



**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

Application No: **BA-2006-00498**

Control No: **2005-00507**

Result: **APPROVED WITH CONDITIONS**

Request: To allow an existing SFD to encroach into the front setback.

Code Section / Description	Required	Proposed	Variance
3.D.1.A.5 Front setback	25'	18'	7'

**Address:** 2132 Longwood Rd , West Palm Beach, FL - 33409

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

- 1 By **08/17/2007**, the applicant shall provide the Building Division with a copy of the Board of Adjustment result letter and a copy of the site plan or survey (which may be the same) presented to the Board of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

The development order for this particular variance shall lapse on **08/17/2007**, one year from the approval date.  
(DATE: MONITORING:Zoning)

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00720**

**Control No: 1977-00087**

**Result: WITHDRAWN**

**Request:** To allow a proposed addition to encroach into the required side setback and for a portion of a roof overhang to encroach into an easement.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
Table 3.D.1.A-5 - Property Development Regulations	10 feet	7 feet and 7 inches	2 feet and 5 inches

**Address:** 4571 Willow Pond Ct E , West Palm Beach, FL - 33417

**The above variance was WITHDRAWN without Prejudice.**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00725**

**Control No: 1977-00031**

**Result: POSTPONED 30 DAYS**

**Request:** To allow a proposed hotel and parking garage to exceed the maximum height without additional setbacks; and to allow a reduction in the minimum property development regulations for a MUPD (lot size, width, frontage, FAR, percentage of building coverage, 24-hour a day operation); and reduced R-O-W buffer with overlap easements and reduced landscaping.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
7.F.7 Landscape - Right of Way Buffer	Art. 7.Chpt. F, Sec. 7. C. Planting Pattern - Required: 50% meandering pattern	Not meet in area of the 10' Congress Ave. ROW buffer.	Not meet in area of the 10' Congress Ave. ROW buffer.
3.E.3 MUPD, Multiple Use Planned Development. Property Development Regulations.	Art. 3, Chpt. E.Sec. 3.B.c.1) No overlap or easement encroachment permitted in MUPD R-O- W buffers. Required: 0' feet allowed	5'	5'
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 3.A.2.a. Hours of Operation - Required 6:00 a.m. 11:00 p.m.	24 Hours	7 Hours
3.E.3 MUPD, Multiple Use Planned Development. Property Development Regulations.	Table 3.E.3.D-20 Maximum Floor Area Ratio for an MUPD in CH Land Use - Required .50	1.0	.50
3.E.3 MUPD, Multiple Use Planned Development. Property Development Regulations.	Table 3.E.3.D-20 Minimum Lot Size for an MUPD in CH Land Use - Required 5.0 acres	2.48 acres	2.52 acres
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 1.E.2. Setbacks for Buildings Exceeding 35' in Height Side Setback (north property line) for Proposed Accessory Parking Garage) @ a Proposed Height of 60' - Required 60'	33'	27'
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 1.E.2. Setbacks for Buildings Exceeding 35' in Height Side Street Setback (Kentucky) for Proposed Hotel @ a Proposed Height of 152' - Required 147'	50'	97'
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 1.E.2. Setbacks for Buildings Exceeding 35' in Height Front Setback for Proposed Hotel @ a Proposed Height of 152' - Required: 147'	27'	120'

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

**Hearing Date: 8/17/2006**

**Application No: BA-2006-00725**

**Control No: 1977-00031**

**Result: POSTPONED 30 DAYS**

**Request:** To allow a proposed hotel and parking garage to exceed the maximum height without additional setbacks; and to allow a reduction in the minimum property development regulations for a MUPD (lot size, width, frontage, FAR, percentage of building coverage, 24-hour a day operation); and reduced R-O-W buffer with overlap easements and reduced landscaping.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 1.E.2. Setbacks for Buildings Exceeding 35' in Height Side Setback (south property line) for Proposed Hotel @ a Proposed Height of 152' - Required 132'	51'	81'
3.D Property Development Regulations	Art. 3, Chpt. D, Sec. 1.E.2. Setbacks for Buildings Exceeding 35' in Height Side Setback (south property line) for Proposed Accessory Parking Garage) @ a Proposed Height of 60' - Required 45'	20'	25'
3.E.3 MUPD, Multiple Use Planned Development. Property Development Regulations.	Table 3.E.3.D-20 Minimum Width & Footage for an MUPD in CH Land Use - Required 300'	285.82'	14.18'
3.E.3 MUPD, Multiple Use Planned Development. Property Development Regulations.	Table 3.E.3.D-20 Maximum Building Coverage for an MUPD in CH Land Use - Required 30%	40%	10%
7.F.7.A Width of R-O-W Buffer	Table 7.F.7.A-5 Minimum Width of R-O-W Buffer - Required 20'	10'	10'
7.F.7 Landscape - Right of Way Buffer	Art. 7.Chpt. F, Sec. 7. C. Planting Pattern Required: 3 Shrub Types	1 Shrub Type	2 Shrub Types

**Address:** 560 S Congress Ave , West Palm Beach, FL - 33406  
 2960 Kentucky St , West Palm Beach, FL - 33406  
 2965 Oklahoma St , West Palm Beach, FL - 33406  
 2921 Oklahoma St , West Palm Beach, FL - 33406  
 2905 Oklahoma St , West Palm Beach, FL - 33406

**The above variance was POSTPONED for a period of 30 days.**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00763**

**Control No: 1987-00007**

**Result: WITHDRAWN**

**Request:** To allow an accessory structure to encroach into the required side street setback.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
Table 3.D.1.A-5 - Property Development Regulations	80 ft setback	33.48 ft setback	46.52 ft setback

**Address:** 11178 Manatee Terrace, Lake Worth, FL - 33467

The above variance was **WITHDRAWN** without prejudice.

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/17/2006

Application No: BA-2006-00921

Control No: 2006-00352

Result: APPROVED WITH CONDITIONS

Request: To allow an existing structure to encroach into the required rear setback.

Code Section / Description	Required	Proposed	Variance
3.D.1.A Rear setback	100 ft	86.6 ft	13.4 ft

Address: Vacant

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

- 1 By **08/17/2007**, the applicant 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 of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

The development order for this particular variance shall lapse on 08/17/2007, one year from the approval date. (DATE: MONITORING:Zoning)

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00929**

**Control No: 2006-00353**

**Result: APPROVED WITH CONDITIONS**

**Request:** to allow a SFD and structure to encroach into the side interior setback.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
Table 3.D.1.A-5 - Property Development Regulations	7.5 ft	2.5 ft	5 ft

**Address:** 2325 Sunset Dr., West Palm Beach, FL - 33415

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

- 1 By **08/17/2007**, the applicant shall provide the Building Division with a copy of the Board of Adjustment result letter and a copy of the site plan or survey (which may be the same) presented to the Board of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

**The development order for this particular variance shall lapse on 08/17/2007, one year from the approval date. (DATE: MONITORING:Zoning)**

PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST

Hearing Date: 8/17/2006

Application No: BA-2006-00932

Control No: 2006-00354

Result: APPROVED WITH CONDITIONS

Request: To allow an existing structure (cabana) to encroach into the required side setback.

Code Section / Description	Required	Proposed	Variance
5.B.1.A.d.1 Side Setback	Accessory structures may be setback a distance of 5 feet	3.1 feet	1.1 feet

**Address:** 196 Henning Dr., West Palm Beach, FL - 33406

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

- 1 By 08/17/2007, the applicant 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 of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (08/17/2007), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

The development order for this particular variance shall lapse on 08/17/2007, one year from the approval date. (DATE: MONITORING:Zoning)



**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00934**

**Control No: 2006-00355**

**Result: APPROVED WITH CONDITIONS**

**Request:** To allow an existing SFD to encroach into both required side interior setbacks and the front setback.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
Table 3.D.1.A-5 – Front Setback Property Development Regulations	25 ft	23.5 ft	1.5 ft
Table 3.D.1.A-5 – Side Interior Setback Property Development Regulations	7.5 ft	6.5 ft	1 ft
Table 3.D.1.A-5 – Side Interior Setback Property Development Regulations	7.5 ft	6.5 ft	1 ft

**Address:** 22412 SW 65th Ave., Boca Raton, FL - 33428

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

- 1 By **08/17/2007**, the applicant shall provide the Building Division with a copy of the Board of Adjustment result letter and a copy of the site plan or survey (which may be one in the same) presented to the Board of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)
- 3 By **10/17/06**, the applicant shall pay all liens and fines associated with the subject property pursuant to Case No. C0503280028 as issued by Officer Rick Torrance, Code Enforcement Division (CODE ENFORCEMENT: DATE: ZONING)

**The development order for this particular variance shall lapse on 08/17/2007, one year from the approval date. (DATE: MONITORING:Zoning)**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00935**

**Control No: 2006-00356**

**Result: APPROVED WITH CONDITIONS**

**Request:** To allow a proposed structure to encroach into the required rear setback.

Code Section / Description	Required	Proposed	Variance
1.F.4 Residential Development	If the minimum depth dimension is nonconforming, rear setback is to be 20 percent of lot depth - 53.8 feet	50.8 feet	3 feet

**Address:** 14123 87th St N, Loxahatchee, FL - 33470

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

- 1 By **08/17/2007**, the applicant 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 of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

**The development order for this particular variance shall lapse on 08/17/2007, one year from the approval date. (DATE: MONITORING:Zoning)**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00939**

**Control No: 2006-00358**

**Result: POSTPONED 30 DAYS**

**Request:** To allow a SFD to encroach into the required side interior setback and to allow an accessory structure (cabana) to encroach into an easement.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
5.F.2.A- Easement Encroachment	Structure encroaching into easement - 5 feet	0	5 feet
1.F.4.B.1.b - Residential Development	If the minimum depth dimension is nonconforming then the side interior should be 15% of lot width - 7.5 feet	5.68 feet	1.82 feet

**Address:** 4062 Success St., West Palm Beach, FL - 33406

**The above variance was POSTPONED for a period of 30 days.**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BA-2006-00961**

**Control No: 1973-00116**

**Result: APPROVED WITH CONDITIONS**

**Request:** To eliminate the requirement for planting materials on both sides of the wall; to eliminate the requirement to have the large and medium shrubs; to allow a reduction of buffer width; to allow a structure to encroach into the side interior setback; to reduce the south R-O-W Buffer and to reduce the required pervious surface areas.

<b>Code Section / Description</b>	<b>Required</b>	<b>Proposed</b>	<b>Variance</b>
7.C - MGTS Tier Compliance	30% Pervious surface area for the overall site.	21% Pervious surface area for the overall site	9% Pervious area for the overall site.
3.D.1.A - Interior side setback (North Property Line)	15-foot interior side setback	7-foot interior side setback	8 feet
7.F - Perimeter Buffer Landscape Requirements (West Property Line)	Trees to be planted on both sides of the wall. Ground Cover, Small, medium, and large shrubs to be planted on both sides of the wall.	6-foot wall, ground cover interior of the wall, small shrubs on the interior of the wall, trees to be planted on the exterior of the wall	From large and medium shrubs, and planting material on both sides of the wall. Trees on both sides of the wall. Ground cover on exterior of the wall.
7.3.F.4.b - Incompatibility Buffer Width (West Property Line)	15 feet	5 feet	10 feet
7.F.7.A Width of R-O-W Buffer (South Property Line)	15-feet	South Right of Way Buffer - 11.5 feet tapering east to west to 15-feet for a length of 64 feet	3.5 feet - 0 feet tapering over 64 feet in length from east to west.

**Address:** 23077 S State Road 7 , Boca Raton, FL - 33428

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

- 1 By **08/17/2009**, the applicant shall provide the Building Division with a copy of the Board of Adjustment result letter and a copy of the site plan or survey (which may be the same) presented to the Board of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 2 Prior to the Development Order expiration (**08/17/2009**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

**The development order for this particular variance shall lapse on 08/17/2009, three years from the approval date. (DATE: MONITORING:Zoning)**

**PALM BEACH COUNTY - BOARD OF ADJUSTMENT - RESULTS LIST**

Hearing Date: **8/17/2006**

**Application No: BATE-2006-00996**

**Control No: 1999-00092**

**Result: APPROVED WITH CONDITIONS**

**Request:** To allow a 12-month time extension on Condition #2, in order to vest the approved variance BA 2006-223.

Code Section / Description	Required	Proposed	Variance
2.B.3.G.2 Time Extension on condition #2	06/16/2006	06/16/2007	12 month time extension
<p><b>Address:</b> 13950 S Jog Rd , Delray Beach, FL - 33446                      13760 S Jog Rd , Delray Beach, FL - 33446                      13790 S Jog Rd , Delray Beach, FL - 33446                      13800 S Jog Rd , Delray Beach, FL - 33446                      13860 S Jog Rd , Delray Beach, FL - 33446                      13900 S Jog Rd , Delray Beach, FL - 33446                      13910 S Jog Rd , Delray Beach, FL - 33446                      6415 Lake Ida Rd , Delray Beach, FL - 33446                      13766 S Jog Rd , Delray Beach, FL - 33446</p>			

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

- 1 By **03/16/2007**, the Approved Site Plan for Spalding MUPD (P-99-92) shall be amended through the DRO section of the Zoning Division, to reflect the variance approval pursuant BA-2006-223. (DRO: DATE: ZONING)
- 2 By **06/16/2006**, the applicant 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 of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)

***IS HEREBY AMENDED TO READ:***

- By **06/16/2007**, the applicant 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 of Adjustment, simultaneously with the building permit application. (BUILDING: DATE: ZONING)
- 3 Prior to the Development Order expiration (**03/16/2007**), the project shall have received and passed the first building inspection. (BUILDING: DATE: ZONING)

**The development order for this particular variance shall lapse on 03/16/2007, one year from the approval date. (DATE: MONITORING:Zoning)**

**END OF REPORT**