



PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: **BA-2005-00603**

Control No: **1987-00092**

Result: **POSTPONED 30 DAYS**

Request: To allow an existing hedge to exceed the maximum height requirement.

Code Section / Description	Required	Proposed	Variance
5.B.1.A.2.e Fence Walls & Hedges - Residential Districts - Front	Hedge height to be a max of 8 ft	20 ft	12 ft

Address: Vacant, at the NE corner of Hagen Ranch Rd. & Boynton Beach Blvd.

The above variance was **POPSTPONED** for 30 days.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: BA-2005-00817

Control No: 1977-00048

Result: APPROVED

Request: To allow a sign to exceed the maximum square footage

Code Section / Description	Required	Proposed	Variance
8.G.1.A.4 Signage, Standards for Specific Signs, Building Mounted Signs, Wall Signs.	40 sq ft	87.5 sq ft	47.5 sq/ft
Address: 9950 Southern Blvd, West Palm Beach, FL - 33411			

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

NONE

The development order for this particular variance shall lapse on August 18, 2006, one year from the approval date.
(DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: BA-2005-00819

Control No: 2005-00147

Result: APPROVED WITH CONDITIONS

Request: To allow a proposed incompatibility buffer along the north property line and the compatibility buffer along the south property line to be reduced in width.

Code Section / Description	Required	Proposed	Variance
7.F.1.B Landscape - Compatible Buffers	5 ft.	0 ft.	5 ft.
7.F.9 Landscape - Incompatibility Buffer (Type 2)	15 ft	5 ft	10.0 ft

Address: 1520 N Haverhill Rd , West Palm Beach, FL - 33417

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

- 1 Prior to the issuance of the Certificate of Occupancy, all required landscape material shall be planted in accordance with Article 7 of the ULDC. (EVENT: LANDSCAPE: ZONING)
- 2 All landscape material required by Article 7 of the ULDC for a type 2 incompatibility buffer, shall be planted in the reduced incompatibility buffer along the north property line. (ON-GOING: LANDSCAPE: ZONING)

The development order for this particular variance shall lapse on August 18, 2008, three years from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/18/2005

Application No: BA-2005-00820

Control No: 2004-00420

Result: APPROVED WITH CONDITIONS

Request: to allow an existing detached garage to be less than 5 ft from an easement

Code Section / Description	Required	Proposed	Variance
5.B.1.A.2.C Accessory Structure (rear)	5 ft.	0.4 ft.	4.6 ft

Address: 16114 E Cornwall Dr., Loxahatchee, FL - 33470

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

- 1 By **November 18, 2005**, the applicant shall have applied and received a building permit; and have the building inspection completed for the existing accessory structure. A copy of the Board of Adjustment result letter shall be submitted with the building permit application. (DATE: BUILDING: ZONING)

The development order for this particular variance shall lapse on August 18, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/18/2005

Application No: BA-2005-00828

Control No: 1994-00036

Result: APPROVED WITH CONDITIONS

Request: To eliminate certain screening, facade and roof treatments; to allow relocation of loading area and orientation of bay doors; to allow reduced foundation plantings, landscape islands, terminal islands and interior islands.

Code Section / Description	Required	Proposed	Variance
3.D.3.A.6 Outdoor Activities	All outdoor activities, including outdoor storage and outdoor operations, shall be screened from view from all property lines to a height of six feet.	All outdoor activities, including outdoor storage and outdoor operations, shall be screened from view from all property lines by only the required landscape buffers.	All outdoor activities, including outdoor storage and outdoor operations, shall be screened from view from all property lines by only the required landscape buffers.
5.B.1.A.3 Outdoor Storage	Outdoor storage areas shall be completely screened from view from all streets and adjacent residential districts by landscaping, fences, walls, or buildings up to a height of 12 feet	Outdoor storage areas shall be screened from view from all streets and adjacent residential districts by landscaping and a 6-foot wall on a 3-foot berm.	Outdoor storage areas shall be screened from view from all streets and adjacent residential districts by landscaping and a 6-foot wall on a 3-foot berm.
5.B.1.A.7 Fuel, Gas, or Chemical Storage Tanks	Above ground accessory fuel, gas, or chemical storage tank and...shall be completely screened from view by a continuous solid opaque hedge a minimum of four feet in height around the perimeter of the tank enclosure.	The above ground accessory fuel tank shall be screened from view by only the required landscape buffers.	The above ground accessory fuel tank shall be screened from view by only the required landscape buffers.
5.B.1.A.8.d Dumpsters	Containers shall be screened from view by a solid opaque enclosure. All exposed exterior sides of the enclosure, other than the open end, shall be landscaped with one 36-inch high shrub planted 24 inches on center.	The trash compactor and all exposed exterior sides of the enclosure shall be screened from view by only the required landscape buffers.	The trash compactor and all exposed exterior sides of the enclosure shall be screened from view by only the required landscape buffers.
5.C.1.H.1.a Non-residential Design Elements	Similar architectural composition and treatment shall be provided on all sides of each building contiguous to a public street or residential zoned district.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for similar architectural composition and treatments.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for similar architectural composition and treatments.
5.C.1.H.1.b Roofline	The roofline along each elevation shall incorporate a minimum of one design feature from each Table 5.C.1.H-6, Primary Roof Design Element, and Table 5.C.1.H-7, Secondary Roof Treatment.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for the roofline to incorporate a minimum of one design feature each from Table 5.C.1.H-6, Primary Roof Design Element, and Table 5.C.1.H-7, Secondary Roof Treatment.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for the roofline to incorporate a minimum of one design feature each from Table 5.C.1.H-6, Primary Roof Design Element, and Table 5.C.1.H-7, Secondary Roof Treatment.
5.C.1.H.1.c Facade	The front, side, and rear facades, if contiguous to a public street or residential zoning district of every building, shall incorporate recesses, projections, and architectural elements such as columns, arches, etc.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for incorporating recesses, projections, and architectural elements such as columns, arches, etc.	Only the primary building, which fronts Belvedere Road, shall be subject to the architectural guidelines for incorporating recesses, projections, and architectural elements such as columns, arches, etc.
6.B.1.C Locations	Loading spaces shall be located adjacent to the building that it serves.	Loading spaces shall be located in the outdoor storage areas as well as adjacent to the building that it serves.	Loading spaces shall be located in the outdoor storage areas as well as adjacent to the building that it serves.
6.B.1.C.1 Bay Doors	Bay doors shall be located and oriented away from residential property lines or setback a minimum of 50 feet and screened from view.	Bay doors shall be setback a distance of 160 feet and screened from view by a 6-foot wall on a 3-foot berm, from the residential property lines to the west.	Bay doors shall be setback a distance of 160 feet and screened from view by a 6-foot wall on a 3-foot berm, from the residential property lines to the west.
6.B.1.C.2 Loading Areas	Loading docks and similar areas, shall be screened by an opaque wall, which is architecturally compatible with the adjacent structure.	The loading docks shall only be screened from view only by the required landscape buffers.	The loading docks shall only be screened from view only by the required landscape buffers.
Table 7.C.3-1 Tier Requirements	Required: 1 interior island per 10 parking spaces; foundation planting 8 ft. along side facades	To provide landscape islands in the required parking area along Belvedere Road and to provide larger landscaped areas to accommodate the relocation of landscape islands that were required in the outdoor storage areas; no foundation plantings in front of the bay door facades	To provide landscape islands in the required parking area along Belvedere Road and to provide larger landscaped areas to accommodate the relocation of landscape islands that were required in the outdoor storage areas; no foundation plantings in front of the bay door facades
7.G.2 Landscape Islands	Each row of parking in excess of four spaces in industrial zoned districts, shall be terminated by a landscape island; one interior island shall be installed per 10 parking spaces at a maximum of 100 feet apart	To provide landscape islands in the required parking area along Belvedere Road and to provide larger landscaped areas to accommodate the relocation of landscape islands that were required in the outdoor storage areas	To provide landscape islands in the required parking area along Belvedere Road and to provide larger landscaped areas to accommodate the relocation of landscape islands that were required in the outdoor storage areas

Address: 7329 7 PI N , West Palm Beach, FL - 33411

Hearing Date: 8/18/2005

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

- 1** The Prior to Final DRO, a revised site plan shall be submitted and approved by the Landscape Section indicating the relocation and supportive square footage calculations of Foundation Plantings, Terminal and Interior Islands, to alternative areas. The required trees and shrubs shall also be relocated to these alternative areas.

The development order for this particular variance shall lapse on August 18, 2008, three years from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: BA-2005-00973

Control No: 2005-00338

Result: APPROVED WITH CONDITIONS

Request: To allow an existing Single-Family Dwelling (SFD) to encroach into the required side interior setbacks along the east and west property lines and for a proposed screen enclosure to encroach into an easement along the north property line.

Code Section / Description	Required	Proposed	Variance
5.F.2.A.2 Easement Encroachment	No portion of any building...screen enclosure shall encroach into an easement	To allow portion of a screen enclosure to encroach into an easement	To allow portion of a screen enclosure to encroach into an easement
3.D.1.A-5 Property Development Regulations: (east side interior setback)	7.5 ft.	7.38 ft.	0.12 ft.
3.D.1.A-5 Property Development Regulations: (west side interior setback)	7.5 ft.	7.14 ft.	0.36 ft.

Address: 3607 N Libby Dr., West Palm Beach, FL - 33406

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

- 1 By **August 18, 2006**, the applicant shall apply for a building permit and have the building inspection completed for the proposed screen enclosure. A copy of the Board of Adjustment result letter shall be submitted with the building permit application. (DATE: BUILDING: ZONING)
- 2 The variance request for a reduction of the required side interior set backs along the east and west property lines is only for the existing single family dwelling. All future improvements shall meet the ULDC requirements. (ON-GOING:ZONING: ZONING)

The development order for this particular variance shall lapse on August 18, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/18/2005

Application No: BATE-2005-00975

Control No: 1980-00119

Result: APPROVED WITH CONDITIONS

Request: To allow a 12-month time extension on the Development Order from the approved variance BA-2003-224.

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension on Development Order	07/17/2005	07/17/2006	12-months
<p>Address: 9210 Okeechobee Blvd Lot 58, West Palm Beach, FL - 33411 9212 Okeechobee Blvd Lot 59, West Palm Beach, FL - 33411 9214 Okeechobee Blvd Lot 60, West Palm Beach, FL - 33411 9218 Okeechobee Blvd Lot 61, West Palm Beach, FL - 33411 9106 Okeechobee Blvd , West Palm Beach, FL - 33411</p>			

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

- 1 The development order for this variance shall expire on **July 17, 2005**, two years from the approval date. The applicant may apply for an additional one year extension provided he completes the time extension application on or prior to the original Development Order expiring (DATE:MONITORING)

IS HEREBY AMENDED TO READ:

The development order for this variance shall expire on **July 17, 2006**, two years from the approval date. The applicant may apply for an additional one year extension provided he completes the time extension application on or prior to the original Development Order expiring (DATE:MONITORING)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/18/2005

Application No: BAAA-2005-01014

Request: Appealing the decision of the Zoning Director regarding Article 1.E.1.D, that they were not a legal salvage/junkyard prior to 1957.

Code Section / Description	Request:
Article 1.E.1.D	to request an appeal on the decision of the Zoning Director that they were not a legal salvage/junkyard prior to 1957.
Address: 12608 S. Military Trail	

The above appeal was approved as follows:

Please be advised that BAAA 2005-1014, DJM International Enterprises, Inc.'s appeal was heard **on August 18, 2005** by the Palm Beach County Board of Adjustment. During this appeal, the Palm Beach County Board of Adjustment ruled in favor of the applicant. The Board determined that Astro Auto Salvage, located at 12608 S. Military Trail, was an auto salvage use prior to 1957.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: BATE-2005-01047

Control No: 2003-00447

Result: APPROVED WITH CONDITIONS

Request: To allow a 12-month time extension on the Development Order and Condition #1 in order to vest the variance approved pursuant to BA 2003-219.

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension on Development Order	07/17/2005	07/17/2006	12 month
2.B.3.G.2 Time Extension on Condition #1	07/17/2005	07/17/2005	12 month

Address: 5241 Pennock Point Rd , Jupiter, FL - 33458

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

The development order for this variance shall lapse on **July 17, 2005**, two years from the approval date. The applicant may apply for an extension provided they complete the time extension application, prior to the original Development Order expiring. (DATE:MONITORING-ZONING)

IS HEREBY AMENDED TO READ:

The development order for this variance shall lapse on **July 17, 2006**, two years from the approval date.

- 1 By **July 17, 2005**, the applicant shall obtain a building permit for the proposed single family residence in order to vest the variance approved pursuant to BA 2003-219. (DATE:MONITORING-BLDG PERMIT)

IS HEREBY AMENDED TO READ:

By **July 17, 2006**, the applicant shall obtain a building permit for the proposed single family residence in order to vest the variance approved pursuant to BA 2003-219. (DATE:MONITORING-BLDG PERMIT)

ZONING COMMENT :

Pursuant to the ULDC 2.B.3.F this will be the last time extension that can be granted for BA-2003-219.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: BATE-2005-01060

Result: **APPROVED WITH CONDITIONS**

Request: To allow a 12 month time extension on the Development Order in order to vest the approved variance BA-2004-430.

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension on the development order	08/19/2005	08/19/2006	12 months

Address: 9527 Sun Pointe Dr , Boynton Beach, FL - 33437

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

- 1 Prior to the issuance of a 'Building Permit', the applicant shall submit both the Board of Adjustment letter and a copy of the approved survey/site plan to the Building Division. (DATE: MONITORING-BUILDING)
- 2 Prior to the issuance of the 'Certificate of Occupancy', the applicant shall replace the existing 6ft wood fence along the north property line with a new 6' fence and 4 shade trees, 8-to 10 ft over all planted 15ft apart (type to be determined by the applicant and approved by the landscape inspectors). (DATE: MONITORING-LANDSCAPE)

The development order for this particular variance shall lapse on August 19, 2005, one year from the approval date. (DATE: MONITORING:Zoning)

IS HEREBY AMENDED TO READ:

The development order for this particular variance shall lapse on August 19, 2006, one year from the approval date. (DATE: MONITORING:Zoning)

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: **8/18/2005**

Application No: SD-127

Result: APPROVED WITH CONDITIONS

Request: to allow a proposed two lot residential subdivision to have direct access from Loxahatchee River Road, a Thoroughfare Plan collector road, rather than establishing and constructing a standard local street for lot access as required by the County subdivision regulations.

Code Section / Description	Required	Proposed	Variance
Article 11.E.9.D.2	No access directly to a major street	To allow Access directly to a major street	Access directly to a major street
Article 11.E.2.A.2	Access by a local street	To allow Access by a street of higher classification than a local street	Access by a street of higher classification than a local street

Address: East side of Loxahatchee River Road

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

- 1** In order to vest the variance approval, by **August 18, 2007**, the property shall be legally subdivided into two (2) lots by recordation of either an Affidavit of Plat Waiver or subdivision plat, approved in accordance with applicable requirements of Article 11, ULDC.
- 2** Each lot shall be limited to a single driveway connection, configured in a manner to provide for vehicular access from the lot to Loxahatchee River Road in a forward direction.
- 3** The above-stated driveway requirement is to be established by recorded instrument, acceptable to the County Engineer and County Attorney, as a condition of lot development for any subdivision approval for the subject property which is dependent upon this variance.

END OF REPORT