to encroach into the required rear setback. LOC: Vacant, approx. 1.1 miles W of Lyons Rd., and approx. 0.49 mile N of Lantana Rd., in the CG Zoning District (PET: 2006-368).

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

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

Joseph Cearley, Planner I

BA2006-01362

Miller Land Planning, agent, for Richard Pribell, owner, to allow required parking to locate on property other than that of the principal use and to eliminate side parking requirement. LOC: 7980 S. Jog Rd., approx. 0.02 mile E of S. Jog Rd., and approx. 0.2 mile S of Northtree Blvd., within the Aberdeen PUD, in the AR Zoning District (PET: 2006-366).

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

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

Joseph Cearley, Planner I

BA2006-01365

Rick & Diane Shawbell, owners, to allow a proposed pool to encroach into an easement. LOC: 5216 Arbor Glen Rd., approx. 0.12 mile W of Haverhill Rd., and approx. 0.07 mile S of Palm Way S., in the RS Zoning District (PET:1979-065).

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Development Order and **2** Condition(s) – Pg. 16

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

Joseph Cearley, Planner I

BA2006-01535

Margaret Locken & Thomas Petrilla, owners, to allow a proposed addition to encroach into the required rear setback. LOC: 8317 Bonita Isle Drive, approx. 0.25 mile N of Lantana Rd., and approx. 0.30 mile W of Aquarius Blvd., in the RS Zoning District (PET: 1974-063).

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Development Order and **2** Condition(s) – Pg. 21

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

Joseph Cearley, Planner I

BA2006-01536

Charles & Eileen Woolard, owners, to allow a proposed generator to encroach into the side interior and front setback. LOC: 17043 Passage N, approx. 0.42 mile W of US 1, and approx. 0.42 mile S of E. Indiantown Rd., within the Jonathan's Landing, in the RM Zoning District (PET: 1974-195).

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Development Order and **3** Condition(s) – Pg. 26

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

Joseph Cearley, Planner I

Consent Item(s) continued:

BA2006-01543

Stephen Aron, owner, to allow a generator to be located in the side street yard. LOC: 6363 D'Orsay Court, approx. 0.14 mile E of Jog Rd. and approx. 0.45 mile S of Flanders Lane, within the Mizner's Preserve PUD, in the PUD Zoning District (PET: 2006-500).

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Development Order and **3** Condition(s) – Pg. 31

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

Joseph Cearley, Planner I

BA2006-01547

Ruden McClosky, agent, for JCL Management, owner, to allow a reduction of the R-O-W buffer. LOC: 1031 S. Military Trail, approx. 0.54 mile W of Kirk Rd., and 0.75 mile N of Forest Hill Blvd., in the CG Zoning District (PET: 2006-093).

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Development Order and **3** Condition(s) – Pg. 36

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

Douglas Robinson, Site Planner I

BA2006-01548

Daniel & Sharon Rauth, owners, to allow an existing structure to encroach into the required side and front setbacks. LOC: 3931 Tuskee Dr., approx. 0.07 mile E of Lawrence Rd., in the RM Zoning District (PET: 2006-502).

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Development Order and **3** Condition(s) – Pg. 41

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

Joseph Cearley, Planner I

BA2006-01551

Kilday and Associates, Inc., agent, for Boynton Beach Associates XXI, LLLP, owner, to allow a chain-link fence in lieu of the required wall to be installed along the property line within the S, W, and NW incompatibility buffers and to allow 100% of required landscape material to be located on the interior side of fence. LOC: NW corner of the intersection of Hagen Ranch Road and Woolbright Road in the PUD Zoning District (pet. 2005-008).

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Development Order and **3** Condition(s) – Pg. 49

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

Thuy Shutt, Zoning Consultant

BA2006-01553

Land Design South Inc, agent, for Wycliffe Golf and Country Club, Inc., owner, to allow a tennis court to encroach into the side interior setback. LOC: within the Wycliffe PUD recreational track located off Wycliffe Country Club Blvd. in the PUD Zoning District (PET: 1986-104B).

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Development Order and **2** Condition(s) – Pg. 54

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

Joseph Cearley, Planner I

BA2006-01561

Kim-Glas Castro, agent, for Autonation Imports of Palm Beach, Inc., owners, to allow a reduction in the R-O-W buffer and for a buffer to encroach into an easement. LOC: 2300 Okeechobee Blvd., approx. 0.04 mile W of N. Congress Ave. and approx. 1.03 miles N of Belvedere Rd., in the CG Zoning District. (PET:1987-006).

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Development Order and **2** Condition(s) – Pg. 59

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

Joseph Cearley, Planner I

BATE2006-01619

Kilday & Associates, Inc., agent, for K. Hovnanian T & C Homes at Florida, LLC, owners, a 24-month time extension on approved variance (BA 2005-1318) to allow a reduction of two incompatibility buffers. LOC: 4630 Lantana Rd., approx. 0.15 mile S of Lantana Rd. and approx. 0.29 mile W of Military Trail, in the AR Zoning District (PET: 1997-109).

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Development Order and **2** Condition(s) – Pg. 61

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

F. Alan Seaman, Principal Planner & Juanita James, Zoning Technician

Regular Item(s):

BA2006-01530

Carlos Montanez, agent, for Maria Montanez, owner, to allow an existing SFD to encroach into the required side interior setback. LOC: 3844 Melaleuca Lane, approx. 0.14 mile E of Kirk Rd., and approx. 0.76 mile S of Lake Worth Rd., in the RM Zoning District (PET: 1997-30115).

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

Staff is recommending **Denial without prejudice**. Pg.66

Joseph Cearley, Planner I

BA2006-01544

Patricia & Rick Upton, owners, to allow a proposed fence to exceed the maximum allowable height requirement in the front yard. LOC: 15655 75th Way N, approx. 0.10 mile W of 75th Ave. N and approx. 0.32 mile S of 180th St. N, in the AR Zoning District (PET: 2006-501).

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

Staff is recommending **Denial without prejudice**. Pg. 71

Joseph Cearley, Planner I

BA2006-01358

Kilday & Associates Inc, agent, for Silver Lake Palm Beach Llc, Silver Lake Enterprises Inc, Seminole Improvement District, and Judge Callery, owners, to allow an increase in recreational and open space in TTD requirements; to increase the number of years per development phase, and to allow the elimination of incompatibility buffers and R-O-W buffers. General Location: E and W of Seminole Pratt Whitney Rd., S of 60th St N and N of 50th St N, E of Meadhill Dr. and 44th St N, E of 190th Ter N, and W of 140th Ave N, within the boundaries of the Seminole Improvement District, in the AR Zoning District (PET: 2006-397).

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

Staff is recommending **Denial without prejudice**.

Ora Oqwnsby, 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 Administrative Review & Public Information Section at (561) 233-5302.