

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

Thursday, March 15, 2007
09:05 a.m. - 09:15 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 Site 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

I N D E X

<u>Petition</u>		<u>Page</u>
1	AVE2007-0137	4
2	AVE2007-0172	5
3	AVE2007-0237	5
4	AVE2007-0251	6

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 09:05. Principal Site Planner, F. Alan Seaman, opened the meeting. There were no notices sent this month since there were no variance requests received for this month's meeting, only four (4) time extensions requests.

Mr. Alan 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 Site 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 staff responded that 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 called by Juanita James, Zoning Technician:

Item # **AVB2007-0137** Marda L. Zimring, agent, for Sunshine Wireless Co., Inc., owner. The property is located at **2251 Park Place**. The property is generally located approximately 0.125 mile north of Glades Road, on the west side of Florida's Turnpike in the AR/SE Zoning District. The variance request is to allow a 12 month time extension on the Development Order and Condition #1, in order to vest the approved variance BA-2004-0994. The agent, Marda L. Zimring, was present, on behalf of the owner.

JUSTIFICATION STATEMENT

"The applicant is requesting a 12-month time extension for the Development Order and Condition #1. The applicant states that a time extension is needed due to other zoning applications. The

project was approved for rezoning January 2006 and received final site plan approval on March 2006. The building permit application was filed on September 2006. The applicant is requesting a time extension to vest BA 2004-994".

Ms. James interjected that this would be the last time extension the applicant can apply for, since they had previously been approved for a two (2) year time extension. Mr. Seaman clarified this by stating that an applicant can apply for a total of three (3) years.

The **second item on Consent** Agenda was called by Ms. Juanita James:

Item # **AVB2007-172** Scott Levine, for Ocean Avenue LLC, owner. The property is located at **4450 N. Ocean Boulevard**. The property is generally located approximately at the NW corner of North Ocean Boulevard and North Country Road, in the RM Zoning District. The variance request is to allow a 12 month time extension on condition #1, to allow proposed pool to encroach into the required side street setback, in order to vest the approved variance BA-2006-010. The applicant, Scott Levine, was present. The applicant stated his reasons for the time extension as follows:

JUSTIFICATION STATEMENT

"The applicant states that there were delays with the building permit for the principal dwelling, which delayed the building permit for the pool. The applicant is requesting a time extension to be the principal dwelling building permit issued and then he could work on the pool permit. Granting the variance for the time extension will allow him enough time to vest approved variance BA 2006-10".

Staff recommended approval with one (1) condition. The applicant agreed on the condition. Based on the applicant's justification, staff approved the time extension.

The **third item on Consent** Agenda was called by Ms. Juanita James:

Item # **AVE2007-0237**, Ronald Simon, owner. The property is a vacant lot, generally located approximately 0.12 mile W of Florida's Turnpike, on the N side of Clint Moore Rd., within the Palm Beach Farms Subdivision, in the AGR Zoning District. The variance is to allow a 12 month time extension on the Development Order in order to vest the approved variance BA2005-0135; to allow the elimination of the required 10% rear and side parking. Ronald Simon, the owner and also Head Master of the Randazzo School, was present. The applicant stated his reasons for the time extension as follows:

JUSTIFICATION STATEMENT

"The applicant has several delays in attempting to obtain his plans for a school. As soon as the plans are ready the applicant will need to submit for his building permit. The applicant is requesting a time

extension for the opportunity to obtain his building permit and pass the first inspection, therefore, needing the time extension to vest BA 2005-135".

Staff recommended approval with one (1) condition. The applicant agreed on the condition. Based on the applicant's justification, staff approved the time extension.

The **fourth and last item on Consent** was also called by Ms. Juanita James:

Item # **AVE2007-251**, Kilday & Associates, agent, for K. Hovnanian T & C Homes at Florida, LLC.

The property is located at 4630 Lantana Road. The property is generally located approximately 200 ft south of Lantana Road and approximately 0.19 mile west of Military Trail, within the Sabal Grove PUD, in the AR Zoning District. The variance is to allow a 24 month time extension on the Development Order in order to vest the approved variance BA-2006-0210; to allow a reduction in the required setbacks and separations for proposed townhouse units. Damian Brink with Kilday & Associates, agent, was present, in representation of the owner. The applicant stated his reasons for the time extension as follows:

JUSTIFICATION STATEMENT

"The applicant has been proceeding through the Zoning process for this project and has received approvals from the Board of County Commissioners and Final Subdivision Plan approval. These applications are also associated with a density bonus Workforce Housing Program application that was approved May 25, 2006. The applicant is now requesting a time extension to apply for a building permit and pass the first inspection".

Staff recommended approval with one (1) condition. The applicant agreed on the condition. 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 09:15am.

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 March 15, 2007 Variance Public Meeting.

* * * * *