



PALM BEACH COUNTY - TYPE 1 VARIANCE STAFF PUBLIC MEETING - RESULTS LIST

Public Meeting Date: 05/24/2024

Application No: AV-2024-00111

Control No: 1983-00076

Result: APPROVED WITH CONDITIONS

Request: to allow a reduction from the 25-foot minimum separation between a recreation amenity to a Multifamily structure and to allow a reduction from the 25-foot side setback for outdoor recreation amenities.

Code Section / Description	Required	Proposed	Variance
5.B.1.A	Note 4 requires 25'	Reduce the minimum	Reduce play separation
5.B.1.A	Separation from MF structure & 25' setback from the property line	play equipment separation by 6.4' to provide an 18.6' minimum separation for play equipment within the rec. area. Reduce the minimum setbacks from the property line to the play equipment by 15.4' to provide a 9.6' minimum setback for play equipment within rec. area.	playground equipment separation by 6'4' Reduce play equipmen setback by 15.4'

Address: 21925 Mizner Way , Boca Raton, FL - 33433

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

- VARIANCE-0 01 The approval is based on the documents submitted with the application and depicted on the survey dated March 7, 2024. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the accessory structures and design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)
- VARIANCE-0 02 The Property Owner shall obtain approval of a building permit for the accessory structure prior to May 2 2025. (BLDGPMT/DATE: BUILDING DIVISION – Zoning)(BLDGPMT/DATE/ONGOING: BUILDING DIVISION - Building Division)
- VARIANCE-0 03 At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDG PERMIT: BLDG - Zoning)(BLDGPMT/ONGOING: BUILDING DIVISION - Building Division)
- VARIANCE-0 04 The eight (8) foot high hedge adjacent to the recreation equipment and multifamily building shall be maintained.
- VARIANCE-0 05 Prior to final DRO approval, a Regulating Plan shall be submitted for the recreation parcel that identifies the recreation equipment and the existing eight (8) foot high hedge
- ZONCOMPL-001 In Granting this Approval, the Development Review Officer relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Zoning Commissioners for review under the Compliance Condition of this Approval.(ONGOING: ZONING - Zoning)
- ZONCOMPL-002 Failure to comply with any of the Conditions of Approval for the subject property at any time may result in: a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of a other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or d. Referral to Code Enforcement; and/or e. Imposition of entitlement density or intensity. Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: ZONING - Zoning)

The development order for this particular variance shall lapse on 05/24/2025, one year from the approval date. (DATE: MONITORING:Zoning)

END OF REPORT