

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

Thursday, October 18, 2007
09:02 a.m. - 09:12 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

Lauren Benjamin, Site Planner I

Juanita James, Zoning Technician

Annette Stabilito, Secretary

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PROCEEDINGS

The Palm Beach County Administrative Variance Type 1-B Staff Public Meeting began at 09:02am. Aaron Taylor, Site Planner I, opened the meeting.

Mr. Aaron Taylor, being directed by Mr. Alan Seaman, Principal Site Planner, opened the meeting by giving a brief summary and introduction of the Type 1-B variances under the Administrative Variance Staff Public Meetings.

Mr. Taylor 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".

It was 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. Taylor 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The first item on the Agenda are **Withdrawn Items**, which there were none.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:

Item # **AVB2007-01310** Brite Electric, agent, for Marc and Stacey Balmuth, owners. The property is located at 7322 Sedona Way, approximately 0.09 mile West of Addison Reserve Drive on Sedona Way, within the Addison Reserve PUD, in the PUD Zoning District. (Pet. 1980-215).

Mr. Marc Balmuth, owner, was present. The variance request is to allow an existing generator to encroach into the required side interior setback.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

"We began the project of putting in a stand-by generator in November, 2005 after hurricane Wilma. We signed a contract for a 60k generator with Michael Scheffler of Pioneer Electrics at that time. We ordered the generator shortly after in June 2006. We found out a few months later that Pioneer had essentially gone out of business and Michael Scheffler was being criminally charged with fraud. We lost our deposit of \$8,500. In February 2007, we revived this project with Genco Electrics and again gave a \$8,500 deposit to finish the job and they went Chapter 11 in June 2007. We now are trying to complete this project with Brite Electric only to find we need a variance because the laws have changed for permitting since we started this project and had ordered our generator".

There were no members from the public in opposition or approval of the variance.

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

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

Item # AVE2007-01498 Kim Glas-Castro, agent, for AutoNation Imports of Palm Beach Inc, owners. The property is located at 2300 Okeechobee Blvd., approximately 0.04 mile West of N. Congress Avenue and approximately 1.03 miles N. of Belvedere Road, in the CG Zoning District. (PET: 1987-006).

Kim Glas-Castro, representing AutoNation Imports (the agent), was present on behalf of the owner.

The variance request is to allow a 24-month time extension on the Development Order and Condition #1 for BA 2006-1561, which is to allow a reduction in the R-O-W buffer and for a buffer to encroach into an easement.

The applicant's justification statement reads as follows:

JUSTIFICATION STATEMENT

"The applicant is requesting a time extension on the Development Order and Condition #1. After receiving the approval for this variance the applicant gives a time line of other submittals that were needed to get this project approved; which included: requesting more variances, working Lake Worth Drainage District, Signature Only approvals, etc. The applicant is requesting a 2-year (24-month) time extension to vest variance BA 2006-1165".

There were no members from the public in opposition or approval of the variance.

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, it was stated for the record 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 09:12am.

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 **October 18, 2007** Variance Public Meeting.

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