

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

Thursday, June 21, 2007
09:00 a.m. - 09:14 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

Larry Roberts, Professional Engineer

Alan Seaman, Principal Site Planner

Aaron Taylor, Site Planner I

Juanita James, Zoning Technician

Annette Stabilito, Secretary

Lauren Benjamin, Student Para-professional

Jeff Gagnon, Student Para-professional

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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 09:00am. Alan Seaman, Principal Site Planner opened the meeting. He began the meeting asking the Administrative Approvals Secretary for confirmation of the 300ft manifest. These are notices that are mailed to the neighbors that are affected by the variance requests, informing them of this public meeting. This information was confirmed by the Secretary, Annette Stabilito, who stated that items were entered into the Mailstream of US Certified Letters on June 2, 2007.

Mr. 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 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 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 read into the record by the Project Manager, Aaron Taylor:

Item # **AVB2007-00295** Genco Power Solutions, agent, for Lawrence Davidson, owner. The property is located at 5180 Bodega Drive. The property is generally located approximately 0.17 mile West of South Military Trail and approximately 0.52 mile South of Linton Boulevard, within La Casa PUD, in the PUD Zoning District (Pet. 1986-066). Mario Garzo from Genco Power Solutions, the agent, was present in representation of the owner. The variance request is to allow a generator to encroach into the required side street setback and to be located on the side street.

Mr. Taylor stated that there was only one response letter received, however, the comment was not significant to the variance request. There were no members from the public in opposition or approval of the variance. Staff recommended approval with one (1) condition. The applicant agreed on the condition and staff approved the variance.

The **second item on Consent** Agenda was read into the record:

Item # **AVB2007-00780** Power Secure, agent for OMC Properties. The property is located at 16130 South Jog Road. The property is generally located approximately .088 mile south of Linton Boulevard, and approximately .065 mile east of Jog Road, within the Addison Center MUPD in the MUPD Zoning District. Dennis Davis from Power Secure, the agent, was present in representation of the owner. The variance request is to allow a proposed accessory structures to encroach into the required side interior setback. There were no response letters received from the public and there were no members from the public in opposition or approval of the variance. Staff recommended approval with three (3) conditions. The applicant agreed on the conditions and staff approved the variance.

The applicant publicly thanked staff for everyone's assistance in the application process.

The **third item on Consent** Agenda was read into the record by Juanita James, Zoning Technician:

Item # **AVE2007-00808** Miller Land Planning, Inc., agent, for SRR Holdings, LRC, owner. The property is located at 5301 South State Road 7. The property is generally located approximately 0.10 mile West of State Road 7, and approximately 0.4 mile North of Lantana Road, within the Palm Beach Farms Subdivision, in the RT Zoning District. (PET: 2006-0245). Representing the owner was Bradley Miller from Miller Land Planning, who was present. The variance request is to allow a 12 month time extension on the Development Order and condition #2 for approved variance BA2006-00717 to allow a reduction in the required R-O-W Buffer.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

"The applicant is requesting a twelve month extension for the approved variance BA 2006-00717 on the development order and condition #2. The reason for this extension is based on an adjacent parcel's approval issues with the BCC, financial issues, and potential site plan modifications".

Staff recommended approval with one (1) condition. The applicant agreed on the condition and staff approved the variance.

The **fourth and last item on Consent** Agenda was read into the record by Juanita James, Zoning Technician:

Item # **AVE2007-819** Kilday & Associates, agent, for Paul and Jan Thomas, owners (Tree Brothers, Ltd., was the previous owner). The property is located at 11061 Indiantown Road. The property is generally located approximately 0.90 mile East of Mack Dairy Road and approximately 100 feet North of Indiantown Road, within the Philo Farms Subdivision, in the AR Zoning District (PET: 2006-185). Representing the owner was Joni Brinkman from Kilday & Associates, who was present.

The variance request is to allow a 24-month time extension on the Development Order to vest BA 2006-00578, to allow an existing SFD to encroach into the required rear setback; to allow a 6ft vinyl coated - chain link fence on property line; and to allow 100% plant material installed on the interior side of fence.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

"The applicant is requesting a 24-month time extension on the Development Order to vest BA 2006-578. The applicant had to complete several tasks related to obtaining a building permit. The applicant is now attempting to resolve several significant certification issues such as: the acceptance of drainage outfall and the necessity, or lack of, for an on-site water/wastewater treatment facility; and the significance of the Old Indiantown Road bed existing on the property. The 24-month time extension would assist the applicant to keep working on the certification issues".

Staff recommended approval of the time extension with two (2) conditions. Since applicants can apply for a time extension maximum of up to three (3) years, Ms. James interjected that this would be the last time extension that the applicant can apply for.

The applicant agreed on the conditions and the conditions regarding the time extension limitations. Therefore, 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 09:14am.

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 June 21, 2007 Variance Public Meeting.

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