



Department of Planning,
Zoning & Building

2300 North Jog Road
West Palm Beach, FL 33411-2741
(561) 233-5000

Planning Division 233-5300
Zoning Division 233-5200
Building Division 233-5100
Code Enforcement 233-5500
Contractor Certification 233-5525
Administration Office 233-5005
Executive Office 233-5228

www.pbcgov.com/pzb

Palm Beach County
Board of County
Commissioners

Addie L. Greene, Chairperson

Jeff Koons, Vice Chair

Karen T. Marcus

Robert J. Kanjir

John McCann

Burt Anderson

Jess R. Santamaria

County Administrator

Robert Weisman

"An Equal Opportunity
Affirmative Action Employer"

MEMORANDUM

TO: Zoning Staff
Interested Parties

FROM: Jon MacGillis, ASLA
Zoning Director

DATE: June 12, 2008

RE: Enforcement of Unified Land Development Code (ULDC)
provision Section 3.D.2.C.8.e

The memo is to ensure the consistent application of the code provision by staff on all projects. In Article 3, Property Development Regulations for Zero Lot Line Homes, Section 3.D.2.C.8.e states, "lots with a ZLL side which **abuts** the rear property line of an adjacent lot shall be limited to one story in height". The intent of this provision is to ensure privacy for the adjacent home so you don't have the windows from a second story looking down into the rear yard thereby compromising their rear yard privacy. I have been informed that several Zoning staff have interpreted this section literally by allowing a developer to plat an open space (sometimes as small as 3 feet) abutting or adjacent to side yard to technically circumvent the general intent of the code provision.

I will recommend to Code Staff that an amendment to the ULDC in 2009-01 Round be initiated, at the Zoning Director's request, to clarify this provision by establishing clear standards for the open space width.

"Lots with a ZLL side that abuts or is separated from the rear property line of an adjacent lot by less than 10 feet shall be limited to one story in height". (See attached Illustration).

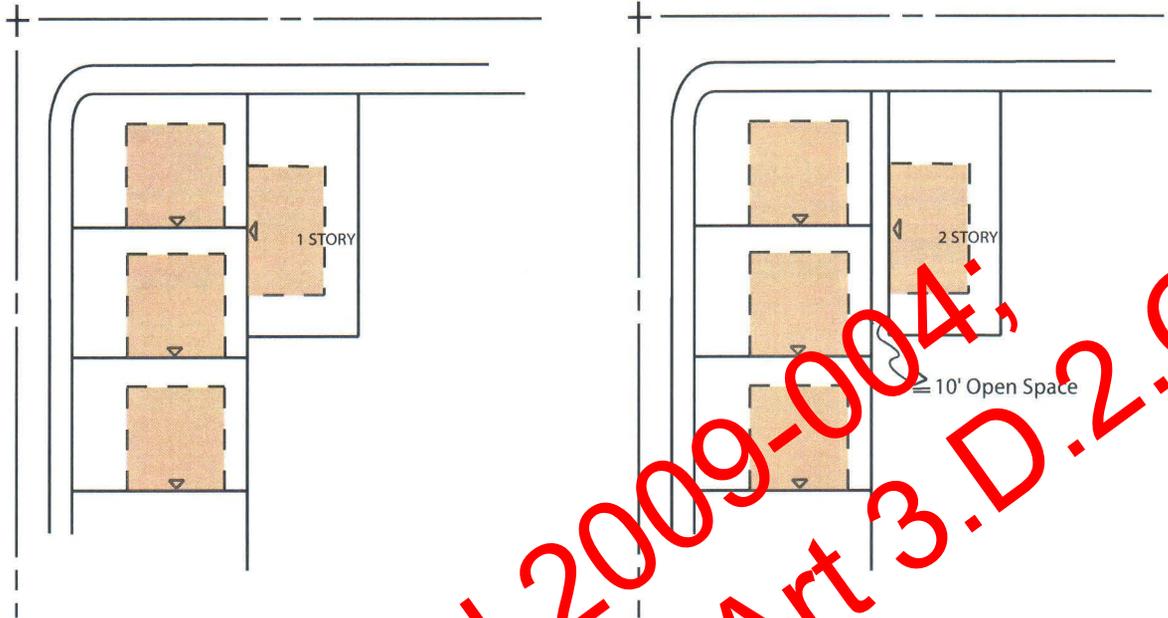
Until such time as this amendment is adopted, please inform me when similar requests come in for review so they can be addressed on a case-by-case basis.

If you have any questions, please contact me at 561-233-5234.

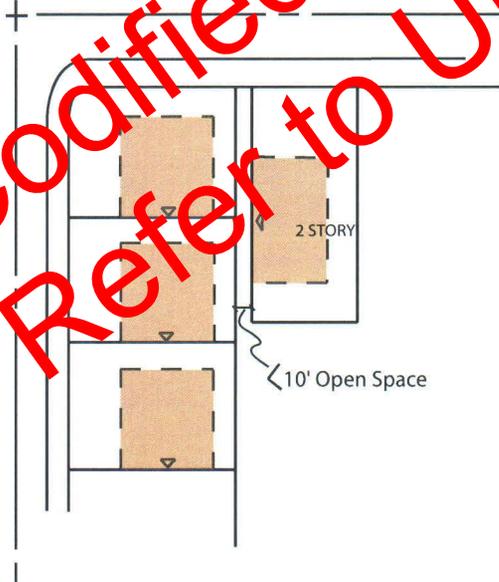
Attachment: Illustration

Illustration Related to
Art. 3.D.2.C.8.C

Acceptable Scenarios



Not acceptable



Codified Ord 2009-004;
Refer to ULDC Art 3.D.2.C.3