

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

Thursday, July 19, 2007
09:00 a.m. - 09:12 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

Annie Helfant, Asst. County Attorney
Larry Roberts, Professional Engineer
Alan Seaman, Principal Site Planner
 Aaron Taylor, Site Planner I
 Juanita James, Zoning Technician
 Annette Stabilito, Secretary
Lauren Benjamin, Student Para-professional
 Jeff Gagnon, Student Para-professional

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PROCEEDINGS

The Palm Beach County Administrative Variance Type 1-B Staff Public Meeting began at 09:00am. Alan Seaman, Principal Site Planner opened the meeting. He began the meeting asking the Administrative Approvals Secretary for confirmation of the 300ft manifest. These are notices that are mailed to the neighbors that are affected by the variance requests, informing them of this public meeting. This information was confirmed by the Secretary, Annette Stabilito, who stated that items were entered into the Mailstream of US Certified Letters on June 29, 2007.

Mr. Seaman opened the meeting by giving a brief summary and introduction of the Type 1-B variances under the Administrative Variance Staff Public Meetings.

Mr. Seaman explained the following: "For those of you that are not familiar with how staff conducts our business, the Agenda is divided in two parts, the Consent and Regular Agenda. Items on the Consent Agenda are items that have been approved by staff, the applicant agrees with the conditions and there is no opposition from the public. If there is opposition from the public, or the applicant does not agree with the conditions, an item can be re-ordered to the Regular Agenda. If an item is on the Consent Agenda and remains on the Consent Agenda, the variance is approved and the applicant is free to leave. The next part of the Agenda is the Regular Agenda. That consist of items that have been removed from Consent, or items that have opposition from the public, or the applicant does not agree with the conditions that staff has imposed. Staff will introduce them and the applicant will have an opportunity to give their presentation and then staff will give theirs. Then the public portion of the meeting is open and staff will hear from the public".

The Principal Planner also informed that "if any information or documents is presented to staff at the meeting from the public, or the applicant provides additional information that may affect staff's decision, a thirty day (30) postponement may be requested to allow staff time to review the new information".

Mr. Seaman then proceeded asking staff if there were any changes to the Agenda, and there were none.

The first item on the Agenda are **Withdrawn Items**, which there were none.

The next item on the Agenda are **Postponed Items**, which there were none.

The **first item on Consent** Agenda was read into the record by the Project Manager, Aaron Taylor:

Item # AVB2007-0797 Manuel Payan, agent, for Okeechobee Petroleum, LLC, owner. The property is located at 6970 Okeechobee Boulevard. The property is generally located approximately .028 miles South of Okeechobee Blvd. and approx. 021 miles East of Skees Rd. in the CG/SE Zoning District (PET: 1982-138).

Manuel Payan, the agent, was present in representation of the owner. The variance request is to allow a generator to encroach into the required rear setback.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

Following Hurricane Wilma, the gasoline tanks and the fuel dispensers were upgraded and replaced improving overall service to the community and reducing environmental impact risks. The owners of the business felt it prudent to purchase and install a generator to best serve the community in the event of future hurricanes.

Generator permitting was requested and agreed to by the contractor who performed the underground tank replacement. Unbeknownst to the owners, the permit requests for the generator were not completed with the permitting for the other work being performed. The contractor later refused to complete the generator permitting to avoid resubmitting permit requests for the other proposed improvements. Therefore, the owner is submitting his own paperwork to allow the existing generator to encroach into the required rear setback.

Mr. Taylor stated that no response letters were received, in favor, or in opposition to the variance request. There were no members from the public in opposition or approval of the variance.

Staff recommended approval with two (2) conditions. The applicant agreed on the conditions and staff approved the variance.

The **second and last item on Consent** Agenda was read into the record by Zoning Technician, Juanita James:

Item # AVE2007-00849 Land Design South, agent, for Supertrail Manufacturing Co. Inc., owner. The property is located at 1010 Stonewall Drive. The property is generally located approximately 1.13 miles S of Northlake Blvd., and approximately 0.53 mile E of Coconut Blvd., within the Stonewall Estates PUD, in the RE/SE Zoning District (PET: 1983-18B). Jeffrey Brophy, representing Land Design South (the agent) was present on behalf of the owner.

The variance request is to allow a 12-month time extension on the approved variance AVE 2006-1819 and BA 2004-279 to allow the elimination of a required second housing type in a PUD which exceeds a 10% threshold over 300 dwelling units.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

The applicant is requesting a 12-month time extension for the Development Order and Condition #2. The applicant stated that there was some unforeseen delays recording the plat. The applicant has made all of the changes and has submitted the plat to be recorded, this would satisfy condition #2. Then the applicant will work on the building permit and obtain and pass the first inspection. Completing these task will then vest the original approved variance of BA 2004-279.

Staff recommended approval of the time extension with two (2) conditions. Since applicants can apply for a time extension maximum of up to three (3) years, Ms. James interjected that this would be the last time extension that the applicant can apply for.

The applicant agreed on the conditions and the conditions regarding the time extension limitations. Therefore, based on the applicant's justification, staff approved the time extension.

There were no other items on Consent and no items under **REGULAR** Agenda. Therefore, the meeting was adjourned at 09:12am.

Based on Article 2.A.1.D of the Unified Land Development Code (ULDC) and the applicant's ability to meet the criteria pursuant to Article 2.A.1.F of the ULDC, the Administrative Variance Public Meeting Staff approved the variances that were requested at their **July 19, 2007** Variance Public Meeting.

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