

**PALM BEACH COUNTY  
ADMINISTRATIVE VARIANCE MEETING  
THURSDAY, NOVEMBER 19, 2009 at 9:00 a.m.**

**MINUTES OF THE MEETING**

The Staff Public Meeting held on the 1<sup>st</sup> Floor of Vista Center, 2300 N. Jog Road, West Palm Beach, FL 33411.

**ATTENDEES**

**County Staff Present:**

Alan Seaman, Principal Planner

Lauren Benjamin, Site Planner I

Aaron Taylor, Site Planner I

Larry Roberts, Sr. Engineering Planner

Elizabeth Murray, Secretary

**Proof of Publication** Alan Seaman, Principal Planner, asked for date of Zoning Confirmation for the 300 ft notices, which Elizabeth Murray, Secretary stated they were mailed October 29, 2009.

**Changes to Agenda:** Alan Seaman, inquired if there were any changes to the agenda, which Aaron Taylor, stated there was one change to the Mallegol item, AVB2009-4144 Variance on page 28 the address was incorrectly stated as West Palm Beach, and should be Palm Beach Gardens.

Alan Seaman stated that **AVB2009-1916 Pirelli** item would be moved to the end of the agenda.

**Disclosures**

The Palm Beach County Administrative Variance Type 1-B Staff Public Meeting began at 9:10 am. Lauren Benjamin, Site Planner I, 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 three parts, Postponement/Withdrawals 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 the time to review the new information".

Elizabeth Murray, Secretary – Prepared Minutes

## **CONSENT ITEM(S):**

### **AVB2009-04140-NUNEZ**

**Legal Ad:** John and Sabine Nunez, owners, to allow a proposed accessory structure to be located into the front and side street yard. LOC: 18394 137th trail N at the intersection of 137th trail N and 184th Place N within the Cypress Trails subdivision in the AR zoning district. (Control # 1976-136).

Aaron Taylor, Site Planner I

Pages 12-21

**Staff:** Aaron Taylor read the Legal, and proceeded to do the overview of the project. John Nunez, owner was present and was asked if he understood and agreed with the one (1) Development Order and one (1) Condition of approval, which he replied that he did. Alan Seaman iterated the approval of this project.

**Public Correspondence:** No letters of objection or approval were received for this project.

**Public:** No one from the public appeared.

### **AVB2009-04142-MARINI**

Dino Marini, owner, to allow an existing single family dwelling to encroach into the required rear setback. LOC: 3513 Palomino Dr. approx. 500 ft west of Venetian Drive and approx. a quarter of a mile north of Hypoluxo Road within the RS zoning district. (Control 2009-2367).

Lauren Benjamin, Site Planner I

**Staff:** Alan Seaman read the Legal, and Lauren Benjamin proceeded to do the overview of the project with reference to the Code Violation, which created set back problem prior to applicants purchase of property, which was the reason for retaining this Variance. Dino Marini, owner was present and was asked if he understood and agreed with the one (1) Development Order and two (2) Conditions of approval, which he replied that he did. Lauren Benjamin iterated the approval of this project.

**Public Correspondence:** Three letters in consent were received for this project.

**Public:** No one from the public appeared.

### **AVB2009-04144- MALLEGOL**

Ryan and Sharon Rothman, agents, for David and Irma Mallegol, owners, to allow a proposed swimming pool to encroach into the require side street setback. LOC: 2650 Cypress Island Dr. approx. a half mile north of Donald Ross Rd. and approx. .12 mile east of Palmwood Road within the Cypress Island PUD in the PUD zoning district. (Control 1980-054).

Aaron Taylor, Site Planner I

**Staff:** Aaron Taylor read the Legal, and proceeded to do the overview of the project. Sharon Rothman, agent, was present and was asked if she understood and agreed with the one (1) Development Order and one (1) Condition of approval, which she replied that she did. Aaron Taylor iterated the approval of this project.

**Public Correspondence:** Four letters in approval were received for this project.

**Public:** No one from the public appeared.

**REVISIT FOR CLARIFICATION:**

**AVB2009-01916 PIRELLI**

Kevin McGinley, agent, for Solaris Communities of St. Lucie LLC, owner, to allow a proposed addition in the required rear and side street setback, and to allow an accessory structure in the front yard and encroach into the front setback. LOC: 9086 166th Way North at the intersection of 166th Way North and 90th Trail in the AR zoning district. (Control # 2009-994)

Aaron Taylor, Site Planner I

**Staff:** Alan Seaman explained the Pirelli variance represented by Kevin McGinley, agent, was heard August 20, 2009, and that a 4<sup>th</sup> variance (49.6 front setback) was discussed however, inadvertently left out of the chart in the cover page and the result letter. Alan Seaman asked Kevin McGinley if he agreed that the issue was clarified and that a 4<sup>th</sup> variance was added, which he replied that he did. Alan Seaman stated the issue was readdressed and in agreement with the agent.

Staff's approvals were based pursuant to Art.2 of the ULDC and the 7-Criteria with 1 condition(s) of approval.

**Meeting Adjourned**

**PLEASE NOTE:**

The Administrative Variance Meetings are Videoed and available for viewing on the Palm Beach County Website. Please allow 24 to 48 hours after the meeting date for the video to be available.

**Click below to view listings and watch the Zoning Archived Meeting videos:**

<http://www.pbcgov.com/pzb/Zoning/videoconferencing/2008meet.htm>

If you wish to purchase a DVD or VHS Tape of the Administrative Variance Meeting a copy can be made available by contacting Channel 20. To purchase a copy of the hearing, please call Victoria Leveille at 561-355-1790 or 561-355-4573 or email her directly at [vleveille@pbcgov.com](mailto:vleveille@pbcgov.com)