



ZONING BOARD OF ADJUSTMENT RESULTS LIST

May 20, 1999

BOFA 9900020

E. H. & Marianne Vanden Bosch

RESULT - APPROVED WITH CONDITIONS

The applicant is requesting a variance to allow a proposed garage to encroach into the required front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900020	6.5.G.1 Property Development Regulation: Front Setback for a Proposed Garage	25 Feet	14 Feet	11 Feet
ADDRESS OF PROPERTY:	776 Jamaican Dr			

The above variance was granted subject to the following zoning condition(s):

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)
2. The proposed garage remain a side loaded garage. (ONGOING)
3. The property owner shall install a 36" high native hedge at a maximum of 24" on center along the proposed garage site wall adjacent to Jamaican Dr. prior to Certificate of Occupancy. (DATE:MONITORING-CO-LANDSCAPE)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BATE 9900027
Randell Enterprises Of P.B.**

RESULT - APPROVED WITH CONDITIONS

To apply for a Time Extension for Condition # 1.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 9900027	Time Extension for Condition #1.	March 21, 1999	June 21, 1999	3 months
ADDRESS OF PROPERTY:	2580 S Military Trail			

The above variance was granted subject to the following zoning condition(s):

Staff recommends a maximum **three (3) months** time extension for Condition #1 from **March 21 1999 to June 21, 1999**, consistent with Section 5.7.H.2 of the ULDC, to provide additional time for the petitioner to commence development and implement the approved variances. The property owner shall comply with all conditions of approval of BA98-100, unless modified below:

1. By March 21, 1999, the property owner shall install the following land- scape buffer along the east property line:
 - a) Construct a raised 36 inch high and 10 foot wide planter along the entire length of the eastern property line. The planter shall allow for an opening in the bottom for the root system of the trees and shrubs to penetrate the soil beyond. The planter shall be designed to include irrigation and encourage the plant material to mature and flourish.
 - b) Install a minimum of 18 cabbage palms, at a height of:
 - i) 50% (9 trees) installed at 16' clear trunk
 - ii) 50% (9trees) installed at 8' clear trunk All required palms to be planted 8 feet on-center along the eastern property line, where the storage area encroaches setback in the planter; Sabal palms shall be staggered to provide the maximum buffering above the Ficus hedge.
 - c) Install a 6 foot high Florida Fancy Ficus hedge in the raised planter.
 - d) The required Ficus hedge shall be maintained at a height of 12', measured from the adjoining property grade. **(DATE:MONITORING- Landscape)**

Is hereby amended to read:

1. By **June 21, 1999**, the property owner shall install the following land- scape buffer along the east property line:
 - a) Construct a raised 36 inch high and 10 foot wide planter along the entire length of the eastern property line. The planter shall allow for an opening in the bottom for the root system of the trees and shrubs to penetrate the soil beyond. The planter shall be designed to include irrigation and encourage the plant material to mature and flourish.
 - b) Install a minimum of 18 cabbage palms, at a height of:
 - i) 50% (9 trees) installed at 16' clear trunk
 - ii) 50% (9trees) installed at 8' clear trunk All required palms to be planted 8 feet on-center along the eastern property line, where the storage area encroaches setback in the planter; Sabal palms shall be staggered to provide the maximum buffering above the Ficus hedge.
 - c) Install a 6 foot high Florida Fancy Ficus hedge in the raised planter.
 - d) The required Ficus hedge shall be maintained at a height of 12', measured from the adjoining property grade. **(DATE:MONITORING- Landscape)**
2. By March 25, 1999, the existing CBS wall shall be architecturally treated on all exterior sides to be compatible with the neighborhood, as required by the ULDC. **(DATE:MONITORING-Zoning)**
3. By February 3, 1999, the illegal point of purchase sign located along Vicliff Road, shall be removed. **(DATE:MONITORING-Zoning)**
4. The gates located at the entrance to the site off Vicliff Blvd., shall be kept closed, except when vehicles are entering or leaving the site, or during business hours, 8 a.m. to 5 p.m., when they may remain open at a width not to exceed 15 feet. This will ensure the storage area is screened from the residential street. The gate needs to be setback, as shown on Site Plan, Exhibit 45, presented to the Board of Adjustment, at the January 21, 1999 public hearing, to ensure trucks do not stop in the road. **(ONGOING-CODE ENFORCEMENT)**
5. The landscape plan and details shown on the Site Plan, Exhibit 45, presented to the Board of Adjustment, at the January 21, 1999, public hearing, shall be submitted to the Building Division, Landscape Section when applying for Landscape approval of the on-site landscaping. **(BLDG PERMIT-Landscape)**
6. By February 21, 1999, the applicant shall submit a final Site Plan to the Development Review Committee for "Signature Only" approval of the final site layout, which shall be consistent with the ULDC code requirements and the Board of Adjustments approval. This plan shall be consistent with Site Plan Exhibit 45, presented to the Board of Adjustment, at the January 21, 1999, public hearing, any modification shall be reviewed by the Board of Adjustment staff to ensure the intent of the Board's approval is consistent with proposed changes. **(DATE: MONITORING-ZONING-DRC)**
7. No Variances shall be granted for the on-site parking and drainage requirements. **(ONGOING)**
8. To prohibit the outdoor use of any machinery, heavy equipment, demolition equipment, construction equipment, excavating equipment, power tools, bobcat, front-end loader, back hoe, or equipment of a semi-mechanical devices powered by anything other than electricity, prior to eight in the morning or after five in the evening, Monday through Saturday, and that there be no activity on Sunday. **(ONGOING)**

Comment: For any interpretation of the intent of Condition #8 of BA98-100, refer to verbatims from the March 18, 1999 BofA Hearing.

9. Vehicles shall only ingress the site from Vicliff Road and egress from Dale Road. **(ONGOING)**
10. Prior to DRC certification, the final Site Plan shall reflect one-way in signage at Vicliff Road and one-way out at Dale Road. **(ZONING-DRC)**

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900028
Todd L. Paxson**

RESULT - APPROVED WITH CONDITIONS

To allow a proposed accessory structure (stable) to encroach into the required front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900028	6.5.G.1 Property Development Regulations: Front Setback for a Proposed Stable	100 Feet	74 Feet	26 Feet
ADDRESS OF PROPERTY:	14270 87th Ct			

The above variance was granted subject to the following zoning condition(s):

- 1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)**
- 2. By May 20, 2000, the property owner shall obtain the building permit for the proposed private stable. (DATE: MONITORING-Bldg)**
- 3. The subject property owner is permitted for up to four (4) horses not owned by the owner or occupant of the premises. (ON-GOING)**

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900029
Gennaro Maratea**

RESULT - APPROVED WITH CONDITIONS

To allow an existing solid roof enclosure to encroach into the side interior setback on a zero lot line lot.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900029	6.6.A.10 Property Development Regulations: Existing solid roof screen enclosure in side interior setback for zero lot line dwelling	10 Feet	8.6 Feet	1.4 Feet
ADDRESS OF PROPERTY:	6297 Breckenridge Cir			

The above variance was granted subject to the following zoning condition(s):

1. **By June 20, 1999, the applicant shall provide the Building Division, Inspection Section, with a copy of the Board of Adjustment Result letter and a copy of the site plan, in order for B98013437, solid roof enclosure, permit to be schedule for a final inspection for Certificate of Occupancy. (DATE: MONITORING-BLDG INSPEC)**

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900030
James Ostrom & Marcia Steele**

RESULT - APPROVED WITH CONDITIONS

To allow a proposed swimming pool to encroach into the required side interior setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900030	6.6.A.9 Supplementary Regulations: Side Interior Setback for a Proposed Swimming Pool	10.5 Feet	3' 8"	6' 10"
ADDRESS OF PROPERTY:	6599 Lawrence Woods Ct			

The above variance was granted subject to the following zoning condition(s):

- 1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)**
- 2. By June 20, 1999, the BA Zoning staff shall ensure the certified site plan has a notation on lot 16 indicating the approved interior side setback for the swimming pool. (DATE:MONITORING-ZONING-BA)**

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900031
Rendel Forbes & Dahlia Forbes**

RESULT - APPROVED WITH CONDITIONS

To allow an existing building that is to be renovated to encroach into the front and side interior setback and to allow for repairs to this non-conforming structure to be improved to the maximum 30%.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900031	1.8.D.4 Non-conforming Structure reconstruction between 20% & to maximum 30% requires variance approval	20% to 30%	30%	Maximum permitted 30%
	6.5.G Property Development Regulations: General Commercial, Side interior Setback for existing structure to be renovated.	15 Feet	5 Feet	10 Feet
	6.5.G Property Development Regulations: General Commercial, Front Setback for an existing structure to be renovated.	50 Feet	28 Feet from BBL	12 Feet from BBL
ADDRESS OF PROPERTY:	1033 N Congress Ave			

The above variance was granted subject to the following zoning condition(s):

1. By October 20, 1999, the applicant shall apply to the Building Division for a building permit to raise the roof 4 feet for the center portion of the existing L-shaped building on the south portion of the site. The applicant shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of Site Plan Exhibit 9 (as found in BA99-31 file). (DATE: MONITORING-BLDG PERMIT)
2. By October 20, 1999, or issuance of the Certificate of Completion for the renovation the building on-site, which ever occurs first, install the following perimeter landscaping:

East Property line (along Congress Avenue)

a) Install 14 foot native canopy trees or cabbage palms 30 feet on-center b) Install a 36 inch native high hedge along the outside of the existing chain link fence. If there is not sufficient room to accommodate the hedge on the outside of the fence it may be installed on the side.

West Property Line (adjacent to residential)

a) Install 12 foot height native canopy trees or cabbage palms 30 feet on center

b) install a 36 inch high native hedge on the inside of the wall. (DATE: MONITORING-CO-INSPECT)

3. By December 20, 1999, the applicant shall contact the Zoning Division to request a site inspection to determine that the landscaping is installed per condition of approval and all outdoor repair and illegal structures are removed from site. (DATE: MONITORING-ZONING-BA)
4. This variance for setback applies only to the center portion of the existing L-shaped building that is to be raised 4 feet to accommodate the lifts that are currently located along the west side of the building. (DATE: MONITORING-ONGOING)
5. The renovations to the building shall not exceed \$59,220, pursuant to Article 1.8.D.3 of the ULDC. (BLDG:Permit)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BATE 9900032
Packer Family Limited Partnership**

RESULT - APPROVED WITH CONDITIONS

The applicant has applied for a time extension for 12 month time extension for the Development Order.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 9900032	Time Extension of 12 months to implement the Development Order	May 21, 1999	May 21, 2000	12 Months
ADDRESS OF PROPERTY:	2720 Okeechobee Blvd 2738 Okeechobee Blvd			

The above variance(s) was granted subject to the following:

ZONING CONDITION(S):

Staff recommends approval of a 12 month time extension from *May 21, 1999 to May 21, 2000*, consistent with Section 5.7.H.2 of the ULDC, to provide additional time for the petitioner to commence development and implement the approved variances. The property owner shall comply with all conditions of approval of BA98-32, unless modified below:

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan, certified by DRC, simultaneously with the building permit application. (BLDG PERMIT: BLDG)
2. Prior to DRC certification, the applicant shall ensure the BOFA conditions are shown on the site plan. (ZONING-DRC)
3. There shall be no modifications to the site layout or improvements, unless shown on Exhibit 19. Any minor modifications shall be reviewed by Board of Adjustment staff to ensure the intent of the Board of Adjustment approval is satisfied. (ZONING-DRC)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900033
B. W. Simpkins & F. A. Sheriff**

RESULT - APPROVED WITH CONDITIONS

To allow for a reduction in the width of the right-of-way buffers along Okeechobee Blvd. and Haverhill Road

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900033	7.3.F.1 Landscape Right along Right-of-Way, Okeechobee Blvd	20 Feet	12.5 Feet	7.5 Feet
	7.3.F.1 Landscape Buffer along Right-of Way, Haverhill Road	20 Feet	12.2 Feet	7.8 Feet
ADDRESS OF PROPERTY:	0 Haverhill Rd 5028 Okeechobee Blvd 5052 Okeechobee Blvd			

The above variance was granted subject to the following zoning condition(s):

- 1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)**
- 2. Prior to DRC certification, the applicant shall ensure the BOFA conditions are shown on the site plan. (DRC: ZONING)**
- 3. Prior to final Certificate of Occupancy for the Walgreen's Store or by May 20, 2000, which ever occurs first, the applicant shall upgrade the size of the trees and shrubs along both Haverhill Road and Okeechobee Blvd, as follows:**
 - a. Trees shall be upgrade to 20 feet on-center, if palms are to be used the applicant shall be required to plant 3 palms for each shade tree.**
 - b. Hedges shall be upgrade to 36 inches in height All plant material above shall be number 1 Florida Plant material and native.(DATE: MONITORING-C0-INSP)**

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900034
N.H. & Janet W. O'Neal**

RESULT - APPROVED WITH CONDITIONS

To allow a proposed accessory structure to exceed 25% of the distance between the south and west property line.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900034	6.5.G.a Accessory Structure not to occupy more than 25% of the distance between property lines (West property line)	28 Feet	40.6 Feet	12.6 Feet
	6.5.G.a Accessory Structure not to occupy more than 25% of the distance between property lines (West Property line)	49.25 Feet	60.13 Feet	10.88 Feet
ADDRESS OF PROPERTY:	222 Caroline Dr			

The above variance was granted subject to the following zoning condition(s):

1. By June 20, 1999, the applicant shall provide the Building Division, Intake Section, with a copy of the Board of Adjustment Result letter and Site Plan in order for PR998806 to be processed for the accessory shed. (DATE: MONITORING-BLDG INTAKE)
2. By July 20, 1999, the applicant shall relocated the 8.2 by 8.2 foot, along the east property line, out of the setback and obtain a building permit. (DATE: MONITORING-Code Enf/BUILD PERMIT)
3. By August 20, or issuance of the Certificate of Occupancy for the 60 by 40 foot accessory structure, the applicant shall install a 3 foot high hedge along the south property line to mitigate the variance on lot 19 to the south. Also, the existing hedge along Caroline Drive shall be supplemented with three shade native shade trees planted at 14 feet in height. (DATE: MONITORING- CO-LANDSCAPE)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

BATE 9900035
Brefrank, Inc.

RESULT - APPROVED WITH CONDITIONS

To allow for 18 month Time Extension of BofA 98-034.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BATE 9900035	To allow for an 18 month Time Extension of BofA 98-034 granted on May 21, 1998.	May 21, 1999	November 21, 2000	18 Month Time Extension
ADDRESS OF PROPERTY:	Hwy 441			

The above variance(s) was granted subject to the following:

ZONING CONDITION(S):

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG).
2. Prior to DRC certification for Pod "G", regional mall the applicant shall ensure the Board of Adjustment variance approval and conditions are on the site plan. (ZONING-DRC)
3. The parking variance is for 245 parking spaces and is based on Phase 1, Site Plan, Exhibit 21, in the Board of Adjustment file, future modifications to the parking certified plan layout shall be consistent with the BofA approval and final DRC certified site plan. (ONGOING)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

BOFA 9900036
Leslie And Leonard London

RESULT - APPROVED WITH CONDITIONS

To allow an existing pool and proposed screen enclosure to encroach into the required interior side setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900036	6.6.A.9.b Side interior setback for an existing swimming pool (east property line)	10.5 Feet	5.7 Feet	4.8 Feet
	6.6.A.10.b Side interior setback for a proposed screened enclosure (east property line)	7.5 Feet	2.5 Feet	5.0 Feet
ADDRESS OF PROPERTY:	21697 Old Bridge Trail			

The above variance was granted subject to the following zoning condition(s):

1. By February 20, 2000, the applicant shall provide the Building Division, with a copy of the Board of Adjustment Result Letter and site plan, in order for PR98044181, to be reviewed and permitted for the screen enclosure (DATE: MONITORING-BLDG PERMIT)
2. By September 20, 1999, the applicant shall revise the existing building permit, B83003934, by submitting a copy of the current survey and a copy of the Board of Adjustment Result letter, to the Building Division, to reflect the side interior (east property line) variance for the existing swimming pool. (DATE: MONITORING-BLDG INSP)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

BOFA 9900037
Randy L. Oblow

RESULT - APPROVED WITH CONDITIONS

To allow a SFD under construction to encroach into the required front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900037	6.5.G.1 Property Development Regulations: Front Setback for a SFD under Construction	65.47 Feet	60.47 Feet	5 Feet
ADDRESS OF PROPERTY:	Preakness Dr E			

The above variance was granted subject to the following zoning condition(s):

1. By June 20, 1999, the applicant shall provide the Building Division with a copy of the Board of Adjustment Result letter and Site Plan, Exhibit #9, in order for B98031862 to receive a final Certificate of Occupancy. (DATE:MONITORING-BLDG PERMIT/CO)
2. By July 20, 1999, the applicant shall submit a letter to the Zoning Division requesting the Administrative Variance AUSI990008 be administratively abandoned. (DATE:MONITORING-ZONING/BA)
3. By June 20, 1999, the building permit application (B98031862), shall be amended to reflect the approved front setback. (DATE:MONITORING-BLDG/ permit)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900039
Nelson And Gloria O'Bregon**

RESULT - APPROVED WITH CONDITIONS

To allow for an existing Type 1B pond to encroach the side interior setback .

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900039	7.6.F.2.b Excavation: Type 1B Pond side interior	30 Feet	15 Feet	15 Feet
	7.6.F.2.b Excavation: Type 1B Pond side corner	30 Feet	15 Feet	15 Feet
ADDRESS OF PROPERTY:	0 Reynolds Rd			

The above variance(s) was granted subject to the following:

ZONING CONDITION(S):

1. By July 20, 1999, the applicant shall provide the Building Division Permit Section with a copy of the Board of Adjustment Result Letter in order for B98027408 to receive a final Certificate of Occupancy for the single family dwelling. (DATE: MONITORING-BLDG PERMIT)
2. By July 20, 1999, the applicant has apply to DRC to Administratively Amend the DRC98-25 Site Plan to reflect the 15 foot setbacks approved by the Board of Adjustment. (DATE: MONITORING-DRC)
3. There shall be no modifications to the pond that will increase the non-conformity with respect to setbacks. (ONGOING)
4. By September 20, 1999 or Issuance of the Certificate of Occupancy for the single family dwelling (B98027408), the applicant shall install a fence around the perimeter of the property to ensure no access is permitted from the street or adjacent property to the pond. (DATE: MONITORING- CO-INSPECT)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

BOFA 9900040
Cornerstone Propane, L.P.

RESULT - APPROVED WITH CONDITIONS

To allow a proposed building to encroach into the front setback.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900040	6.5.A Property Development Regulations: Front setback for proposed building	100 Feet	75.7 Feet	24.3 Feet
ADDRESS OF PROPERTY:	15113 State Rd 7			

The above variance was granted subject to the following zoning condition(s):

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

BOFA 9900041
E. Wayne & Sherry Du Bois

RESULT - APPROVED WITH CONDITIONS

To allow a proposed expansion to an existing building to encroach the required front setback and reduce buffer width.

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900041	6.5.A Property Development Regulations: Front Setback for proposed 5,400 square foot building.	100 Feet	8 Feet	92 Feet
	7.3.F.I Landscape Regulations: 20 foot Wide Right-of-way-buffer along State Road 7	20 Feet	0 Feet	20 Feet
ADDRESS OF PROPERTY:	8421 State Road 7			

The above variance was granted subject to the following zoning condition(s):

1. The property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter and a copy of the Site Plan presented to the Board, simultaneously with the building permit application. (BLDG PERMIT: BLDG)

**RESULTS LIST
BOARD OF ADJUSTMENT
May 20, 1999**

**BOFA 9900042
Luis Vasquez**

RESULT - APPROVED WITH CONDITIONS

To allow an existing 5-foot-high fence to remain in the front yard

AGENDA ITEM	CODE SECTION	REQUIRED	PROPOSED	VARIANCE
BOFA 9900042	6.6.A.2.c Supplementary Regulations: Fence Height Required in the Front Yard	4 Feet	5 Feet	1 Feet
ADDRESS OF PROPERTY:	11822 N 61st St			

The above variance was granted subject to the following zoning condition(s):

- 1. By August 20, 1999, the property owner shall provide the Building Division with a copy of the Board of Adjustment Result Letter simultaneously with the building permit application for the existing chain link fence in the front yard. (DATE:MONITORING-Bldg.Permit)**
- 2. By August 20, 1999, the property owner shall obtain a building permit for the existing chain link fence in the front yard. (DATE:MONITORING-Bldg. Permit)**