

AGENDA
LANTANA TOWN PLANNING COMMISSION
sitting as the
ZONING BOARD OF APPEALS
March 24, 2021
6:30 p.m.

Lyn Tate (Chairperson)	_____	Erica Wald	_____
Rosemary Mouring	_____	Michelle Donahue	_____
Kem Mason	_____	Joseph Farrell (Alternate)	_____
Moody Fuller (Alternate)	_____		

-
1. CALL TO ORDER
 2. ROLL CALL
 3. APPROVAL OF MINUTES: Consideration of minutes for the February 24, 2021, meeting.
 4. AGENDA APPROVAL:
 - a. Additions, Deletions, Substitutions
 - b. Agenda Approval
 5. NEW BUSINESS:
 - a. **VAR21-0001: Request for variances for the property located at 102 N 4th St (formally known as 337 W Ocean Ave) relative to Sec. 23-81(j)(1) of the Town Code of Ordinances to allow a 6 foot wood fence.**
Applicant: Carrington Lacombe
 6. PUBLIC COMMENTS
 7. ADJOURN

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

MINUTES
LANTANA TOWN PLANNING COMMISSION
sitting as the
LOCAL PLANNING AGENCY
February 24, 2021 – 6:30 p.m.

PRESENT: Chairperson Lyn Tate; Rosemary Mouring; Erica Wald; Michelle Donahue; Kem Mason

ALSO PRESENT: Nicole Dritz, Development Services Director; Walter Porr, Assistant Town Attorney; Caroline Shamsi-Basha, Assistant Development Services Director; Joseph Farrell (alternate); Moody Fuller (alternate)

1. CALL TO ORDER: Ms. Tate called the meeting to order at 6:30 PM.
2. ROLL CALL: Ms. Shamsi-Basha called the roll and noted there was a quorum.
3. APPROVAL OF MINUTES: Mr. Mason made a motion to approve the minutes for the January 27, 2021, meeting. Ms. Donahue seconded, and the motion passed unanimously.
4. AGENDA APPROVAL: Ms. Donahue made a motion to approve the agenda. Ms. Mouring seconded, and the motion passed unanimously.
5. NEW BUSINESS:

- a. **Ordinance O-06-2021: Consideration of an Ordinance adopting waivers to planned development requirements and amending Article V – District Requirements to establish standards for the consideration of waivers to designated districts.**

Applicant: Town of Lantana

Ms. Dritz gave an overview of the item.

There was a discussion of Planning Commission members.

Ms. Wald made a motion to approve the item with the proviso that for each waiver requested as a part of a planned development, individual community benefits be provided at a 1:1 ratio. The motion failed for lack of a second.

There was additional discussion of Planning Commission members.

Mr. Mason made a motion to approve the ordinance. Ms. Donahue seconded, and the motion passed unanimously.

- b. **Ordinance O-07-2021: Consideration of an Ordinance providing for a text amendment to the Future Land Use Element of the Town's Comprehensive Development Plan at Policy LU 1.1.8 related to Mixed-Use Development.**

Applicant: Town of Lantana

Ms. Dritz gave an overview of the item.

Ms. Donahue made a motion to approve the ordinance. Mr. Mason seconded, and the motion passed unanimously.

6. STAFF PRESENTATION: There was a presentation by Development Services staff.
7. PUBLIC COMMENTS: There were no statements from the public.
8. ADJOURN: Mr. Mason made a motion to adjourn. Ms. Wald seconded the motion. The motion passed unanimously. The meeting was adjourned at 7:21 p.m.

If a person decides to appeal any decision made by the Town Council or Zoning Board of Appeals with respect to any matter considered at such meeting or hearing, that person will need a record of the proceedings, and for such purpose, that person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The Town of Lantana does not provide such a record.

Chairperson Lyn Tate

Date

CASE #: VAR20-0001

SUBMITTAL DATE: 2-22-21

TOWN OF LANTANA
504 Greynolds Circle
Lantana, FL 33462
(561) 540-5034

VARIANCE APPLICATION

Property Name: 337 W Ocean Ave A Lantana, FL 33462

Property Location: (Address) 337 W Ocean Ave A Lantana, FL 33462

Property Control Number: 40 - 43 - 45 - 03 - 11 - 0101 - 0120

Existing Zoning Category: R15 Residential

Type of Variance (circle one):

Setback (front, side, rear)

Lot (width, coverage, size)

Height

Subdivision Regulations

Other

Property Owner(s)	Applicant
Name: Carrington Lacombe	Name: Carrington Lacombe
Address: 337 W Ocean Ave Unit B Lantana FL 33462	Address: 337 W Ocean Ave Unit B Lantana FL 33462
Phone: 561-767-1477	Phone: 561-767-1477

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEW

Town Official: CAB

Date: 2/22/21

Fee(s) Paid: \$750

TOWN ACTION

Town Council: _____ Date: _____

Conditions of Approval: _____

GENERAL DATA

Proposed Zoning:

R15 Residential

Existing Use of Property:

Residential

Proposed Use of Property:

Residential

Total Site Area: 1494 Sq. Ft. OR _____ Acres

RESIDENTIAL

Total Number of Dwelling Units: 2 2 Density (Units per acre): 1320 1320
Existing Proposed Existing Proposed

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

A Variance is requested relative to Section # 23-81(j)(1) of the Town
of Lantana Zoning Code to allow:

The continuation of a 6 foot fence on the North end corner of the lot.

Where the Zoning Ordinance requires

The instillation of a 4 foot fence or 6 foot closer to the furthest part of the house.

JUSTIFICATION STATEMENT

Please address the following criteria contained in Section 23-63 of the Zoning Code for Zoning Variance requests:

1. **Special Conditions and Circumstances** - Please describe any special circumstances which are peculiar to the land, structure, or building involved which are not applicable to other lands, structures, or buildings in the same district.

The building does not lay on the lot like its counterparts which deprived this property of a usable backyard.

2. **Not Self Created Condition** - Explain how the special conditions and circumstances do not result from the actions of the applicant.

The property was built in 1971 and I have not made any additions or modifications to change the layout.

3. **No Special Privilege** - Explain how the grant of this variance request will not confer any special privilege upon the applicant that is denied by the zoning ordinance to other lands, structures or buildings in the same district.

The approval of the variance would remedy the fact that the building layout on the land was not done properly. Judging by the adjacent lots the house should be facing W Ocean but is instead facing 4th street which deprived it of a backyard.

4. **Deprivation of Rights Enjoyed by Others** - Explain how the literal interpretation of the provisions of the zoning ordinance would deprive the applicants of rights commonly enjoyed by other properties in the same district.

The literal interpretation of the ordinance would force me to forfeit my privacy or a good chunk of the outdoor space. Ordinance requires that a 4 foot fence be installed or the fence be pushed back to the side of the house for a 6 foot fence.

5. **Minimum Variance** - Explain how the variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure.

Approval of the variance would allow me to fully utilize my lot without sacrificing privacy or usability.

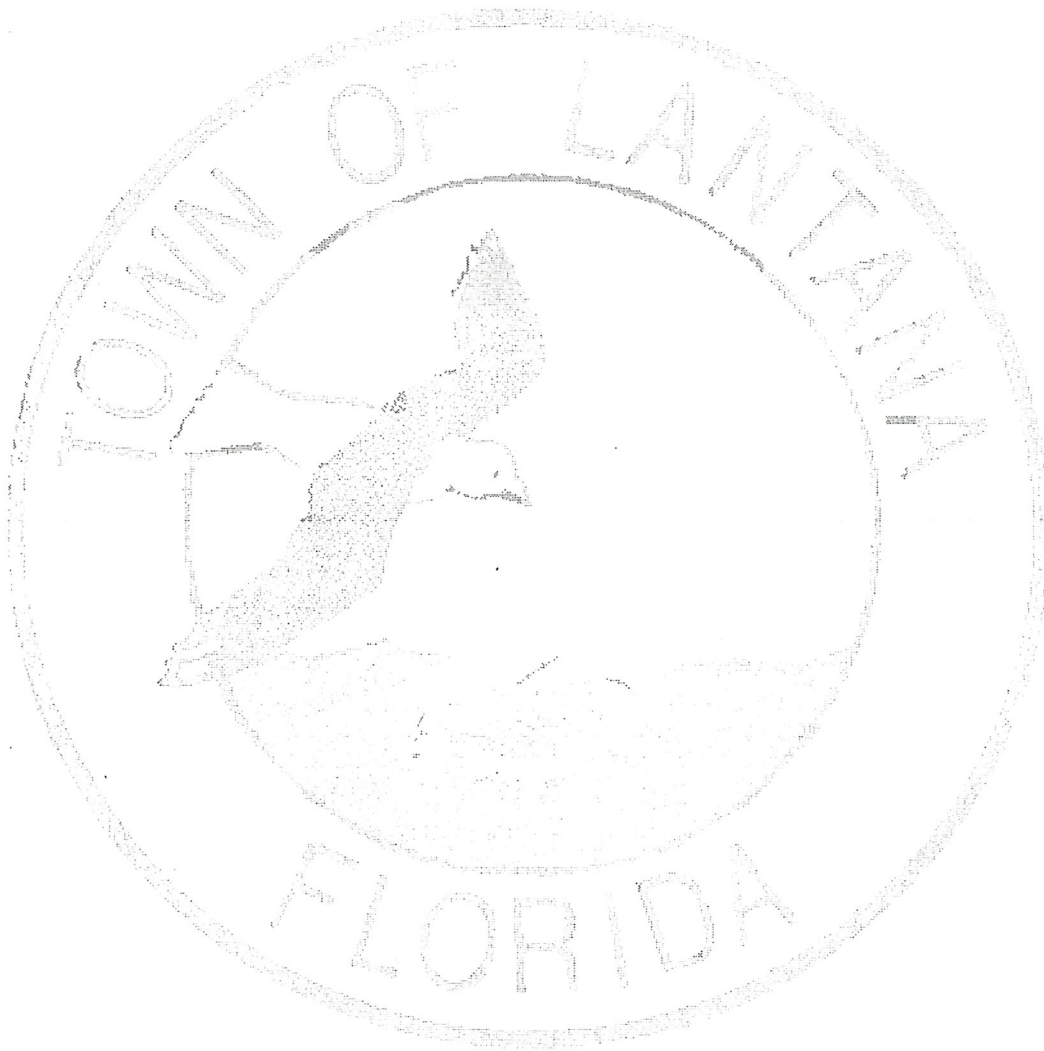
6. **Code's Intent** - Explain how the grant of this variance will be in harmony with the general purpose and intent of this ordinance.

The fence would not hinder those leaving or entering the residence from seeing oncoming traffic

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

LANTANA RESUB OF BLKS 4,9 & 10 LOT 12, BLK 10



As applicable, please provide the name, address and telephone number for the following persons or firms who are involved in this development:

AGENT [if different from Owner(s)]:	DEVELOPER:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:

PLANNER:	ARCHITECT:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:
	Florida Registration No.:

ENGINEER:	LANDSCAPE ARCHITECT:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:
Florida Registration No.:	Florida Registration No.:

SURVEYOR:	ATTORNEY:
Name:	Name:
Company Name:	Company Name:
Address:	Address:
Phone:	Phone:

CURRENT OCCUPANT OF BUILDING OR PROPERTY:
Name: Carrington Lacombe
Address: 337 W Ocean Ave unit B Lantana FL 33462
Phone: 5617671477

APPLICANT'S CERTIFICATION

(I) (We) affirm and certify that (I) (We) understand and will comply with all provisions and regulations of the Town of Lantana, Florida. (I) (We) understand that if this Application is approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Lantana (if not already) and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive and Zoning Ordinance. (I) (We) further certify that all statements and diagrams submitted herewith are true and accurate to the best of (my) (our) knowledge and belief. Further, (I) (We) understand that this Application and attachments become part of the Official Records of the Town of Lantana, Florida, and are not returnable.

Carol Ann Sharr Bosh
Witness

[Signature]
Witness

02/18/2021

Date:

Applicant is:

- ☒ Owner
☐ Optionee
☐ Lessee
☐ Agent
☐ Contract Purchaser

Carrington Lacombe
Signature of Applicant

Carrington Lacombe
Printed Name of Applicant

Address:

337 W Ocean Ave Unit B Lantana FL 33462

Telephone Number: 5617671477

Fax Number:

OWNER'S AUTHORIZATION

I/We affirm and certify that Carrington Lacombe, the Applicant, is hereby authorized to represent me/us in all dealings regarding this petition with the Town of Lantana.

Carol Ann Sharr Bosh
Witness

[Signature]
Witness

Carrington Lacombe
Signature of Owner

Carrington Lacombe
Printed Name of Owner

02/18/2021

Date

Prepared By and Return To:

Nu World Title & Settlement Services, LLC
Attn: Norma Gutierrez
12773 Forest Hill Blvd Suite 104
Wellington, FL 33414

Order No.: 20WE-738

Property Appraiser's Parcel I.D. (folio) Number:
40-43-45-03-11-010-0120

WARRANTY DEED

THIS WARRANTY DEED dated January 18, 2021, by Edward Godziszewski, a single man and Meghan O'Rourke, a single woman, as Joint Tenants with Rights of Survivorship, whose post office address is 14519 Cypress Island Circle, Palm Beach Gardens, Florida 33410 (the "Grantor"), to Carrington Lacombe, a single man, whose post office address is 337 W Ocean Avenue A, Lantana, Florida, 33462 (the "Grantee").

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten And No/100 Dollars (\$10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys, and confirms unto the Grantee, all that certain land situated in County of Palm Beach, State of Florida, viz:

Lot 12, Block 10, Amended Plat of Lantana, according to the Plat thereof, recorded in Plat Book 2, Page(s) 11, and Resubdivision of Blocks 4- 9-10 and Part of Third St., Minnesota St. and Palm St. all of Amended Plat of Lantana, according to the Plat thereof, recorded in Plat Book 14, Page 49, of the Public Records of Palm Beach County, Florida.

Said property described in this instrument is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon. Grantor maintains his/her homestead at 14519 Cypress Island Circle, Palm Beach Gardens, FL 33410.

Subject to easements, restrictions, reservations and limitations of record, if any.

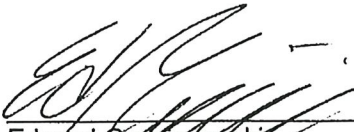
TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same in Fee Simple forever.

AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to: 12/31/2020.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first

above written.

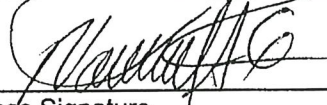

Edward Godziszewski

Meghan O'Rourke


Grantor Address:

14519 Cypress Island Circle
Palm Beach Gardens, FL 33410

Signed, sealed and delivered in presence of:


Witness Signature

Norma Gutierrez
Printed Name of First Witness


Witness Signature

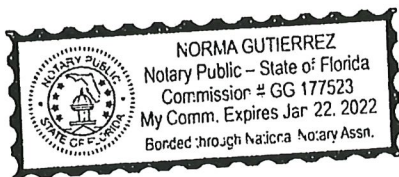
Merriale Montalbano
Printed Name of Second Witness

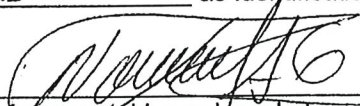
STATE OF FLORIDA

CITY OF PALM BEACH

Sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 18th day of January, 2021, by Edward Godziszewski and Meghan O'Rourke who is/are personally known to me or who has produced Driver License as identification.

[Notary Seal]




Signature of person taking acknowledgment

Norma Gutierrez
Name typed, printed or stamped

Title or rank

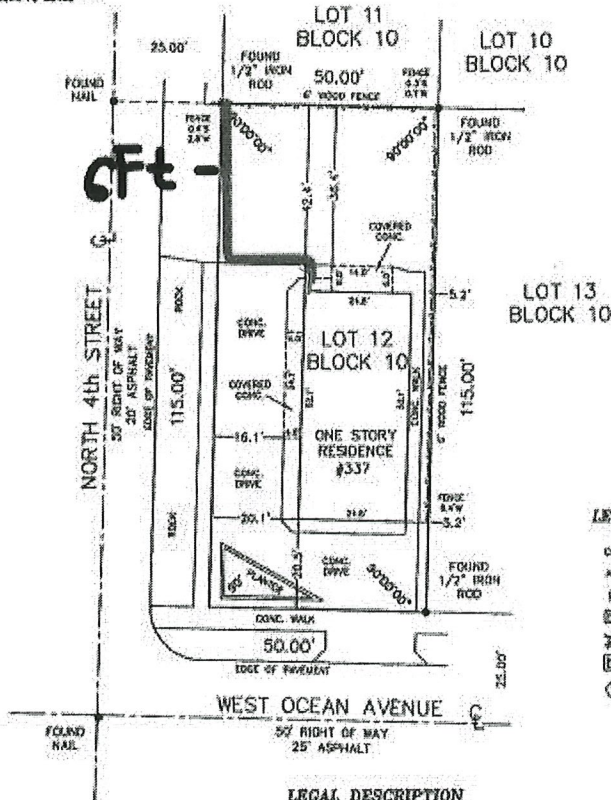
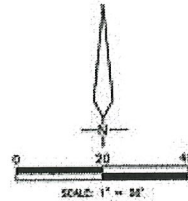
Serial number, if any



PROPERTY ADDRESS
337 WEST OCEAN AVENUE
LAKELAND, FL 33402

Boundary Survey for CARRINGTON LACOMBE

PREPARED FOR
BY WORLD TITLE
12713 FOREST HILL BLVD., #104
WELLINGTON, FL 33411



LEGEND:

- ⊙ = IRON ROD AS NOTES
- CONC. = CONCRETE
- ASPH. = ASPHALT
- ⊕ = WOOD UTILITY POLE
- ⊗ = WATER METER
- ⊗ = FIRE HYDRANT
- ⊗ = CATCH BASIN
- ⊗ = OTHER MANHOLE

LEGAL DESCRIPTION

LOT 12, BLOCK 10, AMENDED PLAT OF LAKELAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 11 AND RESUBDIVISION OF BLOCKS 4-9-10 AND PART OF THIRD STREET, AMENDED PLAT OF LAKELAND, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 45 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SURVEYOR'S NOTES

EXISTING IMPROVEMENTS NOT LOCATED EXCEPT AS SHOWN.
LEGAL DESCRIPTION PROVIDED BY CLIENT.

SURVEYOR HAS NOT ABSTRACTED THIS SURVEY FOR ENCUMBRANCES AND RIGHTS OF WAY OF RECORD.
SURVEY IS NOT VALID WITHOUT A HARNED SEAL.

BEARINGS, IF SHOWN, ARE BASED ON THE RECORDED PLAT.
ALL MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD, 5280 FEET.

ALTERATIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SURVEYOR OR PARTIES TO THE SURVEY WITHOUT WRITTEN CONSENT OF THE SURVEYOR OR PARTIES.

FLOOD ZONE

FLOOD ZONE 2
PALM BEACH COUNTY, 123105
FLOOD NUMBER: 123105
EFFECTIVE DATE: 12-01-17

PREPARED BY:

Bob Bugbee, Inc.
the "SURVEYOR"

P.O. BOX 3887
BOWTHORN BLVD., FLORIDA 33408
SURVEY & MAPPING BUSINESS 27000
351-732-7077

CERTIFIED TO:

CARRINGTON LACOMBE

WILE INSURANCE COMPANY, FINANCIAL COMPANY, LP, ITS SUCCESSORS AND/OR AFFILIATES, THEIR INTERESTS AND APPEAL

BY WORLD TITLE, 12713 FOREST HILL BLVD., #104, WELLINGTON, FL 33411

12/11/2017 11:00 AM

CERTIFICATION: 3302

I HEREBY CERTIFY THAT I MADE THIS SURVEY AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF SURVEY: 12/11/2017

DATE OF SURVEY: 12/11/2017

DATE OF SURVEY: 12/11/2017

DATE OF SURVEY: 12/11/2017

DATE OF SURVEY: 12/11/2017





Yellow line indicates the direction of incoming traffic.

Blue line indicate fence.