

**PALM BEACH COUNTY
ADMINISTRATIVE VARIANCE MEETING
THURSDAY, September 20, 2012 at 9:00 a.m.**

MINUTES OF THE MEETING

The Variance Public Meeting was held on the 1st Floor of Vista Center, 2300 N. Jog Road, West Palm Beach, FL 33411.

ATTENDEES

County Staff Present:

Barbara Pinkston-Nau, Principal Site Planner

Juanita James, Zoning Technician

Inna Stafeychuk, Zoning Technician

Proof of Publication: Juanita James said that Courtesy Notices for AVB2012-1692 were mailed out on July 25, 2012 and AVB2012-1938 were mailed out on August 29, 2012.

Changes to Agenda: Juanita James asked if there were any changes to the agenda. Inna Stafeychuck said on the first page of the agenda should be her name instead of Andrea Harper. AVB2012-1938 Conditions of Approval have been modified, should be 4 conditions, not 3, and will be read into the record later.

Disclosures

Juanita James explained the following: For those of you who are not familiar with how staff conducts our business, the Agenda is divided in two parts, 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, after receiving their result letter. The next part of the Agenda is the Regular Agenda, that consists 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 imposed by Staff. We begin with Staff's presentation, Findings of Fact, and recommendation, followed by the agent's presentation. We will then open the public portion of the meeting and hear from the public. If any information or documents presented to staff at the meeting from the public or the applicant provides additional information that may affect the staff's decision, a 30-day postponement may be requested to allow staff time to review the new information.

CONSENT ITEM(S):

AVB2012-1692

Legal Ad: Kenneth Connelly, agent, for Karen Miller-Connelly, owner, to allow a proposed and existing structure to encroach into the required front and side setbacks. LOC: 1126 Cheetham Hill Rd approx. .11 mile north of W. Harlena Dr. and approx. .497 south of Lion Country Safari Rd. in the AR Zoning District.

Staff: Juanita James presented the Type 1B Variance, read the Legal Ad and presented the Findings of Fact.

There is one revised condition. Condition AVB-1 should read as follows:

1. At the time of submittal for Building Permit applications, the Property Owner shall provide the Building Division with a copy of the Administrative Variance Staff Public Meeting Result Letter and a copy of the Survey dated June 8, 2012 presented to the staff. (BLDG PERMIT: BLDG - Zoning)

Public: No one from the public was present.

Ken Connelly, owner, was in agreement with the Development Order and the 2 Conditions of Approval. Staff approved the Variance.

AVB2012-1938

Legal Ad: Akram Boughannam, owner, to allow two existing accessory structures to encroach into the required rear setbacks, to allow an existing fence and wall to exceed the maximum height requirements for the front yard, and to allow accessory structures to exceed the square footage of the principal use. LOC: 5720 Fearnley Road approx 0.097 miles N of Lantana Road on Fearnley Road in AR Zoning District. (Control 2012-00423).

Staff: Inna Stafeychuck presented the Type 1B Variance, read the Legal Ad and presented the Findings of Fact. The new conditions were read into the record. They are as follows:

1. At time of submittal for Building Permits, the Property Owner shall provide the Building Division a copy of the Administrative Variance Staff Public Meeting Result Letter and a copy of the survey dated August 22, 2012. (BLDG PERMIT: BLDG - Zoning)
2. Prior to the submittal of Building Permit, the Property Owner must remove all the kitchen equipment in the accessory dwelling unit. (ONGOING: CODE ENF – Zoning)

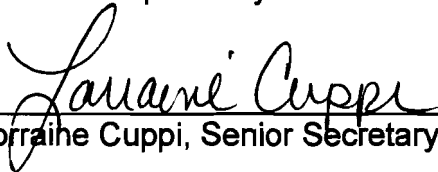
3. Prior to the issuance of the Certificate of Occupancy, the Building Inspector shall verify that the removal of the kitchen equipment in the accessory dwelling unit is completed. (CO: BLDG – Zoning)
4. Prior to September 20, 2013, the Property Owner shall obtain a Building Permit for the 780± square foot garage, the 1220± square foot barn, the 835± square foot accessory dwelling unit on top of the barn, the 5-foot high concrete wall along south property line, and the 5-foot high chain link fence along north, east and west property lines. (DATE: BLDG - Zoning)

The applicant, Akram Boughannam was in agreement with the Development Order and the 4 Conditions of Approval. Staff approved the variance.

Public: Sonia Terrosa, the neighbor to north asked why a building permit was pulled for the structure. Juanita James responded that structures were built by the previous owner without building permits and do not meet regulations in our code. To get a building permit, he has to ask for a variance.

MEETING ADJOURNED AT 9:16 AM

Minutes Prepared by



Lorraine Cuppi, Senior Secretary October 5, 2012