

AGENDA
LANTANA TOWN PLANNING COMMISSION
sitting as the
ZONING BOARD OF APPEALS
November 29, 2023
6:30 p.m.

Joseph Farrell (Chairperson)	_____	Lyn Tate	_____
Rosemary Mouring	_____	Edward Shropshire (Alternate)	_____
Michelle Donahue	_____		
Jorge Velazquez (Alternate)	_____		

1. CALL TO ORDER
2. ROLL CALL
3. AGENDA APPROVAL:
 - a. Additions, Deletions, Substitutions
 - b. Agenda Approval
4. APPROVAL OF MINUTES:
 - a. Consideration of minutes for the October 25, 2023, ZBA meeting.
5. NEW BUSINESS:

a. **CASE #VAR23-0017**

Request for a variance from Section 23-81(j)(3), Code of Ordinances, to allow a 6-foot-tall fence with an additional 1-foot of barbed wire in the front setback area, where a maximum fence height of 4-feet is permitted, for the properties located at 604 Hillbrath Drive, 606 Hillbrath Drive, the property with the associated Parcel Control Number 40-43-44-34-00-000-7100, and the property with the associated Parcel Control Number 40-43-44-34-00-000-7070. (**NOTE:** Postponed from October 25, 2023).

Project Name: Johnson-Davis, Inc.

Address: 604 Hillbrath Drive

Applicant: Johnson-Davis, Inc.

b. **CASE #VAR23-0028**

Request for a variance from Section 23-81(j)(1), Code of Ordinances, to allow a 6-foot-tall fence in the front setback area, where a maximum fence height of 4-feet is permitted, for the property located at 350 East Ocean Avenue.

Project Name: 350 East Ocean Avenue

Address: 350 East Ocean Avenue

Applicant: Peter Russo, Metro Design Group, inc.

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.

c. **CASE #VAR23-0029**

Request for a variance from Section 23-95(e) of the Town Code of Ordinances to allow a 3-foot side setback for the placement of mechanical equipment where a minimum 7.5-foot setback is required, for the property located at 626 Minnesota Street.

Project Name: 626 Minnesota Street

Address: 626 Minnesota Street

Applicant: Blake Balsara

6. REORGANIZATION:

- a. Consideration of a new chairperson.
- b. Consideration of a new vice chairperson.
- c. Presentation from Staff

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
ZONING BOARD OF APPEALS
October 25, 2023
6:30 p.m.

1. CALL TO ORDER: Mr. Farrell called the meeting to order at 6:32 PM.
2. ROLL CALL: Ms. Eassa called the roll and noted there was a quorum.
 - a. PRESENT: Joseph Farrell (Chairperson); Rosemary Mouring; Michelle Donahue; Edward Shropshire (Alternate); Lyn Tate
 - b. ALSO PRESENT: Nicole Dritz, Development Services Director; Elizabeth Eassa, Assistant Development Services Director; R. Max Lohman, Legal Counsel
3. APPROVAL OF MINUTES:
 - a. Ms. Tate made a motion to approve the minutes for the August 23, 2023, ZBA meeting.
Ms. Donahue seconded, and the motion passed unanimously.
4. AGENDA APPROVAL:
 - a. Mr. Farrell inquired if there were any additions, deletions, or substitutions to be made.
 - b. Ms. Donahue made a motion to approve the agenda. Ms. Mouring seconded, and the motion passed unanimously.
5. NEW BUSINESS:

Ms. Dritz explained to the Board that staff would like to postpone VAR-23-0017 to a date certain of November 29, 2023.

a. **VAR23-0017:**

Request for a variance from Section 23-81(j)(3), Code of Ordinances, to allow a 6-foot-tall fence with an additional 1-foot of barbed wire in the front setback area, where a maximum fence height of 4-feet is permitted, for the properties located at 604 Hillbrath Drive, 606 Hillbrath Drive, the property with the associated Parcel Control Number 40-43-44-34-00-000-7100, and the property with the associated Parcel Control Number 40-43-44-34-00-000-7070.

Applicant: Johnson-Davis, Inc.

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.

Ms. Donahue made a motion to postpone VAR23-0017 to a date certain of November 29, 2023. Mr. Shropshire seconded.

Ms. Eassa called the roll and the motion passed 5-0.

6. ADJOURN: Ms. Mouring made a motion for adjournment. The meeting was adjourned unanimously at 6:35 PM.

Chairperson Joseph Farrell

Date

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.

CASE #: VAR23-0017SUBMITTAL DATE: 8/25/23**TOWN OF LANTANA**504 Greynolds Circle
Lantana, FL 33462
(561) 540-5034**VARIANCE APPLICATION**Property Name: Johnson Davis, Inc.Property Location: (Address) 604 Hillbrath DriveProperty Control Number: 4 0 4 3 4 4 3 4 0 0 0 0 7 0 7 0Existing Zoning Category: General Industrial**Type of Variance (circle one):**

Setback (front, side, rear)

Lot (width, coverage, size)

Height

Subdivision Regulations

Other Fence Height

Property Owner(s)	Applicant
Name: Johnson-Davis Inc.	Name: <u>SAME</u>
Address: 604 Hillbrath Drive Lantana, FL 33462	Address: <u>↓</u>
Phone: (561) 588-1170	Phone: <u>↓</u>

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEWTown Official: [Signature]Date: 8/25/23Fee(s) Paid: \$750TOWN ACTION

Town Council: _____ Date: _____

Conditions of Approval: _____

CASE #:

VAR23-0017

SUBMITTAL DATE:

8/25/23

TOWN OF LANTANA

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

VARIANCE APPLICATION

Property Name:

Johnson Davis, Inc.

Property Location: (Address) 604 Hillbrath Drive

Property Control Number:

4 0 - 4 3 - 4 4 - 3 4 - 0 0 - 0 0 0 - 7 0 8 0

Existing Zoning Category: General Industrial

Type of Variance (circle one):

Setback (front, side, rear)

Lot (width, coverage, size)

Height

Subdivision Regulations

Other Fence Height

Property Owner(s)	Applicant
Name: Johnson-Davis Inc.	Name: SAME
Address: 604 Hillbrath Drive Lantana, FL 33462	Address: ↓
Phone: (561) 588-1170	Phone: ↓

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEW

Town Official:

Ejm

Date:

8/25/23

Fee(s) Paid:

\$100

TOWN ACTION

Town Council:

Date:

Conditions of Approval:

CASE #: VAR 23-0017

SUBMITTAL DATE: 8/25/23

TOWN OF LANTANA

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

VARIANCE APPLICATION

Property Name: Johnson Davis, Inc.

Property Location: (Address) 604 Hillbrath Drive

Property Control Number: 4 0 4 3 4 4 3 4 0 0 0 0 7 1 0 0

Existing Zoning Category: General Industrial

Type of Variance (circle one):



Setback (front, side, rear)

Lot (width, coverage, size)

Height

Subdivision Regulations

Other Fence Height

Property Owner(s)	Applicant
Name: Johnson-Davis Inc.	Name: SAME
Address: 604 Hillbrath Drive Lantana, FL 33462	Address: 
Phone: (561) 588-1170	Phone: 

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEW

Town Official: 

Date: 8/25/23

Fee(s) Paid: \$100

TOWN ACTION

Town Council: _____ Date: _____

Conditions of Approval: _____

CASE #: VAR23-0017

SUBMITTAL DATE: 8/25/23

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

VARIANCE APPLICATION

Property Name: Johnson Davis, Inc.

Property Location: (Address) 604 Hillbrath Drive

Property Control Number: 4 0 4 3 4 4 3 4 0 0 0 0 7 1 7 0

Existing Zoning Category: General Industrial

Type of Variance (circle one):

Setback (front, side, rear)

Lot (width, coverage, size)

Height

Subdivision Regulations

Other Fence Height

Property Owner(s)	Applicant
Name: Johnson-Davis Inc.	Name: <u>SAME</u>
Address: 604 Hillbrath Drive Lantana, FL 33462	Address: <u>↓</u>
Phone: (561) 588-1170	Phone: <u>↓</u>

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENTAL USE ONLY

ACCEPTED FOR REVIEW

Town Official: Ejm

Date: 8/25/23

Fee(s) Paid: \$100

TOWN ACTION

Town Council: _____ Date: _____

Conditions of Approval: _____

GENERAL DATA

Proposed Zoning:

Same

Existing Use of Property:

WAREH/DIST TERM

Proposed Use of Property:

Same

Total Site Area: _____ Sq. Ft. OR 1.0010 Acres

RESIDENTIAL

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

COMMERCIAL

Total Square Footage: _____ Number of Buildings: _____

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

A fence of six (6) feet chain link, to be replaced by the same with compliance on all other codes. To include barbed one (1) foot of barbed wire at the top for a total height of seven (7) feet.

Where the Zoning Ordinance requires

A fence no more than four (4) feet in height along the front.

A fence no more than six (6) feet in height along the side.

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.

All surrounding properties have a seven (7) foot fence.

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

Replacing in kind

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.

All surrounding properties have a seven (7) foot fence. It would fit with surrounding properties.

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.

All surrounding properties have seven (7) foot fences.

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.

We are replacing in kind and conforming with the surrounding real estate.

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

It will provide community with a better look and less dilapidated.

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

34-44-43, S 216 FT OF N 608 FT OF E 201.67 FT OF W 637.26 FT OF NW 1/4 OF SW 1/4
A/K/A LT 20 GATOR CULVERT CO UNREC



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

AGENT [if different from Owner(s)]:	DEVELOPER:
Name: SAME	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: Apogee Services, Inc.	Name:
Company Name:	Company Name:
Address: 703 S.W. 24th Ave Boynton Bch., FL 33435	Address:
Phone:	Phone:

CURRENT OCCUPANT OF BUILDING OR PROPERTY:
Name: Johnson-Davis Inc.
Address: 604 Hillbrath Drive Lantana, FL 33462
Phone: (561) 588-1770

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.

[Signature]
Witness

[Signature]
Signature of Applicant

[Signature]
Witness

Wm. Clark C. Cryer
Printed Name of Applicant

8/24/2023
Date:

Applicant is:

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

Address:
604 Hillbrath Drive
Lantana, FL 33462

Telephone Number: (561) 588-1170
Fax Number: _____

OWNER'S AUTHORIZATION

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

[Signature]
Witness

[Signature]
Signature of Owner

[Signature]
Witness

Scott J. Johnson
Printed Name of Owner

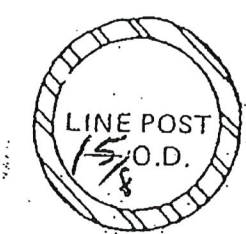
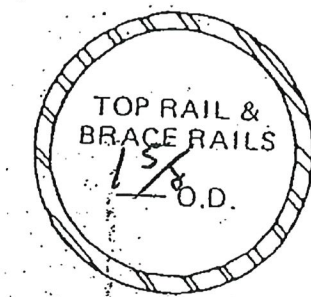
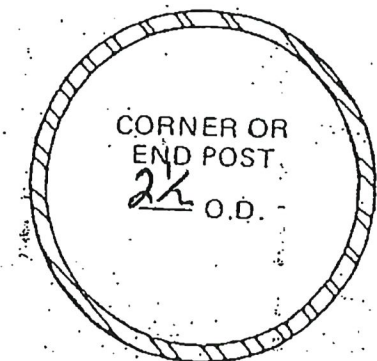
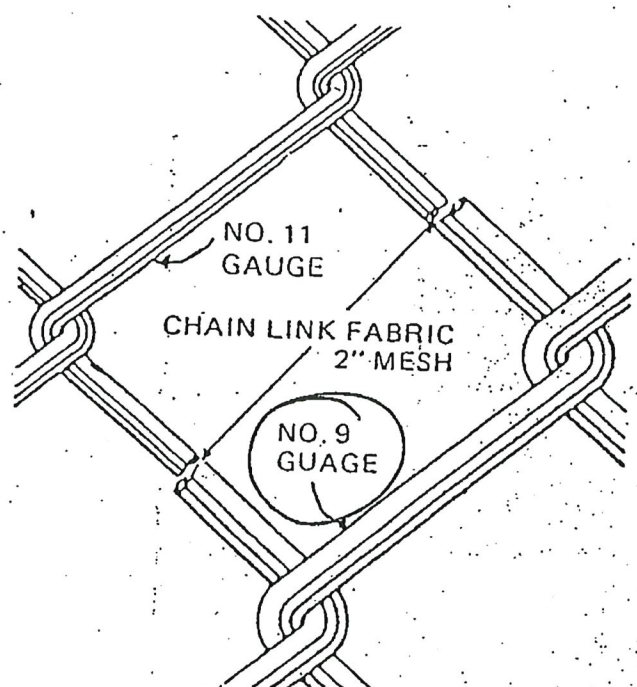
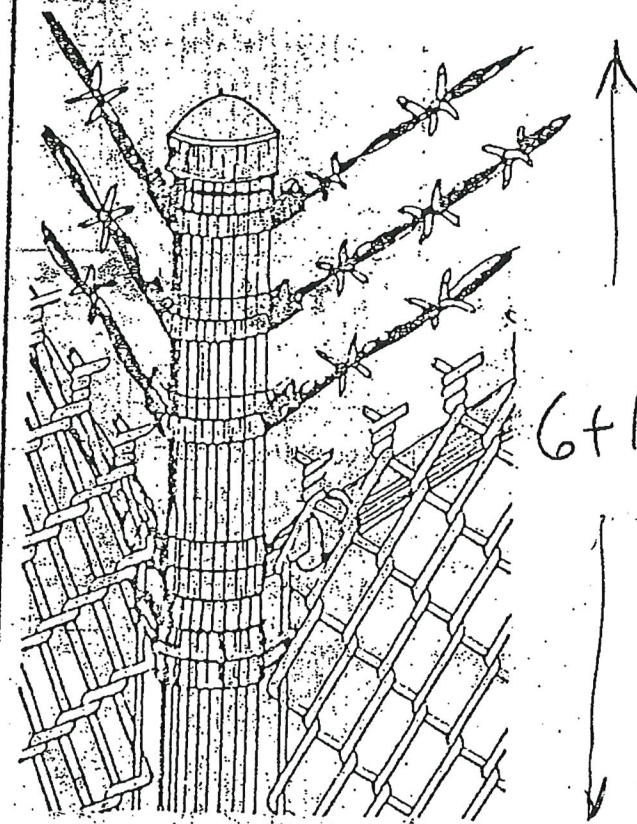
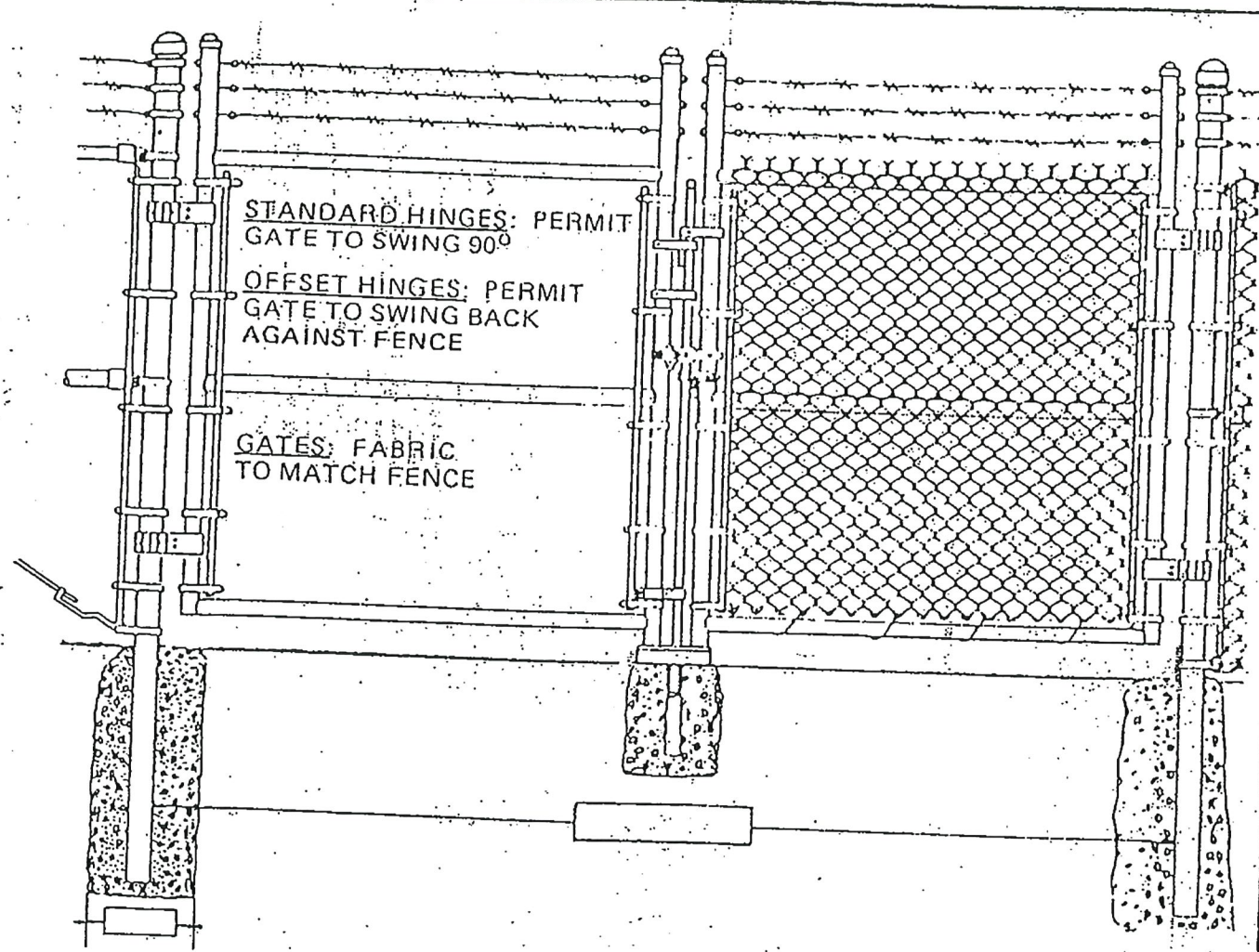
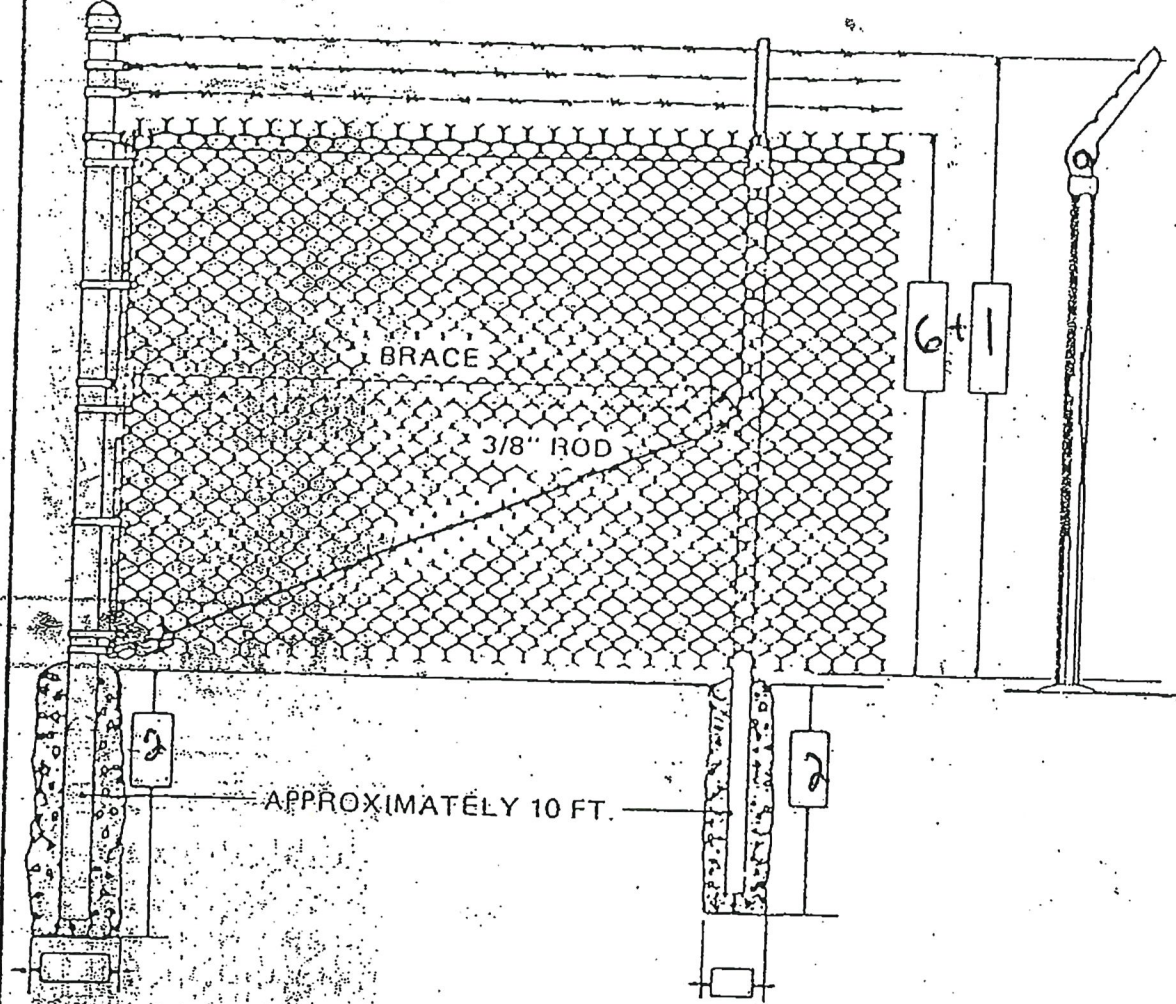
8/24/2023
Date

Johnson-Davis Inc. is requesting a fence variance to replace the existing fence that is in poor condition, the new fence will be an exact replacement of the existing one with the addition of black vinyl coating. If the variance for the fence is granted a new Clusia hedge will be planted along the perimeter to supply a more aesthetic view for the public.

The fence is to act as a barrier to restrict unauthorized access to our property, safeguard the equipment, and more importantly minimize potential accidents from unauthorized entry.

Johnson-Davis Inc. has many items on the property that could be hazardous without restricting access through fencing. These include heavy machinery in motion, welding flashes, fuels, hydraulic oils, tripping hazards from pipes and beams.

With the recent construction of the Water Tower complex and the Manor apartment community just around the corner from us, there has been an increase in residents walking their pets near our property. Having our fence replaced with a new, fully intact one would ensure their safety and deter them from wandering onto our property. Additionally, the fence would serve as a buffer zone and protect our employees that work in our yard from the many vehicles that drop off their debris at Waste Management (right across from us) and the heavy trucks going to the Coast Guard yard and Florida Public Utilities (both up the street from us).



6+1 Black 9/16"

Chain Link Gate Typical w/ Double Drive

Google Maps 604 Hillbrath Dr. Fence Variance



Imagery ©2023 Google, Imagery ©2023 CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2023 100 ft









Imagery ©2023 Google, Map data ©2023 , Map data ©2023 Google 20 ft











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

CASE #: VAR 23-00 2B

SUBMITTAL DATE: 10/10/23

VARIANCE APPLICATION

Property Name: Brunet Residence
Property Location (Address): 350 E. Ocean Avenue
Property Control Number (PCN): 40 - 43 - 45 - 03 - 01 - 000 - 0171
Existing Zoning Category: RIA Single Family Residential

Type of Variance (Circle All that Apply):

- Setback (front, side, rear)
- Lot (width, coverage, size)
- Height
- Subdivision Regulations

Other: _____

Property Owner

Name: Wolfgang J. Brunet
Address: 350 E. Ocean Ave.
Lake Worth, FL. 33462
Phone: _____
Email: wbrunet@IdealNutritionnow.com

Applicant/Agent

☐ Check here if same as owner

Name: Peter Russo
Address: 2831 A Exchange Ct.
West Palm Beach, FL. 33409
Email: MetroDesignGrap@aol.com
Phone: 561-686-5853

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENT USE ONLY

ACCEPTED FOR REVIEW

Town Official: [Signature] Date: 10/10/23
Fee(s) Paid: \$750

TOWN ACTION

Town Council: _____ Date: _____
Condition(s) of Approval: _____

GENERAL DATA

Proposed Zoning:

Single Family

Existing Use of Property:

Single Family

Proposed Use of Property:

Single Family

Total Site Area: 8397 Sq. Ft. OR 0.433 Acres

RESIDENTIAL

Total Number of Dwelling Units: 1 Existing | 1 Proposed

Density (Units per Acre): _____ Existing | _____ Proposed

COMMERCIAL

Total Square Footage: _____

Number of Buildings: _____

A variance is requested relative to Section # 23-81-J1 of the Town of Lantana
Zoning Code of Ordinance to allow:

Construction of a 6' high privacy fence
in lieu of a 4' high fence. NORTH PROPERTY
LINE - SOLID WHITE PVC FENCE

Where the Zoning Ordinance requires:

Limit right-of-way fence to 4' high.

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.

Property is adjacent to the intracoastal bridge. Excessive traffic adjacent to the existing home extremely close to right-of-way.

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

Home built and permitted per required setbacks. Unique proximity to bridge abutment was not created by home owner.

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.

A 6' fence prohibits noise and traffic which are not adjacent to homes not at a bridge abutment.

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.

A 4' fence would not create sound and privacy barrier typical of a residential lot.

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.

A fence lower than 6' would provide little or no sound/traffic buffer.

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 6' fence within 15'± of a two-story estate home is proportionate to the size of the home.

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

Lot 17, less the east 109 feet of said Lot 17,
and Lot 16, less the east 109 feet of the
North 5 feet and less the east 115 feet of
the South 45 feet of said Lot 16, of
Hypoluxo Island Addition to Lantana, Florida,
Plat No. 3, According to the plat thereof, as
Recorded in Plat Book 4, Page 63, of the
Public Records of Palm Beach County, Florida.

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: <u>Peter Russo</u>	Name:
Company Name: <u>Metro Design Group</u>	Company Name:
Address: <u>2831 A Exchange Ct.</u> <u>W.P.B, FL. 33409</u>	Address:
Phone:	Phone:

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

ENGINEER	LANDSCAPE ARCHITECT
Name: <u>Thomas J. Twomey</u>	Name:
Company Name:	Company Name:
Address: <u>2831 A Exchange Ct. WPB, FL 33409</u>	Address:
Phone: <u>561-686-5853</u>	Phone:
Florida Registration No.: <u>25626</u>	Florida Registration No.:

SURVEYOR	ATTORNEY
Name: <u>LandTec</u>	Name:
Company Name: <u>Andrew Snyder</u>	Company Name:
Address: <u>700 W. Hillsboro Blvd #4-100</u> <u>Deerfield Bch, FL. 33441</u>	Address:
Phone: <u>561-367-3587</u>	Phone:

CURRENT OCCUPANT OF BUILDING OR PROPERTY
Name:
Company Name (If Applicable):
Address:
Phone:

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.

Witness

Signature of Applicant

Witness

Printed Name of Applicant

10.4.23

Date:

Applicant is:

Address:

____ Owner

2831-A Exchange Ct.

____ Optionee

WPB, FL. 33409

____ Lessee

☒ Agent

Telephone Number: 561.686.5853

____ Contract Purchaser

Fax Number: _____

OWNER'S AUTHORIZATION

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

Witness

Signature of Owner

Witness

Printed Name of Owner

10.4.23

Date:

COLUMN DETAIL
1/2" = 1'-0"

PAGE OF



SCALE: 1"=40'

TYPE OF SURVEY:

- ☐ BOUNDARY
☐ ALTA/NSPS
☐ CONSTRUCTION
☐ TOPOGRAPHIC
☐ CONDOMINIUM
☐ SPECIAL PURPOSE

PRINTING INSTRUCTIONS

WHEN PRINTING THIS PDF IN ADOBE, SELECT "ACTUAL SIZE" TO ENSURE CORRECT SCALING. DO NOT USE "Fit".

ABBREVIATION LEGEND

(SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING):

AOAL = ARC LENGTH	P = PLAT
C/O = CLEANOUT	PC = POINT OF CURVE
CA = CENTRAL ANGLE	PCC = POINT OF COMPOUND
CATV = CABLE TV RISER	CURVE
CF = CALCULATED FROM FIELD	PH = POOL HEATER
CH = CHORD DISTANCE	P-I = POINT OF INTERSECTION
CONG. = CONCRETE	POB = POINT OF BEGINNING
CR = CALCULATED FROM RECORD	POC = POINT OF COMMENCEMENT
DE = DRAINAGE EASEMENT	PP = POOL PUMP
ELOR ELEV. = ELEVATION	PRC = POINT OF REVERSE CURVE
EM = ELECTRIC METER	PT = POINT OF TANGENCY
F.F.E. = FINISHED FLOOR ELEV.	QTR = QUARTER
FIR = FOUND IRON ROD	RC RADIUS
FN = FOUND NAIL	RNG = RANGE
FND = FOUND	SEC C SECTION
G.F.F. = GARAGE FINISHED FLOOR	TR = TELEPHONE RISER
L = LEGAL DESCRIPTION	TWP = TOWNSHIP
M = MEASURED	UE = UTILITY EASEMENT
OHC = OVERHEAD CABLE	UPC = UTILITY POLE
	WM = WATER METER
	WV = WATER VALVE

SYMBOLS - NOT-TO-SCALE

(SOME ITEMS IN LEGEND MAY NOT APPEAR ON DRAWING):

— = UTILITY POLE	@ = WELL
XX = LIGHT POLE	— = CENTER LINE
— = CATCH BASIN	It = PARTY WALL
— = FIRE HYDRANT	— = AIR CONDITIONER
@ = MANHOLE	@ = SEPTIC LID
M = WATER VALVE	x = ELEV. SHOT
WM = WATER METER	
6, = HANDICAP PARKING SPACE	

C = SEC. QTR CORNER

= SECTION CORNER

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS OUTLINED IN CHAPTER 5J-17.051 & 5J-17.052 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND THAT THE ELECTRONIC SIGNATURE AND SEAL HEREON MEETS PROCEDURES AS SET FORTH IN CHAPTER 5J-17.062 PURSUANT TO SECTION 472.025, FLORIDA STATUTES.



Digitally signed by
Andrew Snyder, PSM
 Date: 2022.05.27
 13:18:08 -04'00'

SIGNATURE _____

DAT@S-27-2022

ANDREW SNYDER - PROFESSIONAL SURVEYOR AND MAPPER FLORIDA REGISTRATION NO. 5639 (NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OR THE ELECTRONIC SEAL OF THE FLORIDA LICENSED SURVEYOR AND MAPPER SHOWN ABOVE)

LEGAL DESCRIPTION:
 LOT 17, LESS THE EAST 109 FEET OF SAID LOT 17, AND LOT 16, LESS THE EAST 109 FEET OF THE NORTH 5 FEET AND LESS THE EAST 115 FEET OF THE SOUTH 45 FEET OF SAID LOT 16, OF HYPOLEXO ISLAND ADDITION TO LANTANA, FLORIDA, PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, AT PAGE 63, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

PROPERTY ADDRESS:
 350 EAST OCEAN AVENUE
 LANTANA, FL 33462

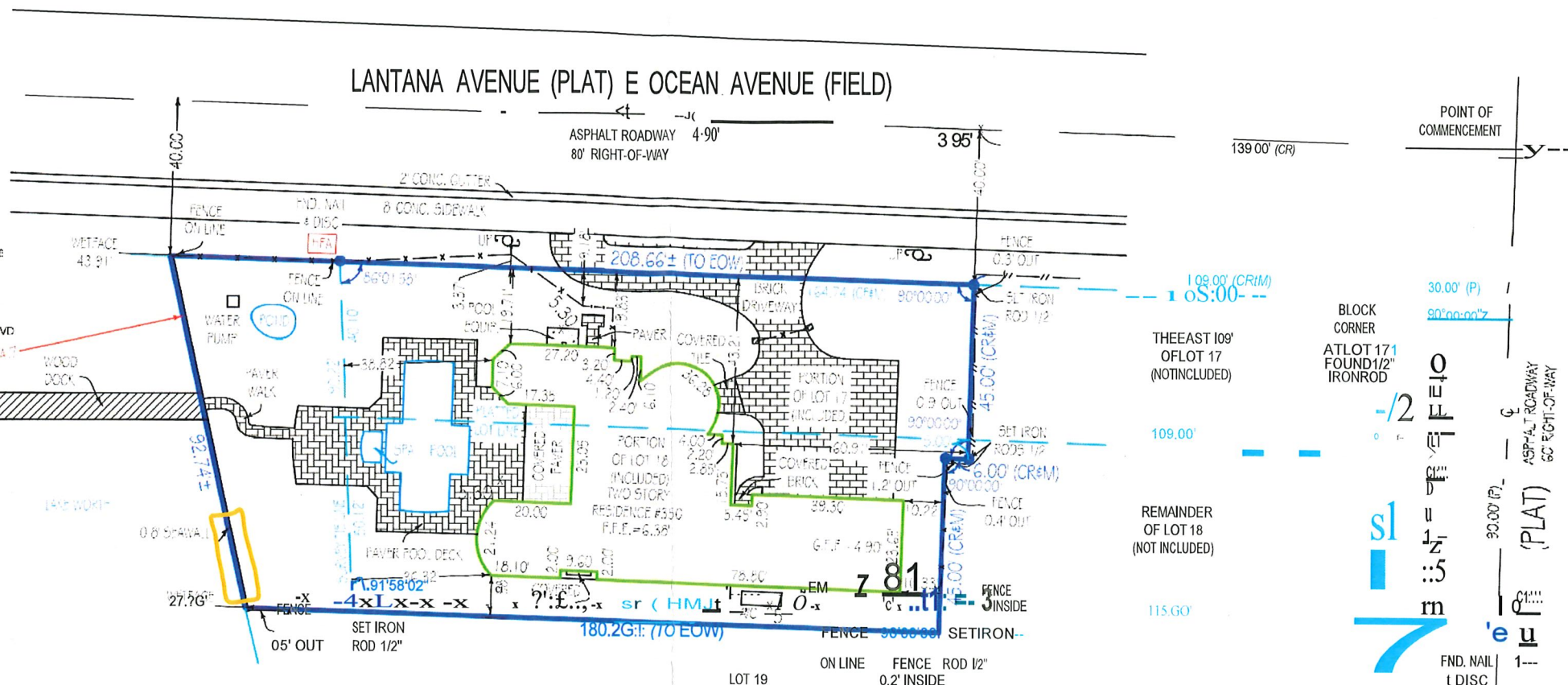
INVOICE NUMBER: 144430-SE
 DATE OF FIELD WORK: 05/24/2022

CLIENT FILE: 22-117

CERTIFIED TO
 KLEIN LAW GROUP, P.A.
 OLD REPUBLIC NATIONAL TITLE
 INSURANCE COMPANY
 WOLFGANG J BRUNET

FLOOD ZONE: AE
 FLOOD MAP: 12099C
 PANEL: 0763
 SUFFIX: F
 PANEL DATE: 10/05/2017

BASE FLOOD ELEVATION OR DEPTH: 6
 NAVD 1986
 COMMUNITY NUMBER: 120214
 BENCHMARK: AD8414
 ELEVATION: 2.0
 FINISHED FLOOR ELEVATION: 6.38 NAVD 1986



RECORD DATA INDICATES OWNERSHIP TO THE EDGE OF WATER. LAKE WORTH IS TIDALLY INFLUENCED AND REQUIRES A MEAN HIGH WATER DETERMINATION TO ESTABLISH THE PROPERTY BOUNDARY. HOWEVER, BY VIRTUE OF A CONSTRUCTED SEAWALL, THE HORIZONTAL POSITION OF MEAN HIGH WATER IS DETERMINED BY THE WETFACE OF SAID SEAWALL AND THEREFORE DEFINES THE SUBJECT BOUNDARY LINE.

BEARING REFERENCE:
 NONE. RECORD INFORMATION RELIANT UPON
 ANGULAR DATA ONLY. ALL ANGULAR
 DATA SHOWN HEREON REFERENCED THERETO.

PURPOSE OF SURVEY:

REVISIONS

Job Number: 144430-SE Field:
 Drawn By: I. B. Date of Field Work: 05/25/2022

LINETYPES:

BOUNDARY	BUILDING
EASEMENT	CHAIN LINK FENCE
WOOD FENCE	PLASTIC FENCE
OVERHEAD CABLE	

"CP" = CONTROLLING POINT (POINT OF ROTATION) "HFA" = HELD FOR ALIGNMENT - ALL OTHER MONUMENTATION AND IMPROVEMENTS RELATIVE THERETO

This survey has been issued by the following Landtec Surveying office:

700 W. Hillsboro Blvd. Suite 4-100
 Deerfield Beach, FL 33441

Office: (561) 367-3587 Fax: (561) 465-3145

www.LandtecSurvey.com

Aerial Photograph
 May not show latest improvements. Not-to-scale.



GENERAL NOTES:

1. THIS SURVEY IS BASED UPON RECORD INFORMATION PROVIDED BY CLIENT. NO SPECIFIC SEARCH OF THE PUBLIC RECORD HAS BEEN MADE BY THIS OFFICE UNLESS OTHERWISE NOTED.
 2. AS INDICATED ABOVE, UNDER "PURPOSE OF SURVEY" IF THIS SURVEY HAS BEEN PREPARED FOR A PURCHASE OR REFINANCE, ITS SCOPE IS LIMITED TO THE DETERMINATION OF TITLE DEFICIENCIES, AND IS NOT INTENDED FOR USE IN DESIGN OR CONSTRUCTION PURPOSES. LANDTEC SURVEYING ASSUMES NO RESPONSIBILITIES FOR ERRORS RESULTING FROM FAILURE TO ADHERE TO THIS CLAUSE.
 3. ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION ONLY. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE. THIS OFFICE WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL OF, OR CHANGES MADE TO, ANY FENCES UNLESS WE HAVE PROVIDED A SURVEY SPECIFICALLY LOCATING SAID FENCES FOR SUCH PURPOSES. DETERMINATION OF FENCE POSITIONS SHOULD BE BASED SOLELY ON THEIR PHYSICAL RELATIONSHIP TO THE MONUMENTED BOUNDARY LINES.
 4. GRAPHIC REPRESENTATIONS MAY HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE MEASURED RELATIONSHIPS. DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED POSITIONS.
 5. UNDERGROUND IMPROVEMENTS HAVE NOT BEEN LOCATED EXCEPT AS SPECIFICALLY SHOWN.
 6. ELEVATIONS ARE BASED UPON NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D. 1929) OR NORTH AMERICAN VERTICAL DATUM (N.A.V.D. 1988) AS SHOWN ABOVE.
 7. ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED OTHERWISE.
 8. ANY CORNERS SHOWN AS "SET" HAVE EITHER BEEN SET ON THE DATE OF FIELD WORK, OR WILL BE SET WITHIN 5 BUSINESS DAYS OF SAID DATE AND ARE IDENTIFIED WITH A CAP MARKED LS (LICENSED SURVEYOR) #5639.

Elevations, if shown:

Benchmark: AD8414
 Instrument: FOIF A70mini
 Benchmark Elev.: 2.00
 Benchmark Datum: NAVD 1988
 Elevations on Drawing are:
 N.G.V.D. 2.0 N.A.V.D. 88

LANDTEC
 SURVEYING

Proudly Serving Florida's Land Title & Real Estate Industries
 LICENSED BUSINESS No. 8007

... measurably better!



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

CASE #: VAR 23-0029

SUBMITTAL DATE: 10/6/23

VARIANCE APPLICATION

Property Name: NA

Property Location (Address): 626 Minnesota st Lantana FL 33462

Property Control Number (PCN): 4 0 - 4 3 - 4 5 - 0 3 - 1 0 - 0 0 7 - 0 0 7 0

Existing Zoning Category: R15 - MULTI-FAMILY (HIGH DENSITY)

Type of Variance (Circle All that Apply):

- Setback (front, side, rear)
- Lot (width, coverage, size)
- Height
- Subdivision Regulations

Other: _____

Property Owner

Name: Blake Balsara

Address: 6910 Kingston dr Lantana FL

Phone: 561-309-4111

Email: _____

Applicant/Agent

☒ Check here if same as owner

Name: _____

Address: _____

Phone: _____

Email: _____

DO NOT WRITE BELOW THIS LINE

FOR DEPARTMENT USE ONLY

ACCEPTED FOR REVIEW

Town Official: [Signature]

Date: 10/6/23

Fee(s) Paid: \$750

TOWN ACTION

Town Council: _____

Date: _____

Condition(s) of Approval: _____

GENERAL DATA

Proposed Zoning:

NA

Existing Use of Property:

Residential Duplex

Proposed Use of Property:

Residential Duplex

Total Site Area: 1,434 Sq. Ft. OR Acres

RESIDENTIAL

Total Number of Dwelling Units: 2 | 2
Existing Proposed

Density (Units per Acre): 15 | 15
Existing Proposed

COMMERCIAL

Total Square Footage:

Number of Buildings:

A variance is requested relative to Section # 23-95(E) of the Town of Lantana
Zoning Code of Ordinance to allow:

The Placement of two mini split AC Compressors. Within the 3 feet of the property line.

Where the Zoning Ordinance requires:

7.5 Feet of set back.

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 property is grand fathered in with only a five feet set back. So, the space to work with is less than the current code asks for any-way.

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

This particular property is laid out in such a way that any one would see the west side of the building as the place for placement of this kind of infrastructure. This is also where the previous infrastructure of this nature was.

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 current installation of the pre-existing window and wall mount ac units. Protrude about two inches less from the building than the compressors in question.

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 wall and window AC units are louder more power hungry and less hygienic. Than these upgraded mini-splits. Also they will be an eye sore if they were to be directly in-front of the property as per code.

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.

The units require about half a foot of space from the wall and are about three quarters of a foot them selves.

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 spirit of the code is to improve fire safety by requiring space for placement of similar infrastructure. The Idea is create a fire break for large central AC systems. These mini-splits draw less power than full size package AC units. Factually they draw nearly the same power as the old wall mount AC. These units present less risk than the old units and should be safer once installed. The rules as applied are inappropriate for this situation.

EXACT LEGAL DESCRIPTION OF PROPERTY:

(Attach if insufficient space)

Lot Seven in Block seven, Second Amended Plat of Lantana according to a plat thereof duly recorded in the office of the Clerk of the Circuit Court in and for Palm Beach County, Florida, Plat Book 9, page 73.

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:
Company Name (If Applicable):
Address:
Phone:

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.

Witness

Witness

Date:

Applicant is:

☒ Owner

☐ Optionee

☐ Lessee

☐ Agent

☐ Contract Purchaser

Signature of Applicant

Printed Name of Applicant

Address:

Telephone Number: (561) 309-4411

Fax Number:

OWNER'S AUTHORIZATION

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

Witness

Witness

Date:

Signature of Owner

Printed Name of Owner

