

TOWN OF OCEAN RIDGE, FLORIDA
BOARD OF ADJUSTMENT MEETING AGENDA
APRIL 19, 2022
9:00 A.M.
TOWN HALL * MEETING CHAMBERS

The Town Commission will consider appointments for two alternate members and one regular member for this Board at the May 2, 2022 meeting. Interested residents must be registered to vote in Ocean Ridge and submit a resume and letter of interest to the Town Clerk by the deadline of April 20th at 3:00 p.m. Additional board positions are available for the Planning and Zoning Commission.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES

1. Approval of March 16, 2022 Meeting Minutes

DISCUSSION / ACTION ITEMS

2. An application submitted by Rene Alonso, as agent for Scott and Michele Welsh, for a parcel of property located at 95 Island Drive South, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64, Zoning, Article I, District Regulations, Section 64-1; RSF and RSE Single-Family Residential Districts. Also from the provisions of the Land Development Code, Chapter 67, Building and Building Regulations, Article III, Technical Codes and Other Construction Standards, Section 67-31; Roof Systems - to permit a complete flat roof with a pitch of ¼” per foot for proper drainage for the entire roof. The variance would allow for a complete flat roof on the primary structure. The property is located at 95 Island Drive South, property control number 46-43-45-22-10-000-0950 and legally described as MC CORMICK MILE ADD 1 LT 95 (exact legal description located at Town Hall).
3. An application submitted by Angel Darlene Johnston, as owner, for a parcel of property located at 26 Harbour Drive South, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64, Zoning, Article I, District Regulations, Section 64-1; RSF and RSE Single-Family Residential Districts, and Section 64-57; Balconies Not To Extend Into Required Yard Setback Also from the provisions of the Land Development Code, Chapter 67, Building and Building Regulations, Article III, Technical Codes and Other Construction Standards, Section 67-36; Balconies Not To Extend Into Required Yards- to permit the extension of the second floor balcony by 2’. The variance would allow for a 23’ setback from the property line and a relief of 2’ from 25’ required setback. The property is located at 26 Harbour Drive South, property control number 46-43-45-27-09-000-0320 and legally described as RIDGE HARBOUR ESTATES LT 32 (exact legal description located at Town Hall).

ADJOURNMENT

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD OF ADJUSTMENT WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING OR HEARING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT FOR SUCH PURPOSE, HE/SHE 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. PERSONS WHO NEED AN ACCOMODATION IN ORDER TO ATTEND OR PARTICIPATE IN THIS MEETING SHOULD CONTACT THE TOWN CLERK AT 561-732-2635 AT LEAST 5 DAYS PRIOR TO THE MEETING IN ORDER TO REQUEST

SUCH ASSISTANCE. PLEASE TAKE NOTICE THAT ONE OR MORE TOWN COMMISSIONERS MAY BE PRESENT AT ANY BOARD OR COMMISSION MEETING OF THE TOWN OF OCEAN RIDGE.

THE TOWN OF OCEAN RIDGE IS HOLDING ALL MEETINGS IN-PERSON, WITH AN ADDITIONAL OPTION OF LISTENING TO THE AUDIO LIVE. ANY PERSON WISHING TO LISTEN TO THE AUDIO LIVE CAN ACCESS THE FEED ON THE DATE AND TIME OF THE MEETING BY DIALING +1 (646)749-3122 AND USING 284-378-493 AS THE ACCESS CODE. PERSONS THAT ARE UNABLE TO ATTEND THE MEETING IN PERSON MAY SUBMIT PUBLIC COMMENTS TO BE READ INTO THE RECORD BY EMAILING THE TOWN CLERK A MINIMUM OF ONE BUSINESS DAY PRIOR TO THE MEETING AT KARMSTRONG@OCEANRIDGEFLORIDA.COM OR CALLING TOWN HALL DURING BUSINESS HOURS BEFORE THE MEETING DATE AND TIME AND PROVIDING YOUR COMMENT TO THE TOWN CLERK.

NOTICE: THE PUBLIC MAY VIEW THE HARD COPY OF THE MEETING MATERIALS AT TOWN HALL BEFORE OR DURING THE MEETING

BOARD OF ADJUSTMENT
MARCH 16, 2022
MINUTES

Minutes of the Board of Adjustment Meeting of the Town of Ocean Ridge, Florida held on Wednesday, March 16, 2022, at 9:00 AM in the Town Hall Meeting Chambers.

CALL TO ORDER

The meeting was called to order by Chair Cody at 9:00 a.m.

ROLL CALL

Town Clerk Armstrong called the roll which was answered by the following: Member Betty Bingham, Member Carolyn Cassidy, Chair Mary Ann Cody, Vice Chair Bruce Hindin, and Member Robert Sloat. Alternate Member Nicholas Arsali was also present in the Chambers.

PLEDGE OF ALLEGIANCE

Chair Cody led the Pledge of Allegiance.

1. APPROVAL OF MINUTES FROM NOVEMBER 17, 2021

Member Bingham moved to adopt the minutes of November 17, 2021; seconded by Vice Chair Hindin. Motion carried 5-0.

2. QUASI-JUDICIAL HEARING: VARIANCE REQUEST FOR 6161 N OCEAN BLVD

An application submitted by Erica Sneed, as agent for Roslyn and Stanley Middleman, for a parcel of property located at 6161 N Ocean Blvd, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 67, Buildings and Building Regulations, Article II, Coastal Construction, Section 67-18; Coastal Construction Setback Line. Also from the provisions of the Land Development Code, Chapter 64, Zoning, Article III, Supplemental Regulations, Section 64-41; Accessory uses, buildings and structures generally - to permit a a Chickee Hut that would be located east of the 1979 Coastal Construction Control Line, and would encroach into the side setback for accessory structures. The variance would allow for a 210.63' setback from the 1979 Coastal Construction Control Line and a relief of 8' from the required 15' setback. The property is located at 6161 N Ocean Blvd, property control number 46-43-45-27-08-003-0030 and legally described as AMENDED PL OF BOYNTONS SUB LTS 3 TO 5 INC BLK 3, & TH PT OF BLK 10 LYG W OF & ADJ TO & ABND OCEAN BLVD LYG BET (exact legal description located at Town Hall).

Town Clerk Armstrong read the application by title into the record and advised that all fees have been paid. She noted that she received no additional correspondence.

Chair Cody explained that this is a quasi-judicial hearing and asked if any board members had any ex-parte communications with the applicant, owner, or builder. Member Cassidy notified that she spoke to the applicant to obtain access to the property, and Member Bingham stated that she visited the site. All other Board Members informed that they had no ex-parte communications.

All those planning on providing testimony were sworn in by Town Clerk Armstrong.

Chair Cody invited Town Planner, Corey O' Gorman, to present the project. Town Planner O'Gorman summarized that the variance requested is to allow the installation of a Chickee Hut on the property, and the request would need a variance from two provisions of the code. He corrected that the proposed Chickee Hut would be 33' from the 1979 Coastal Construction Control Line (CCCL), not 210.63' as indicated in the application. The 210.63' setback in the application would

BOARD OF ADJUSTMENT MEETING MINUTES OF MARCH 16, 2022

be from the 1997 Coastal Construction Control Line. Building Official Guy gave the board the background on the property.

Erica Sneed, an agent for Roslyn and Stanley Middleman, explained that the homeowners are looking to install a Chickee Hut that would provide shade over the permitted deck. She stated that the structure is exempted from the Florida Building Code because it is made from natural materials.

Member Bingham asked the contractor if he knew that an enclosed deck has a 15' setback while an unenclosed deck has a 5' setback. Ms. Sneed informed that they obtained approval from the Department of Environmental Protection (DEP) and were unaware of Ocean Ridge's regulations. Member Bingham argued that the contractor should be aware of local ordinances, to which Ms. Sneed stated that they obtained state permits and the location is the most logical place for the Chickee Hut. Member Bingham discussed the intent of ordinances and reiterated that contractors should read the town codes. She advised the contractor could have chosen a different location for the deck if they had read the code before commencing any work. She asked about the height of the hut, and Ms. Sneed provided it.

Member Cassidy noted that surrounding properties have a Chickee Hut and asked how they were able to install one. Building Official Guy stated he had not researched the surrounding properties. Town Clerk Armstrong noted that the town has a process referred to as a "no-fee zoning application" for Chickee Huts or Tiki Huts. She notified that the process had been in place for some time and that she had seen properties apply for it; however, she did not have any information regarding variances for the surrounding properties. Member Cassidy asked for more details on how the Chickee Huts were allowed to be rebuilt after the seawall reconstruction. Town Clerk Armstrong stated that a grandfathered structure could be reconstructed if it is destroyed by any non-voluntary means.

Erica Sneed stated that there is a chickee Hut near the subject property that did not obtain a DEP permit, and she does not think it has a Town permit. Town Manager Stevens stated that properties should not be compared because specific structures could have been built under different regulations. She asked for the board to focus on the variance presented. Town Attorney Goddeau concurred and notified that the board needs to look at variances on a case-by-case basis.

Vice Chair Hindin asked for clarification on statement D in Exhibit B. Ms. Sneed stated that the proposed location is the prime location for the Chickee Hut. The Chickee Hut is proposed to go over the permitted deck that connects to the stairs for beach access.

Member Cassidy stated that the Coastal Construction Control Line creates a hardship for residents who bought their homes prior to the passing of the Ordinance 2020- 05 because it limits the owners on what they can do on their property. Member Bingham stated that the issue is the side setback. Member Cassidy noted that she only refers to the Coastal Construction Control Line setback.

Stanley Middleman, property owner, thanked the board for considering the application. He stated that he was unaware of the variance requirement and that he did not plan to install the Chickee Hut when the deck was proposed. He said that now that the deck is constructed, he would like shade over it.

Chair Cody called for public comment, and there was none.

Member Bingham asked if the surrounding properties had a permit to install their Chickee Huts, and Town Clerk Armstrong notified that she was unsure and would have to research. She reported

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that the town has a process to install a Chickee Hut called no-fee zoning. Member Cassidy asked for information on the no-fee zoning application, which Town Clerk Armstrong provided. Town Manager Stevens stated that further research would have to be done on the surrounding properties in order to answer the questions posed by members, and she asked members to notify staff before the meeting if research is needed so that staff can be prepared for the meeting.

Vice Chair Hindin asked the owner if they had intentions of adding a shower or summer kitchen to the deck, to which Mr. and Mrs. Middleman stated that they already have those items in a separate location of the home.

Member Cassidy stated that she could understand the homeowner's point of view in not knowing that a variance is required where they wanted to place the Chickee Hut. Member Bingham concurred and stated that it is the responsibility of the contractor.

Chair Cody asked if there would be any additional improvements to the Chickee Hut and whether they would enclose the Chickee Hut. Mr. and Mrs. Middleman stated that they have no intention to add any additional items to the Chickie Hut or enclose it. They said that they only wanted it for shade.

Member Sloat stated that he favors approving the chickee hut subject to the hut remaining unenclosed.

Member Bingham warned that people should do research prior to doing the work. She advised that the code should be adhered to.

Vice Chair Hindin stated that he favors granting the variance so that the owners can have shade on their property. He noted that the deck in place was permitted and that the deck is out of the setback. He further advised that he favors all the recommendations presented by staff except that the variance will cease if the single-family home and deck are demolished because the deck and the single-family home could be destroyed by non-voluntary means. Member Bingham clarified that an unenclosed deck has a different setback than the accessory structure.

Member Cassidy notified that she is in favor and that the request is reasonable. She agreed that the structure should never be enclosed.

Chair Cody is in favor of approving the variance with all staff recommendations except the one regarding the ceasing of the variance if the deck or home is demolished. Town Attorney Goddeau clarified the phrase "unless an act of God" could be added so that the variance would stay in place if the single-family home, deck, and/or Chickee Hut is demolished by non-voluntary means.

Chair Cody moved to approve the variance request to install a Chickee Hut at 6161 N Ocean Blvd as presented, subject to the following conditions: the chickee hut can never be enclosed, no additional improvements can be made such as electrical or plumbing, and the variance will cease if the single-family home is demolished or if the deck is demolished unless by an act of God; seconded by Member Sloat. Roll Call is as follows:

Member Sloat Aye

Member Bingham Nay

Vice Chair Hindin Aye

Member Cassidy Aye

Chair Cody Aye

Motion Carried 4-1.

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Chair Cody called for public comment on any item on the agenda.

Darlene Johnston and Robert McAllister, 26 Harbour Drive South, stated that they were granted a variance to install a sun trellis; however, now the town has indicated that an additional variance is needed for the balcony. He explained that the extension of the balcony is needed to support the sun trellis. He stated that drawings submitted with the previous variance showed that the balcony was increasing. Building Official Guy provided history into the circumstances and noted that the balcony is being expanded more than allowed by code. Ms. Johnston and Mr. McAllister stated that they were not aware they would need a variance to extend the balcony. Chair Cody noted that the board has no authority at this time to waive any requirements.

The board asked Building Official Guy if Ms. Johnston would need an additional variance. Building Official Guy stated that a variance would be required because they are extending more than allowed under code.

Ms. Johnston asked why she was not notified prior about needing a variance. Building Official Guy stated that the variance application was only for a sun trellis and only a cursory review is required for a variance application for the requested item. He advised that a holistic project review is conducted during the building permit stage. He stated that Ms. Johnston could continue with the current size of the balcony. Mr. McAllister gave some history of the property. He indicated that they were unaware that a variance is needed to extend the balcony since it would connect to the sun trellis.

Vice Chair Hindin stated that the balcony could be removed since the balcony is non-functional, and the sun trellis can be directly attached to the home's rear elevation. Mr. McAllister stated that it could be a hazard if the balcony is removed. He advised that the town is requiring another variance. Chair Cody asked if there is an abbreviated process to apply for a variance, and Town Attorney Goddeau stated that there is no process within the code to amend a variance request already heard.

Member Cassidy asked if the Building Official reviews what is provided, and Town Attorney Goddeau stated that he does, but the standard of review is different for a variance application versus a building permit. Town Clerk Armstrong showed the application that was submitted. Mr. McAllister stated that one item showed the balcony, to which Chair Cody noted that there was no mention in the application about the balcony.

Member Cassidy stated that staff should have caught the balcony extension and further asked about who's responsible on ensuring that owners apply for the right items. Town Attorney Goddeau stated that it is ultimately the applicant's responsibility to ensure that they are disclosing all the items they are doing and asking for in the application. She further stated that the applicant should work with the contractor to ensure all the information is placed on the variance application, and staff should not be put in a position to advise applicants.

Ms. Johnston and Mr. McAllister stated that they were not aware that a variance was needed for the balcony. Ms. Johnston advised that the balcony extension was done prior to the sun trellis.

Chair Cody asked the applicant to continue working with the Town, and Mr. McAllister and Ms. Johnston stated that they would continue to work with the Town.

Town Manager Stevens advised that she would work with the applicants to try to waive their application fees.

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The board discussed the difference between Chickee Hut and Tiki Hut.

Member Cassidy asked for a history of the Chickee Huts near 6161 N. Ocean Blvd. Town Attorney Godeau warned that staff could do the investigation, but if the investigation shows that some Chickee Huts were installed without the proper permits, then a Community Standards case may be brought forth for those owners who are not in compliance. Vice Chair Hindin stated that it would be better for the Planning and Zoning Commission to review Chickee Huts. Chair Cody concurred.

Member Bingham warned about what could happen if people stopped avoiding the laws and stated that residents should adhere to Town codes.

VII. ADJOURNMENT

The meeting was adjourned at 9:58 a.m.

Minutes taken by Town Clerk Armstrong and adopted by the Board of Adjustment on April 19, 2022.

Mary-Ann Cody, Chair

ATTEST:

Karla Armstrong, Town Clerk

Town of Ocean Ridge, Florida
Board of Adjustment Agenda Memorandum

To: Board of Adjustment Members
From: Corey O’Gorman, Town Planner
Meeting Date: April 19, 2022
Subject: 95 Island Dr. South – Variance Application

1. PETITION DESCRIPTION

APPLICANT: Rene Alonso from Alonso & Associates, Inc.
OWNER: Scott Welsh
ADDRESS: 95 Island Drive S. Ocean Ridge, Florida 33435

ZONING
DISTRICT: RSF

REQUEST: The applicant is requesting a variance from Section 64-1(f) and 67-37(b) to permit a flat roof of 1/4” per foot for proper drainage for the entire roof (100%).

2. BACKGROUND

The applicant is the builder for the new Single-Family residence at 95 Island Drive South. The applicant originally proposed a flat roof on the home; However, due to Town Code, he proposed a pitched roof hidden behind a parapet. The applicant received approval for the new Single-Family home from the Development Plan Review on December 21, 2020. He applied for a permit for the home on May 13, 2021 and the permit was issued on August 20, 2021. The applicant submitted for variance in 2021 but was advised that the flat roof ordinance is being worked on and asked to possibly wait for the change in ordinance. The applicant has been attending Planning and Zoning Commission meetings to see the progress on the flat roof ordinance to see if it would pass in time for him to revise his Single-Family home permit to install the originally proposed flat roof. At this time, the flat roof ordinance is still being worked on.

The flat roof ordinance has been discussed at various Planning and Zoning Commission Meetings and workshops between the Planning and Zoning Commission and the Town Commission. The latest version of the flat roof ordinance was presented to the Planning and Zoning Commission on February 22, 2022. The Planning and Zoning Commission reviewed and asked the Town Attorney to incorporate the following changes:

- i. Only focus on RSE and RSF zoning districts at this time.
- ii. Parapets will not be allowed on pitched roofs.

- iii. Parapet height for flat roofs shall be 32".
- iv. Elevator bulkhead will not be permitted on the roof.
- v. Subsection 2 and 3 under 67-37 may need to be removed since no items shall be permitted on flat roofs.
- vi. The definition of a flat roof will be according to the Florida Building Code.

The Town Attorney has been working on these changes directed by the Planning and Zoning Commission. Once the changes have been incorporated, then the ordinance will be brought back to the Planning and Zoning Commission for final review. If the Planning and Zoning Commission reviews and approves the ordinance, then the ordinance will go before the Town Commission for two readings before it can be enacted assuming that the Town Commission has no changes. We have attached the last version of the flat roof ordinance for your review.

At this time, the applicant is requesting a variance from the requirements of Section 64-1(f) and Section 67-37(b) to allow a flat roof of 1/4" per foot for proper drainage for the entire roof (100%). Section 64-1(f) allows flat roof areas that are less than 4:12 pitch provided they do not exceed 15% of the total roof area. Section 67-37(b) restricts flat roof areas to 20% of the total roof area.

3. STAFF ANALYSIS.

Section 63-73 of the Town Code states that "when literal or strict enforcement of the provisions of the land development code would cause unusual, exceptional or unnecessary difficulties or undue hardship or injustice because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas or the existence of other unusual physical conditions, the board may vary or modify the requirements set forth herein after receiving and reviewing the report of the administrative official. No variance shall be granted if it has the effect of nullifying the intent and purposes of the land development code. In granting variances, the board may require such conditions as well secure the objectives of the land development code."

Section 63-73.a. states that "variances will not be processed unless a written application on forms prescribed by the department and a fee have been submitted to the administrative official demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands within the zoning district; and
2. That a literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties within the zoning district; and
3. That the special conditions and circumstances do not result from the action of the applicant; and
4. That the granting of the variances requested will not confer on the applicant any special privilege that is denied to other lands within the zoning district."

Attached to the application is "Exhibit B" in which the applicant's addresses the items noted above.

Section 63-73.b. of the Town code enables the Board of Adjustments to approve a variance provided the requirements of that code section are met, that the reasons set forth in the application justify the granting of the variance, and subject to the criteria listed below. Staff review of the criteria relative to each variance is provided below.

a. That special conditions and circumstances existing which are peculiar to the land involved and which are not applicable to other lands within the zoning district;

Response: As stated in the applicant's reply, the cited special conditions and circumstances are peculiar to this proposed project's structure and architectural design not to the land involved. Furthermore, the special conditions and circumstances are not due to "the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas or the existence of other unusual physical conditions" as required by Section 63-73 of the Town Code. Consequently, there are no special conditions or circumstances that comply with the criteria for granting a variance.

b. That the special conditions and circumstances do not result from the action of the applicant;

Response: Because the conditions and circumstances result from the architectural design of the new construction and it could continue with the current design that meets Town Code, the special conditions and circumstances directly related to the actions of the applicant, and the application does not comply with this criterion.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.

Response: Because all new construction in the RSF zoning district is required to comply with the pitch roof provisions of the Town Code, granting the variance would confer a special privilege that is denied to all other lands, buildings and structures in the same zoning district.

d. That literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties within the zoning district.

Response: Because all new construction in the RSF zoning district is required to comply with the pitch roof provisions of the Town Code, literal interpretation of the code would not deprive the applicant of rights commonly enjoyed, and would result in a roof design consistent with other designs approved by the Town in the past.

e. That the variance granted is the minimum variance that would make possible the reasonable use of the land, building or structure.

Response: If the variance is granted as requested it would not represent the minimum variance because the request is for 100% of the roof, there are no special conditions or circumstances, and the roof could continue as designed and continue to meet the Town Code. Granting a variance to the roof pitch requirement on construction of this new home would be contrary to the purpose for variances as specified in 63-73(3) because there are no conditions or circumstances related to the size of the land, topography, condition or nature of adjoining areas or unusual physical conditions. Furthermore, granting this variance would have the effect of "nullifying the intent and purposes of the land development code" and is prohibited by the town code.

f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.

Response: Because the conditions and circumstances are related to the architectural design, granting the variance would be contrary to the intent and purpose of the ordinance.

g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: Granting the variance would not cause injury to the area or be detrimental to the public welfare, however granting the variance would be contrary to all other criteria for granting a variance under the town code.

4. BOARD ACTION.

Section 63-73.b. states that "to approve a variance the board shall find following:

1. That the requirements of this section have been met; and,
2. That the reasons set forth in the application justify the granting of the variance; and,
3. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district; and,
4. That special conditions and circumstances do not result from the actions of the applicant; and,
5. That granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district; and,
6. That literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this land development code; and,
7. That literal interpretation of the provisions of this land development code would work unnecessary and undue hardship on the applicant; and,
8. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and,
9. That the grant of the variance will be in harmony with the general intent and purpose of the land development code; and,

10. That such variance will not be injurious to the surrounding area and would not impair desirable general development of the neighborhood or the community as proposed in the comprehensive plan, or otherwise detrimental to the public welfare.”

In addition to the above, Section 63-73 provides the following requirements for the Board of Adjustment when considering an application for variance:

1. Financial hardship is not to be considered alone as sufficient evidence of a hardship in the grant of a variance.
2. Under no circumstances, except as permitted in this section, shall the board of adjustment grant a variance to permit a use not generally permitted in the zoning district involved, or on the grounds of nonconforming or grandfathered use of neighboring lands, structures or buildings in the zoning district or of pre-existing conditions or neighboring lands which are contrary to the land development code.
3. In granting any variance the board may prescribe conditions and safeguards in conformance with the land development code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this land development code.
4. The board of adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed, or both. Unless a specific time limit is prescribed by the board of adjustment, a variance granted under the provisions of this land development code shall automatically lapse if building construction, in accordance with the plans for which such variance was granted, has not been initiated within six months from the date of granting of such variance by the board or, if judicial proceedings to review the board's decision are instituted, from the date of entry of the final order in such proceedings, including all appeals. The town manager is authorized to approve one automatic six-month extension of time to commence construction pursuant to a variance. Any request for additional time shall be presented to the board of adjustment.
5. Any variance granted by the board shall be noted in its official minutes along with the reasons which justify the granting thereof and required conditions and safeguards.

5. STAFF RECOMMENDATION

Based on the information provided in the application and this report, the Town Staff recommends denial of this application. Granting a variance to the roof pitch requirement on construction of this new home would be contrary to the purpose for variances as specified in 63-73(3) because there are no conditions or circumstances related to the size of the land, topography, condition or nature of adjoining areas or unusual physical conditions.

If the board chooses to grant the variance even with the information presented by staff, then the board should condition them to meet the requirements in the last version of the

flat roof ordinance; however, the last version may not look like the final version that becomes part of the code. There may be additional requirements imposed by either the Planning and Zoning Commission or the Town Commission that we do not know now.

The Board of Adjustments should consider the information supplied by the applicant, this report, testimony at the hearing, and other relevant information to make its decision.



700 US Highway One, Suite C
North Palm Beach, FL 33408
561-863-2722

MEMORANDUM

To: Tracey Stevens, Town Manager
Town of Ocean Ridge

From: Corey W. O’Gorman, AICP
Town Planner

Re: Amendment to Land Development Code
Flat Roofs

Date: February 14, 2022

At their meeting on June 21, 2021, the Planning & Zoning Board requested information on how other communities address flat roofs, and the board discussed issues regarding flat roof construction at several subsequent meetings. Based on that discussion and input from the Planning & Zoning Board, the Town Attorney has drafted an ordinance to amend the restrictions on flat roofs. The draft ordinance includes the following proposed amendments:

- Amend Land Development Code (LDC) Section 64-1 to delete the maximum 15% flat roof area limitation for structures in the RSF and RSE zoning districts, and require that all flat roof areas must comply with the provisions of LDC Section 67-37.
- Amend LDC Section 64-2 to require that any flat roof areas for structures in the RMM zoning district must comply with the provisions of LDC Section 67-37.
- Amend LDC Section 64-3 to require that any flat roof areas for structures in the Ocean View Special Area zoning district must comply with the provisions of LDC Section 67-37, and are limited to a height of 14’ to the tie beam for single-story and 24’ to the tie beam for two-story structures.
- Amend LDC Section 64-4 to require that any flat roof areas for structures in the RHM zoning district must comply with the provisions of LDC Section 67-37.
- Amend LDC Section 64-24 to require that any flat roof areas for structures in the Planned Residential Development zoning district must comply with the provisions of LDC Section 67-37.

- Amend LDC Section 64-50 to prohibit the placement of mechanical equipment on a flat roof unless specifically authorized.
- Amend LDC Section 64-51 to prohibit the placement of satellite dish antennas on flat roofs.
- Amend LDC Section 64-56 to prohibit the placement of antennas on flat roofs unless specifically authorized by federal or state law.
- Amend LDC Section 65-6 to require any equipment cabinet or structure used in association with antennas to comply with the restrictions of 67-37 unless authorized by federal or state law.
- Amend LDC Section 67-37(b), Roof Systems as follows:
 - Specify a maximum height of 14' for the tie beam of a single-story and 24' for a two-story structure.
 - Requiring a flat roof to be entirely screened by a parapet of 32", and restricting flat roof elements to roof ventilation, chimneys, and elevator bulkheads.
 - Prohibiting the placement of equipment on a flat roof except as specifically permitted by federal or state law.
 - Prohibiting access or use of a flat roof for any use except maintenance or repair.
 - Prohibiting construction of interior or exterior structures for accessing a flat roof.
 - Permitting replacement of existing permitted equipment on a flat roof with exact change out equipment by the building official.
- Adding LDC Section 67-37(c) to specify the minimum and maximum slope of a pitched roof system (4:12 and 10:12, respectively), and defining a flat roof as any roof with a pitch less than the minimum slope of a pitched roof.

The draft ordinance is attached for reference.

ORDINANCE NO. ____

AN ORDINANCE OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, SPECIFICALLY THE LAND DEVELOPMENT CODE, CHAPTER 64, ZONING, ARTICLE I, DISTRICT REGULATIONS, SECTION 64-1, RSF AND RSE SINGLE-FAMILY RESIDENTIAL DISTRICTS, SECTION 64-2, RMM MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, SECTION 64-3, OCEAN VIEW SPECIAL AREA, SECTION 64-4, RMH HIGH DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT; ARTICLE II, PLANNED RESIDENTIAL DEVELOPMENT, SECTION 64-24, DEVELOPMENT STANDARDS; ARTICLE III, SUPPLEMENTAL REGULATIONS, SECTION 64-50, LOCATION OF EXTERIOR RESIDENTIAL EQUIPMENT AND ACCESSORIES, SECTION 64-51, SATELLITE DISH ANTENNAS, SECTION 64-54, PROHIBITED HOUSING TYPES, AND SECTION 64-56, ANTENNAS, MASTS, ETC.; CHAPTER 65, TELECOMMUNICATION FACILITIES, ARTICLE I, TELECOMMUNICATION TOWERS AND ANTENNAS, SECTION 65-6, BUILDINGS OR OTHER EQUIPMENT STORAGE; CHAPTER 67, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, TECHNICAL CODES AND OTHER CONSTRUCTION STANDARDS, DIVISION 1, GENERALLY, SECTION 67-37, ROOF SYSTEMS, TO AMEND THE FLAT ROOF RESTRICTIONS; PROVIDING FOR CODIFICATION, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Town of Ocean Ridge, Florida (the “Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town’s Land Development Code currently has restrictions on flat roofs which significantly restrict flat roofs in the Town; and

WHEREAS, the current restrictions have created some ancillary issues with newer construction in the Town; and

WHEREAS, the Town desires to update its Land Development Code to revise the restrictions on flat roofs and resolve some of the ancillary issues; and

WHEREAS, the Town Commission has determined that the enactment of this ordinance to revise the restrictions on flat roofs is for a proper public purpose and in the best interests of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

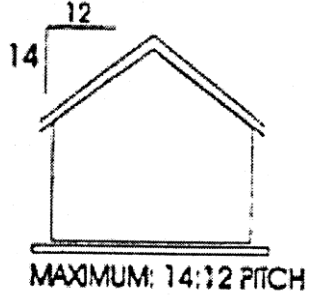
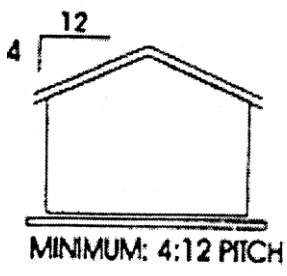
SECTION 1 – Findings of Fact: The **WHEREAS** clauses set forth above are adopted herein as

true findings of fact of the Town Commission.

SECTION 2 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article I, “District Regulations”, Section 64-1, “RSF and RSE single-family residential districts”, Subsection (f), “Roof pitch, elevation and covering” is hereby amended as follows (underline is added; ~~stricken through~~ is deleted) along with a portion of Figure 64-4 which is deleted in its entirety as shown below:

(f) *Roof pitch, elevation and covering.* Flat roof areas; that are less than 4:12 pitch (rise to run) are permitted on single- and multifamily structures, provided they ~~do not exceed~~ comply with all restrictions set forth in section 67-37. ~~This parapet shall extend around the flat roof area and shall screen all flat roof elements. 15 percent of the total horizontal ground surface area covered by the roof, including but not limited to all living areas, porches, patios, garages, porte cocheres, carports, entrances, and exterior balconies.~~ The minimum permitted pitch for a pitched roof is 4:12 (rise to run) and the maximum permitted pitch is 10:12 (rise to run). ~~Flat roof areas may be increased to 20 percent, if at least five percent is used as a deck, porch or usable outdoor space.~~ It shall be unlawful to construct or maintain a ~~pitched sloped~~ roof system consisting of tar paper or felt without approved exterior shingles, tiles or metal covering. ~~Flat roof areas, excluding decks and porches, shall be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements.~~ Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend above the top of the tie beam by more than three feet.

Commented [CLG1]: This is different than figure below.



The following portion of Figure 64-4 below is deleted in its entirety

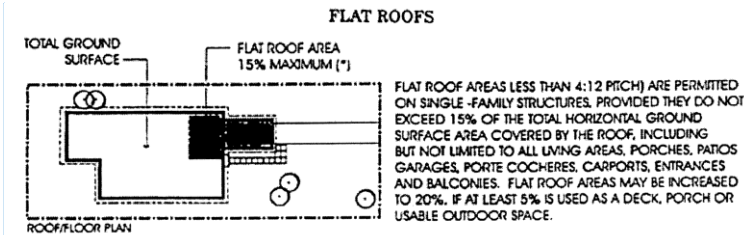


Figure 64-4

Commented [CLG2]:

SECTION 3 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article I, “District Regulations”, Section 64-2, “RMM medium-density multiple-family residential district”, Subsection (e)(3), “Maximum building height” is hereby amended as follows (underline is added; stricken through is deleted):

(3) *Maximum building height.* Maximum building height is 36 feet, subject to the additional provisions of section 64-1 as applicable to single-family dwellings and of section 64-41(b)(2) as applicable to accessory uses, buildings or structures. Any flat roof areas, ~~excluding decks and porches, shall comply with the restrictions in section 67-37. be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements.~~ Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend above the top of the tie beam by more than three feet.

SECTION 4 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article I, “District Regulations”, Section 64-3, “Ocean View Special Area”, is hereby amended as follows (underline is added; stricken through is deleted):

(h) The flat roof area of a residential structure located within the area shall not exceed a tie beam height of 14 feet for a single-story structure or 24 feet for a two-story structure and shall comply with the restrictions in section 67-37.

Commented [CG3]: Current height in this area is 28 feet for one story and 36 feet for two story.

SECTION 5 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article I, “District Regulations”, Section 64-4, “RHM high-density multiple-family residential district”, Subsection (e)(3), “Maximum building height” is hereby amended as follows (underline is added; stricken through is deleted):

(3) *Maximum building height.* Maximum building height is 44 feet and no more than four stories. Any flat roof areas, ~~excluding decks and porches, shall comply with the restrictions in section 67-37 be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements.~~ Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend

Commented [CG4]: Need to address in terms of flat roof heights.

above the top of the tie beam by more than three feet.

SECTION 5 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article II, “Planned Residential Development”, Section 64-24, “Development Standards”, Subsection (g)(4), “Roof Design” is hereby amended as follows (underline is added; stricken through is deleted):

Sec. 64-24. Development standards.

- (4) *Roof design.* Any flat roof areas shall comply with the restrictions in section 67-37, excluding decks and porches, shall be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than three feet. This parapet shall extend around the flat roof area and shall screen all flat roof elements. Where a parapet is used to conceal a pitched roof, the top of the parapet shall not extend above the top of the tie beam by more than three feet.

Commented [CG5]: Need to address in terms of height as maximum building height for this section is 44 feet and no more than four stories.

SECTION 6 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article III, “Supplemental Regulations”, Section 64-50, “Location of Exterior Residential Equipment and Accessories”, is hereby amended as follows (underline is added; ~~stricken through~~ is deleted):

Sec. 64-50. – Location of exterior residential equipment and accessories.

- (a) No part of an air conditioning unit, swimming pool maintenance unit and the like, or any equipment or apparatus related thereto, shall be exposed or visible from the front of the primary building structure or be placed within the front yard setback. For purposes of this section, front yard shall be defined as in section 64-1(d), and shall not include canal frontages. No part of an air conditioning unit, swimming pool maintenance unit and the like, or any equipment or apparatus related thereto, may be placed within ten feet of the side or rear lot line of any lot. Customary yard accessories and ornaments and furniture shall be an exception to this section. Any rooftop mechanical equipment shall be screened on all sides from view from off-site properties. The screening of the rooftop equipment shall, at a minimum, equal the height of the proposed equipment. Mechanical equipment shall not be placed on a flat roof unless specifically authorized in section 67-37. Existing permitted rRooftop equipment shall not extend more than 30 inches above the flat roof surface, however, exact change out equipment permit applications are exempt from this provision as determined by the building official.

SECTION 7 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article III, “Supplemental Regulations”, Section 64-51, “Satellite Dish Antennas”, Subsection (c), “Locations and Dimensions”, is hereby amended as follows (underline is added; ~~stricken through~~ is deleted):

(c) *Location and dimensions.*

- (1) Satellite dish antennas shall not be installed on flat roofs. Satellite dish antennas which do not fit within a one-meter cube shall be restricted to rear yards only and shall not be installed on the pitched roofs of single-family dwellings. All setback

requirements shall be complied with in the plot location of any satellite dish antenna. No such satellite dish may be installed in a front yard.

- (2) The antenna and supporting structure shall be screened from view by the use of shrubbery, trees, foliage or other screening material.
- (3) Satellite dish antennas shall be freestanding, except for a satellite dish antenna which will fit within a one-meter cube, which may be mounted on a structure, and the highest point of the antenna shall not exceed the height of the horizontal eave line of the building or 15 feet above ground level, whichever is less.
- (4) The dish of the antenna shall not exceed 12 feet in diameter, if circular, or 12 feet in its greatest dimension if not circular.

SECTION 8 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article III, “Supplemental Regulations”, Section 64-54, “Prohibited Housing Types”, is hereby amended as follows (underline is added; ~~stricken through~~ is deleted):

Sec. 64-54. – Prohibited housing types.

- (a) *Generally.* Time-sharing uses and mobile homes are hereby prohibited within all zoning districts of the town.
- (b) *Exception for manufactured housing.* However, manufactured housing is permitted in residential districts if it meets the following standards:
 - (1) The unit is certified under the U.S. Department of Housing and Urban Development's Manufactured Housing and Safety Code.
 - (2) The units are trucked in for attachment to a permanent foundation.
 - (3) The exterior design is acceptable as determined at site plan review, including no flat roofs and no metal facades.

Commented [C6]: Any change or delete from ordinance with no change?

SECTION 9 – Amendment: The Town’s Land Development Code, Chapter 64 “Zoning”, Article III, “Supplemental Regulations”, Section 64-56, “Antennas, Masts, etc.”, is hereby amended as follows (underline is added; ~~stricken through~~ is deleted):

Sec. 64-56. Antennas, masts, etc.

- (a) Permits shall be obtained for the installation of outlets, equipment, antennas and radio masts. The permit fee for installation of each antenna or mast shall be as set forth by resolution of the town commission, except that reinspections caused by installation found faulty upon first examination, or when corrections have not been made when reinspection is requested, shall each be subject to a further inspection fee as set forth by resolution of the town commission.
- (b) Masts and towers for all televisions and radio installations shall be of corrosion-resistant materials and of an approved type. When a mast or antenna is installed on a roof, it shall be supported on its own platform and securely anchored with guy wires. Unless authorized by federal or state law, a mast or antenna may not be placed on a flat roof.
- (c) No mast for the support of antennas shall be erected within the distance of its height plus six feet of any wires operating in excess of 600 volts, unless the antenna is lower than the wires operating in excess of 600 volts or by written consent of the electrical department.

- (d) No person shall install or allow to be operated on his premises within the town any apparatus which may cause objectionable radio or television interference, unless such apparatus is effectively guarded by proper interference eliminating or mitigating equipment.

SECTION 10 – Amendment: The Town’s Land Development Code, Chapter 65 “Telecommunication Facilities”, Article I, “Telecommunication Towers and Antennas”, Section 65-56, “Building or Other Equipment Storage”, is hereby amended as follows (underline is added; stricken through is deleted):

Sec. 65-6. Buildings or other equipment storage.

- (a) *Antennas mounted on structures or rooftops.* The equipment cabinet or structure used in association with antennas shall comply with the following:
- (1) The cabinet or structure shall not contain more than 450 square feet of gross floor area or be more than 12 feet in overall height, assuming at all times that a structural engineer has certified that the structural integrity of the structure or rooftop will not be compromised by the cabinet or structure.
 - (2) If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than ten percent of the roof area. Unless authorized by federal or state law, equipment structure placed on a flat roof must comply with the restrictions in section 67-37.
 - (3) Equipment storage buildings or cabinets shall comply with all applicable buildings codes.
- (b) *Antennas mounted on utility poles or light poles.* Antennas shall be prohibited on existing utility or light poles. However, as part of a stealth design, monopoles may be made to look like, and function as light poles.
- (c) *Ancillary equipment structures.* One ancillary unmanned equipment structure shall not contain more than 450 square feet of gross floor area or more than 12 feet in overall height, may be located with a tower in accordance with the minimum yard requirements of the land use (zoning) district in which located.

SECTION 11 - Amendment: The Town’s Land Development Code, Chapter 67 “Buildings and Building Regulations”, Article III, “Technical Codes and Other Construction Standards”, Division 1, “Generally”, Section 67-37, “Roof systems”, is hereby amended as follows (underline is added; stricken through is deleted):

Sec. 67-37. – Roof systems.

- (a) It shall be unlawful to construct or maintain for longer than three months a roof system consisting of tar paper or felt without approved exterior shingles or other covering.
- (b) Flat roof restrictions. The following restrictions apply to all flat roofs:
- 1) The flat roof area of a single or multifamily residential structure shall not exceed 20 percent of the total horizontal ground surface area covered by roof including, but not limited to, all living areas, porches, patios, garages, porte cocheres, earports, entrances, and balconies. The remaining roof system shall have a minimum slope of four in 12 (rise to run). a tie beam height of 14 feet for a single-story structure or 24 feet for a two-story structure.

- 2) Flat roof areas, excluding those covering decks, porches, or usable outdoor space, shall be screened entirely by a parapet, which shall not extend above the top of the tie beam by more than thirty-two inches. This parapet shall extend around the flat roof area and shall screen all authorized flat roof elements. Authorized flat roof elements are limited to permitted roof ventilation features, chimneys, and elevator bulkhead.
- 3) Except as specifically permitted by federal or state law, equipment shall not be placed on flat roofs. This restriction, includes but is not limited to, permanent or temporary placement or storage of antennas, antenna equipment cabinets, air condition equipment, generators, flag poles, elevator housing, tanks, landscaping equipment or living roofs, and any other equipment or roof element which extends above the top of the tie beam by more than thirty-two inches. If equipment is authorized by federal or state law to be placed on a flat roof, such equipment shall be sight screened from view in so far as possible. Temporary storage of equipment may be authorized by the building official during periods of permitted construction.
- 4) A flat roof may not be accessed or used for any purpose except for maintenance and repair or in the case of an emergency. All other access and uses including, but not limited to, habitation, dwelling, storage, recreational uses, temporary uses, and accessory uses, are prohibited on flat roofs.
- 5) Access to a flat roof as part of the interior or exterior construction of a structure is prohibited. 20 percent of the total horizontal ground surface area covered by roof including, but not limited to, all living areas, porches, patios, garages, porte eacheres, carports, entrances, and balconies. The remaining roof system shall have a minimum slope of four in 12 (rise to run).
- 6) Existing permitted equipment on a flat roof may be replaced with exact change out equipment as permitted by the building official.

Commented [CLG7]: Should discuss.

Commented [CLG8]: Should discuss

(c) Pitched roof restrictions: Pitched roof systems shall have a minimum pitch of 4:12 (rise to run) and a maximum pitch of 10:12 (rise to run). Any roof system with a pitch that is less than the minimum required shall be considered a flat roof.

SECTION 12 - Codification: This Ordinance shall be codified in the Code of Ordinances of the Town of Ocean Ridge, Florida.

SECTION 13 - Repeal of Conflicting Ordinances: All ordinances, resolutions or parts of ordinances and resolutions in conflict herewith are hereby repealed.

SECTION 14 - Severability: If any word, clause, sentence, paragraph, section or part thereof contained in this Ordinance is declared to be unconstitutional, unenforceable, void or inoperative by a court of competent jurisdiction, such declaration shall not affect the validity of the remainder of this Ordinance.

SECTION 15 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this ___ day of _____, 2022.

SECOND AND FINAL READING this ___ day of _____, 2022.

Commissioner _____ offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

- KRISTINE DE HASETH, Mayor _____
- SUSAN HURLBURT, Vice Mayor _____
- STEVE COZ, Commissioner _____
- GEOFF PUGH, Commissioner _____
- MARTIN WIESCHOLEK, Commissioner _____

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this ___day of _____, 2022.

TOWN OF OCEAN RIDGE, FLORIDA

BY: _____
KRISTINE DE HASETH, MAYOR

ATTEST:

BY: _____
KARLA ARMSTRONG, TOWN CLERK

ALONSO & ASSOCIATES INC
421 24TH STREET
WEST PALM BEACH, FL 33407

IBERIABANK

36060

84-7041/2652



3/11/2022

PAY TO THE ORDER OF Town of Ocean Ridge

\$ **1,500.00

One Thousand Five Hundred and 00/100*****

DOLLARS

Town of Ocean Ridge
6450 N Ocean Blvd
Ocean Ridge, FL 33435

AUTHORIZED SIGNATURE

MEMO

95 Island Dr S - land development code variance

⑈036060⑈ ⑆265270413⑆ 20001915754⑈

Photo Safe Deposit
Details on Back

ALONSO & ASSOCIATES INC

36060

Date	Type	Reference	Original Amt.	Balance Due	3/11/2022 Discount	Payment
3/11/2022	Bill		1,500.00	1,500.00		1,500.00
					Check Amount	1,500.00

Iberia Bank acct 95 Island Dr S - land development code variance 1,500.00



TOWN OF OCEAN RIDGE

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LAND DEVELOPMENT CODE VARIANCE APPLICATION

The completed application must be filed at least forty-five (45) days prior to the date of the Commission/Board meeting at which the application is to be considered. Please contact the Building Clerk and/or Town Clerk at 561-732-2635 or via email LBurns@oceanridgeflorida.com and/or KArmstrong@oceanridgeflorida.com to schedule a meeting to submit the application packages.

The undersigned applicant(s) hereby petitions the Town of Ocean Ridge Board of Adjustment to call a public hearing(s) after due public notice, the cost of which is hereby assumed by the undersigned for the purpose of considering a variance to the Town's Land Development Code, as described herein.

APPLICANT(S) NAME:	<u>Alonso & Associates, Inc.</u>
PROPERTY ADDRESS:	<u>95 Island Dr S</u>
EMAIL ADDRESS:	<u>aalonso@alonsoandassociates.com</u>
PHONE:	<u>561-837-9820</u>

INSTRUCTIONS FOR COMPLETION OF APPLICATION

1. All properties within a single application must be contiguous (immediately adjacent) to one another, and the Administrative Official may require more than one (1) application if the property concerned contains more than five (5) acres, or the fee paid for one (1) application would not equal the cost of processing the same.
2. No variance application shall be accepted by the Administrative Official for filing unless it is presented on the official forms provided by the town, and is filed with **an original plus ten (10) copies, including all exhibits as listed below, for a total submission of eleven (11) packets.**
3. Before any application is deemed "filed", it must be complete (with all required information as stated below), and the **filing fee of \$1,500.00** must be received by the Town Staff.
4. An application is complete only when it is executed in affidavit form (sworn) by:
 - a. the owner or owners of at least seventy-five (75%) per cent of the property described in the application; or
 - b. the tenant or tenants, with the owners' written (sworn) consent; or
 - c. the duly authorized agent(s), with the owners' power of attorney (not including members of the Florida Bar); or
 - d. the contract purchasers, with the filing of a copy of the Contract of Sale and Purchase; or
 - e. the Administrative Official; or
 - f. any person aggrieved by a development order or requirement.



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NATURE OF THE REQUEST FOR VARIANCE

64-1 (f) &

Section 67-37 (b) of the Town of Ocean Ridge, Land Development Code requires The flat roof area of a single family residence shall not exceed 20%. The remaining roof system shall have a minimum slope of 4 in 12 (rise to run).

The applicant requests a variance to permit: To allow this residence to have a "flat" roof with a pitch of 1/4" per foot for proper drainage for the entire roof (100%).

DESCRIPTION OF PROPERTY

A copy of the latest recorded deed is attached hereto as **Exhibit A**. The Property Control No. 46-43-45-22-10-000-0950 and the subject property is located approximately 569 feet from the intersection of Island Dr S and Bonito Dr, on the (north, east, south, west) side of west side of the Street.

JUSTIFICATION OF VARIANCE

1. Section 63-34 of the Town of Ocean Ridge Land Development Code requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Sections 63-2 and 63-34 of the Code, and should be attached and marked as **Exhibit B**. **The statement must include comments on each of the following individually, marked "a" through "g" as listed below:**

- a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b. That the special conditions and circumstances do not result from the actions of the applicant.
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.
- d. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would work unnecessary and undue hardship on the applicant.
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.
- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.



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THE FOLLOWING REQUIRED GRAPHIC INFORMATION
SHALL BE ATTACHED TO THIS APPLICATION, AND MARKED AS REQUIRED

1. **Exhibit C:** Surveys submitted must be sealed by a Land Surveyor licensed by the State of Florida at a scale prescribed by the Town containing the following:
 - a. An accurate legal description of the property.
 - b. A computation of the size of the tract to the nearest one-tenth (1/10) of an acre.
 - c. The survey must have been prepared for the current property owner, contract purchaser, or owners' agent or attorney, and regardless of when prepared, must contain all updated information such as latter property revisions including but not limited to fencing, walls, structures, driveways or walkways.
2. **Exhibit D:** The location of the subject parcel plotted by an engineer or surveyor registered in the State of Florida on a copy of the official's zoning map of the Town or a reasonable facsimile thereof.
3. **Exhibit E:** A property owners' location drawing showing all property owner's information required below and their relation to the subject parcel:
4. **Exhibit F:** A complete list of all property owners, mailing addresses, one (1) set of mailing labels, and legal descriptions of all property within three hundred (300) feet of the subject parcel as recorded as prepared by the Palm Beach County Property Appraiser's office.
5. **Exhibit G:** A statement of the applicant's equitable or title interest in the property, accompanied by one of the following:
 - a. If joint and several ownership, a written consent by all owners of a record, or
 - b. if a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
 - c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
 - d. If a lessee, a copy of the lease agreement and written consent of the owners, or
 - e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or
 - f. If more than one owner, the title owners of a least seventy-five (75) percent of the



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property described in the application must provide written consent.

6. **Exhibit H:** Each application for variance shall include the following information to be shown on a Site Plan of the property:

a. The exact location of all structures on the property, showing distance from the property line(s) and other structures.

b. The exact location of the property related to the public street or easement on which the property fronts.

c. The exact location of driveways and fences of the subject property.

d. An accurate indication of what and where the variance is as it relates to the existing structures on the property and to the nearest property or properties which the relief sought would affect.

e. All pertinent information, such as drawings of details, landscaping, detailed measurements, parking, public and private utilities, and other information designed to provide a factual basis for the consideration of the variance shall be included on the Site Plan.

f. Plans for Multiple Dwelling Units **are to be reviewed for off-street parking and landscaping by the Administrative Official prior** to filing an Application for Variance.

OFFICIAL FILING FEE

1. The Official Filing fee for each request for variance or appeal shall be fifteen hundred (\$1,500.00) dollars. This fee is non-refundable.

2. Should there be expenses over and above the fifteen hundred dollar (\$1,500.00) fee, the Applicant shall remit the balance to the Town upon being notified of the amount due, and prior to public hearing on the application.

3. Payment may be made only in U.S. Currency, cashier's, personal, or business check on a U. S. bank. All checks shall be made payable to the "Town of Ocean Ridge". The issuance of a non-collectable check shall be subject to an additional administrative fee of one hundred (\$100.00) dollars. Checks issued on non-sufficient funds ("NSF") or closed accounts shall be prosecuted as provided by law.



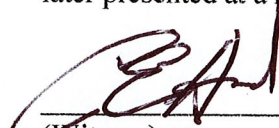
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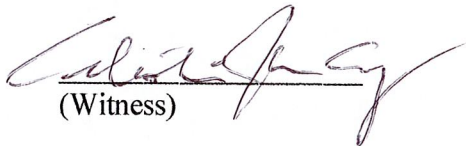
APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) understand and will comply with the provisions of the Town of Ocean Ridge Land Development Code, and in particular Sections 63-73 and 63-34 (only if a variance is requested). The undersigned further certifies the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.


(Witness)


(SIGNATURE OF APPLICANT(S))


(Witness)

Rene Alonso, President of Alonso & Associates, Inc.
(Type/Print Name of Applicant(s))

APPLICANT IS:

Owner

Contract Purchaser

Other General Contractor of Owner
(explain)

421 24th St
(Street Address)

West Palm Beach, FL 33407
(City and State)

561-837-9820 / 561-837-9830
(Telephone/Fax Numbers)

NAME OF OWNER(S),
IF OTHER THAN APPLICANT(S):

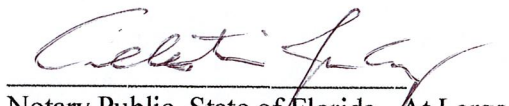
Scott Welsh as Trustee for

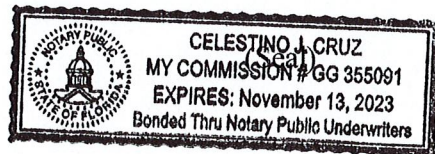
BB Family Trust

421 24th St., West Palm Beach, FL 33407
(Mailing Address)

aalonso@alonsoandassociates.com
(Email Address)

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL PRESENCE
OR ONLINE NOTARIZATION ON THIS 8th DAY OF March, 20 22.


Notary Public, State of Florida -At Large
My Commission Expires:



Personally Known or Type of Identification Produced: _____



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax
oceanridgeflorida.com ♦ info@oceanridgeflorida.com

TOWN OF OCEAN RIDGE, FLORIDA FOR OFFICIAL TOWN USE ONLY

DATE OF OFFICIAL ACCEPTANCE: _____ OFFICIAL FILE NUMBER: _____

DATE OF AGENDA CERTIFICATION: _____ LAND USE DISTRICT: _____

FILING FEE PAID: _____ ADVERTISING FEE (AMOUNT PAID): _____

BY: _____

ADMINISTRATIVE COMMENTS

Type of Variance/Appeal:

Size of Parcel: _____ sq. feet Dimensions of Lot

Comments or Recommendation:

TOWN MANAGER
ADMINISTRATIVE OFFICIAL

BOARD OF ADJUSTMENT ACTION

PUBLIC HEARING DATE:

CONTINUANCES GRANTED:

FINAL ACTION TAKEN:

HISTORIC PROPERTY ADDENDUM

1. The applicant represents that the structure on the property described herein does not have "significant historic value", because of the following: (attach additional sheet(s), if necessary)

This will be new construction.

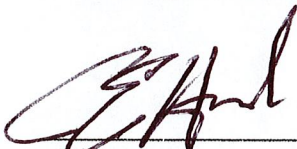
2. The applicant represents that the cost and practical feasibility of repairing or restoring the structure on the property described herein is not reasonable because of the following:

N/A

APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

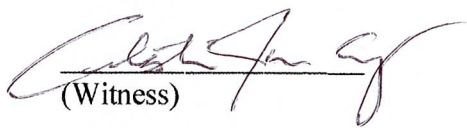
The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.



(Witness)



(SIGNATURE OF APPLICANT(S))




(Witness)

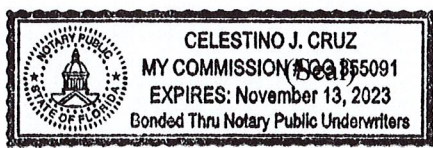
Rene Alonso

(Type/Print Name of Applicant(s))

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL PRESENCE
OR ONLINE NOTARIZATION ON THIS 8th DAY OF March, 2022.



Notary Public, State of Florida - At Large
My Commission Expires:



Personally Known or Type of Identification Produced: _____



TOWN OF OCEAN RIDGE

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oceanridgeflorida.com ♦ info@oceanridgeflorida.com

APPEAL ADDENDUM

In addition to other forms and requirements, the filing of an Appeal from the decision of the Administrative Official requires a detailed description of the basis for the challenge to such decision. The Applicant shall provide complete facts and circumstances which the Applicant believes constitute a violation of the Town's Land Development Code (LDC), and a clear description of the LDC section(s) which are alleged to have been violated.

The information provided shall be used by the Board of Adjustment in determining probable cause to believe the Administrative Official's decision in the matter described. The Board of Adjustment shall make an initial determination regarding probable cause. If a finding of "no probable cause" is determined, the hearing shall thereafter be adjourned, and the aggrieved party shall have a further right to file a Petition for Writ of Certiorari with the Circuit Court, in and for Palm Beach County, Florida.

If "probable cause" is found by the Board of Adjustment, the appellant shall immediately bring his/her case forward. While deemed an "appeal", the hearing before the Board of Adjustment shall be a quasi-judicial, evidentiary hearing, with the right to present and confront all evidence and witnesses. The Board shall observe fundamental due process requirements, including notice and the right to be heard. However, the Florida Rules of Evidence and Rules of Civil or Appellate Procedure shall not be so strictly enforced as to prohibit relevant hearsay or other relevant information coming before the Board. The appellant and the Administrative Official shall each have one half (1/2) hour within which to present their respective cases, unless otherwise determined by the Board. The Board shall thereafter be free to question either party and shall decide the matter after making "findings of fact" and "determination of law". Any decision of the Board of Adjustment shall be appealed, if at all, within thirty (30) days of being rendered, in writing, as provided by law and Rules of Appellate Procedure.



TOWN OF OCEAN RIDGE

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oceanridgeflorida.com ♦ permit@oceanridgeflorida.com

Affidavit to Appoint Agent

Please check one of the following:

- Annexation
- Building Permit (Revisions, etc.)
- Comprehensive Plan Amendment
- Concept Plan Review
- Construction East of the CCCL
- PRD Amendment
- Planned Residential Development (PRD)
- Plat or Re-Plat
- Re-Zoning
- Site Plan Review
- Special Exception
- Variance
- Other _____

1. He/She is fee simple owner of the following described property, to wit: (Provide Property Address and Legal Description)
95 Island Drive South
MC CORMICK MILE ADD 1 LT 95
Property Control #: 46-43-45-22-10-000-0950
2. He/She desires to submit a Land Development Code Variance application to the Town of Ocean Ridge, Florida.
3. He/She has appointed Rene Alonso / Alonso & Associates, Inc to act as agent in his/her behalf to accomplish the above.
4. He/She affirms and certifies that he/she understands and agrees to comply with the Town of Ocean Ridge Land Development Code. He/She further certifies that the statements, plans and all information submitted as a part of this application are true and correct to the best of his/her knowledge. Further, he/she understand that this application and attachments become part of the Official Records of the Town of Ocean Ridge, Florida and are not returnable.

State of Florida
County of Palm Beach

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization on this day 9th of March, 2022.

[Signature]
Signature of Property Owner

Scott Welsh
Property Owner Printed Name

[Signature]
Notary Public Signature

Angela Alonso
Notary Printed Name

My Commission Expires 4/8/2023.



Personally Known: or ID: _____ (Type of Identification Provided)

EXHIBIT "A" & "G"



CFN 20200184645

This instrument was prepared by and should be returned to:

DR BK 31458 PG 0332
RECORDED 05/29/2020 11:00:46
AMT 2,020,000.00
Doc Stamp 14,140.00
Palm Beach County, Florida
Sharon R. Bock, CLERK & COMPTROLLER
Pgs 0332 - 333; (2pgs)

Robert Brody, Esquire
Robert Brody, P.A.
1601 Forum Place, Suite 1101
West Palm Beach, FL 33401
(561) 684-9100

Property Identification Number: 46-43-45-22-10-000-0950

[Space above this line for recording data]

WARRANTY DEED

THIS INDENTURE, made as of the 28th day of May, 2020, between **ERIN L. CRAWLEY A/K/A ERIN CRAWLEY, INDIVIDUALLY AND AS CO-SUCCESSOR TRUSTEE OF THE LOYD F. CRAWLEY REVOCABLE TRUST DATED FEBRUARY 26, 1996 NOW KNOWN AS THE AMENDED AND RESTATED LOYD F. CRAWLEY REVOCABLE TRUST DATED MAY 9, 2016**, whose mailing address is 2218 Center Avenue, Madison, WI 53704, hereinafter called the Grantor, and **SCOTT M. WELSH AND MICHELE C. WELSH, AS TRUSTEES OF THE BB FAMILY TRUST DATED OCTOBER 30, 2014**, whose mailing address is c/o Colliers International, 833 East Michigan Street, Suite 500, Milwaukee, WI 53202, hereinafter called Grantee.

WITNESSETH:

THAT said Grantor, for and in consideration of the sum of TEN AND NO/100ths (\$10.00) DOLLARS, and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs, personal representatives, successors and assigns, as the case may be, forever, the following described land, situate, lying and being in Palm Beach County, Florida:

Lot 95, Addition No. 1 McCormick Mile, according to the map or plat thereof, as recorded in Plat Book 25, Page(s) 181, of the Public Records of Palm Beach County, Florida.

SUBJECT to comprehensive land use plans, zoning and other land use restrictions, prohibitions and requirements imposed by governmental authority, restrictions, reservations, easements and all other matters of record, provided further, that nothing contained herein shall operate to reimpose any of the foregoing, taxes for the year 2020 and subsequent years, and matters which would be disclosed by a survey;

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

TO HAVE and hold in fee simple forever;

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

ROBERT BRODY, P. A.-ATTORNEY AT LAW - 1601 FORUM PLACE, SUITE 1101-WEST PALM BEACH, FLORIDA 33401-(561) 684-9100

Grantee and all successor trustees shall have the power and authority to protect, to conserve, to sell, to lease, to encumber, or otherwise to manage and dispose of the real property described herein pursuant to Section 689.073, Florida Statutes.

With regard to Grantor, the subject property is not the primary residence/homestead of any Successor Co-trustees, or beneficiary or any members of their family. Loyd F. Crawley, the settlor of the Loyd F. Crawley Revocable Trust dated February 26, 1996 now known as the Amended and Restated Loyd F. Crawley Revocable Trust, is a single man.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal as of the day and year first above written.

Signed, sealed and delivered in our presence.

Francesca R. Supple
Sign Name

Francesca R. Supple
Print Name

[Signature]
Sign Name

NORMAN STOCKWELL
Print Name

By Erin L. Crawley a/k/a
Erin Crawley Trustee

ERIN L. CRAWLEY A/K/A ERIN CRAWLEY, INDIVIDUALLY AND AS CO-SUCCESSOR TRUSTEE OF THE LOYD F. CRAWLEY REVOCABLE TRUST DATED FEBRUARY 26, 1996 NOW KNOWN AS THE AMENDED AND RESTATED LOYD F. CRAWLEY REVOCABLE TRUST DATED MAY 9, 2016

STATE OF Wisconsin

COUNTY OF Dane

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 11th day of May, 2020 by ERIN L. CRAWLEY A/K/A ERIN CRAWLEY, INDIVIDUALLY AND AS CO-SUCCESSOR TRUSTEE OF THE LOYD F. CRAWLEY REVOCABLE TRUST DATED FEBRUARY 26, 1996 NOW KNOWN AS THE AMENDED AND RESTATED LOYD F. CRAWLEY REVOCABLE TRUST DATED MAY 9, 2016, who is personally known to me or who has produced Driver License as identification.

[Signature]
Signature

Jeanine Sahs
Print Name

JEANINE SAHS
NOTARY PUBLIC
State of Wisconsin

(SEAL)

NOTARY PUBLIC
Commission No.: 112323
My Commission Expires: 01/20/2022

EXHIBIT "B"

Re: 95 Island Drive South – Roof Systems Variance

This is a request for a Roof Systems (Sec. 63-37) variance for the property located at 95 Island Drive, Ocean Ridge, Florida. The current code allows for only 20% of the roof to be a flat roof with the remainder being a minimum pitch of 4/12. The variance requested is to allow this residence to have a "flat" roof with a pitch of ¼" per foot to allow for proper drainage.

The Planning and Zoning Board has approved several homes with a "flat roof" look and the architects designing these homes have been able to go around the ordinance by hiding a pitch roof behind a parapet. While the original intention of the code was about the architectural aesthetic (communities did not want flat roofs back then), we are now at an age where modern architecture is acceptable and the ordinance has not kept up with an acceptable method to accomplish this.

In the June 21st Planning and Zoning meeting, the board agreed unanimously to start the process of changing the code to allow flat roofs in the Town of Ocean Ridge. However, this process could take several months. And, as the start of this project is eminent, we would like to get a variance now so that we can start the re-design process now and still meet our completion schedule.

Waiting 3 months (or more) for this change in the code to be completed puts a hardship on us (the owners) as it needlessly delays our construction schedule and/or prevents us from having a proper roof design ready in time to meet our schedule and move in to our home. While we understand the process, we are respectfully asking that you let us proceed with the more preferred roof design while this inevitable change in the code takes place.

Attached are Exhibits clarifying the change and its zero impact on the approved architectural design.

Exhibit "1" - Approved front elevation

Exhibit "2" – Front elevation without pitched roof behind parapet

Exhibit "3" – Front elevation from street. Neither pitched roof nor flat roof is visible from the street

Exhibit "4" – Roof Isometric showing pitched roof.

Exhibit "5" – Roof Isometric showing flat roof.

In Section 63-73 – “Variances”, it describes what has to be demonstrated in order to get a variance approved. Quite frankly, none of these points are relevant to our case. However, I have tried to address each one.

- a. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district

This condition is peculiar to this project’s structure and Architecture, as it is an approved flat-roof-looking structure

- b. That the special conditions and circumstances do not result from the action of the applicant

While this special condition and circumstance is a result of the architectural design, the Architectural design was approved by the Planning and Zoning Board.

- c. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.

This would not be classified as a special privilege but more of a common sense approach to an out-dated requirement which is currently in the process of being revised to allow for flat roofs.

- d. That a literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would work unnecessary and undue hardship on the applicant

The literal interpretation of this code prevents the owner (in the case of this roof design) From having peace of mind that the roof will properly drain and not collect water during a heavy storm.

When in fact, what the ordinance requires is irrelevant to the “approved” architecture.

- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure

This is the minimum required to properly drain the roof

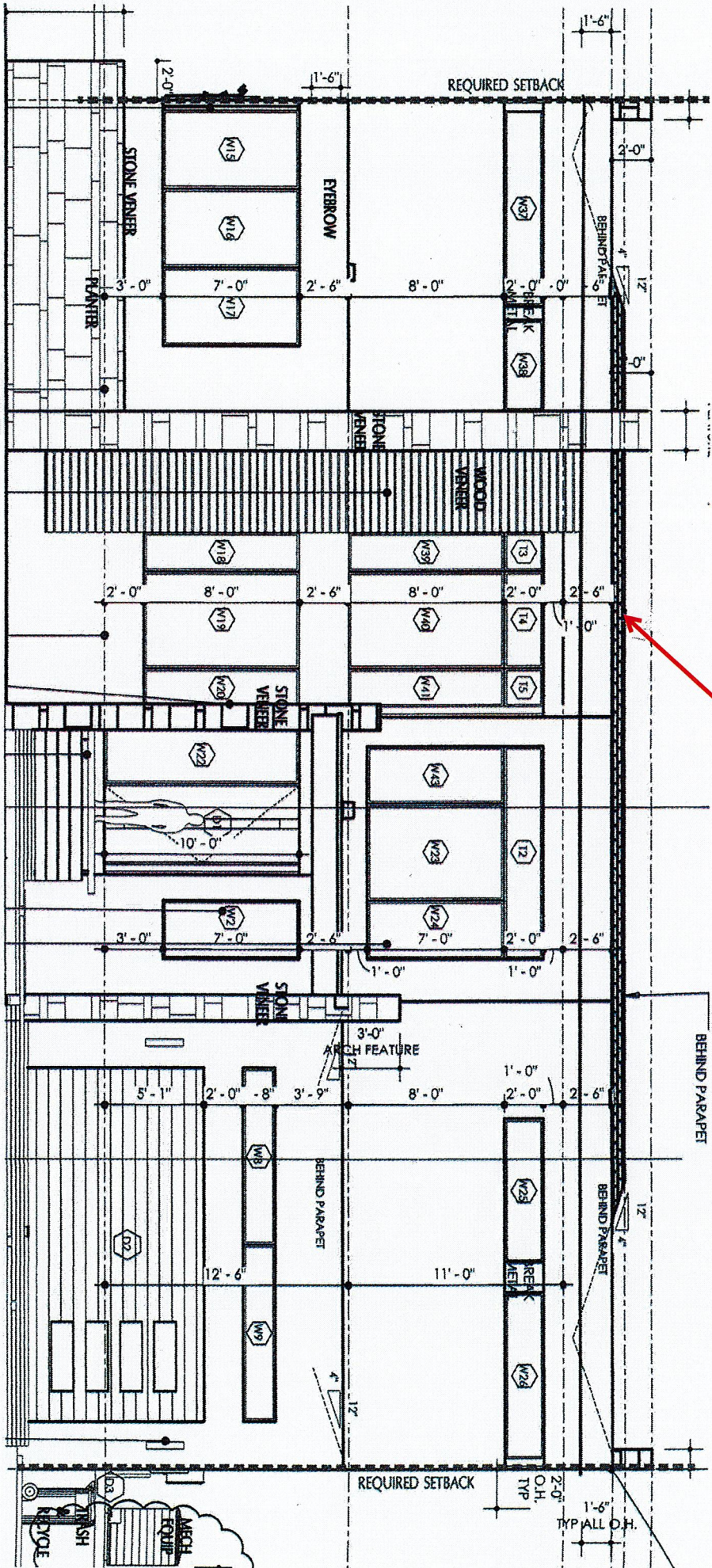
- f. That the granting of the variance will be in harmony with the general intent of the ordinance

The granting of this variance will be in harmony with the intent of this ordinance since what we are asking will not be seen by anyone

- g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare

It will not be injurious or detrimental to the public welfare

EXHIBIT "1" - ORIGINAL APPROVED ELEVATION



PITCHED ROOF BEHIND PARAPET NOT SEEN FROM STREET

FLAT ROOF (NO PITCHED ROOF BEHIND PARAPET)

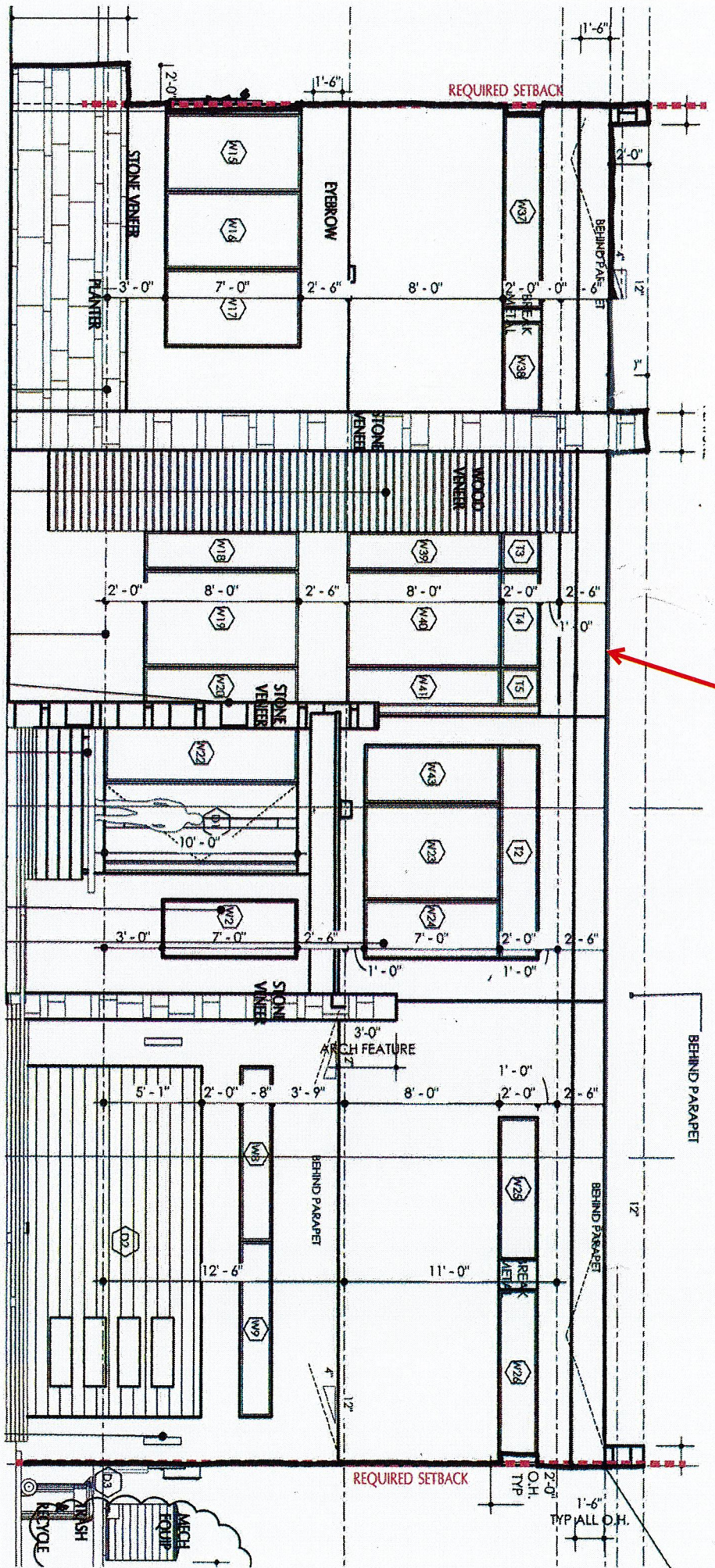


EXHIBIT "2" - ELEVATION WITHOUT 4/12 ROOF BEHIND PARAPET



EXHIBIT "3"

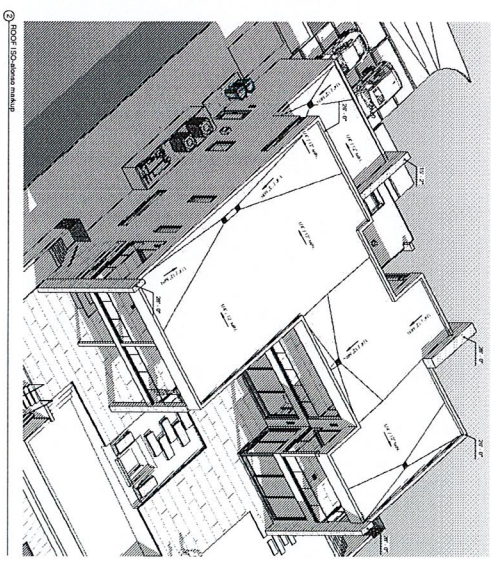
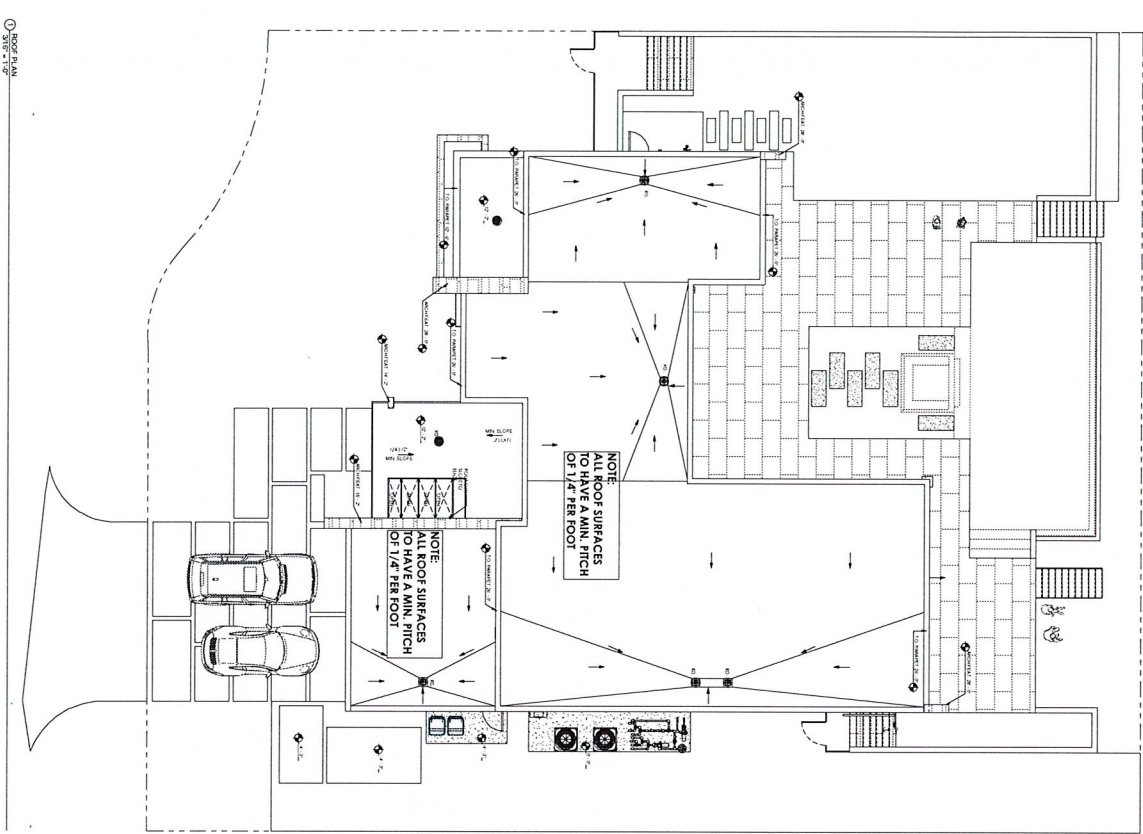


EXHIBIT "4" - PITCHED ROOF

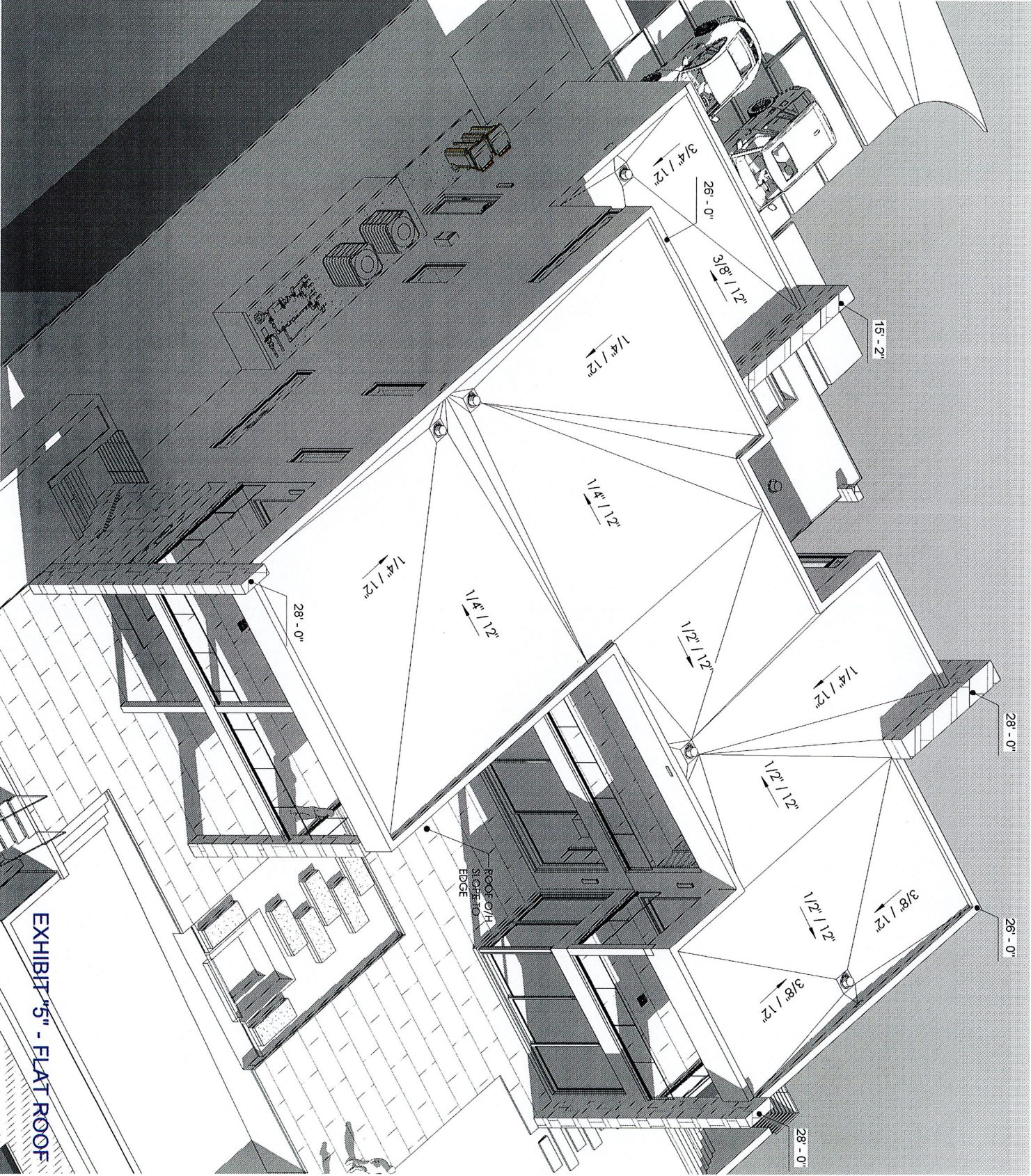
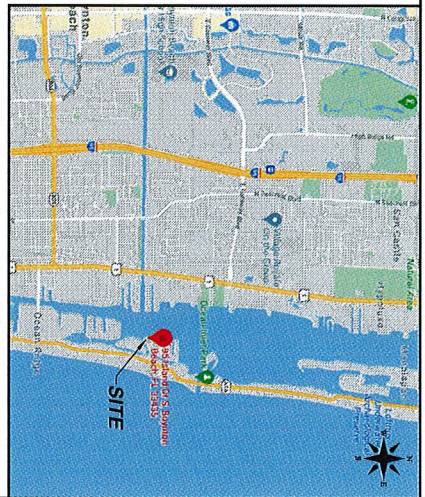
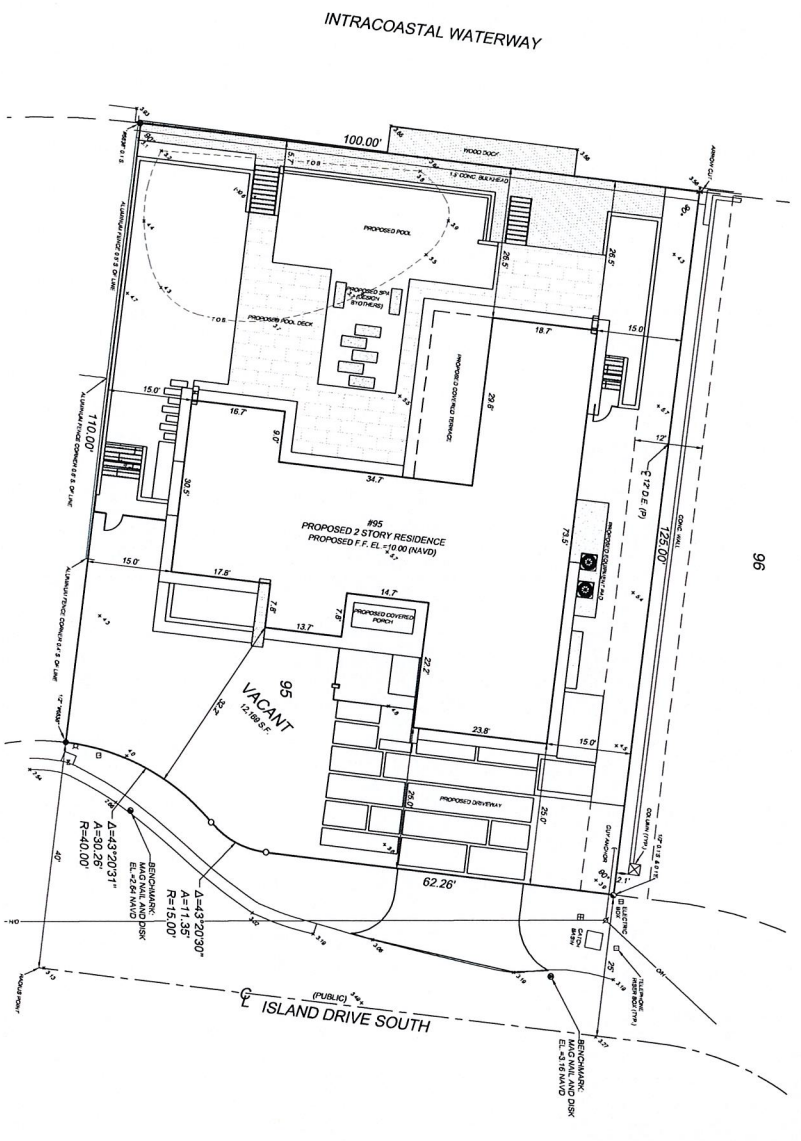
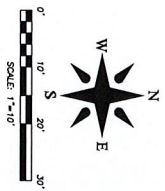


EXHIBIT "5" - FLAT ROOF

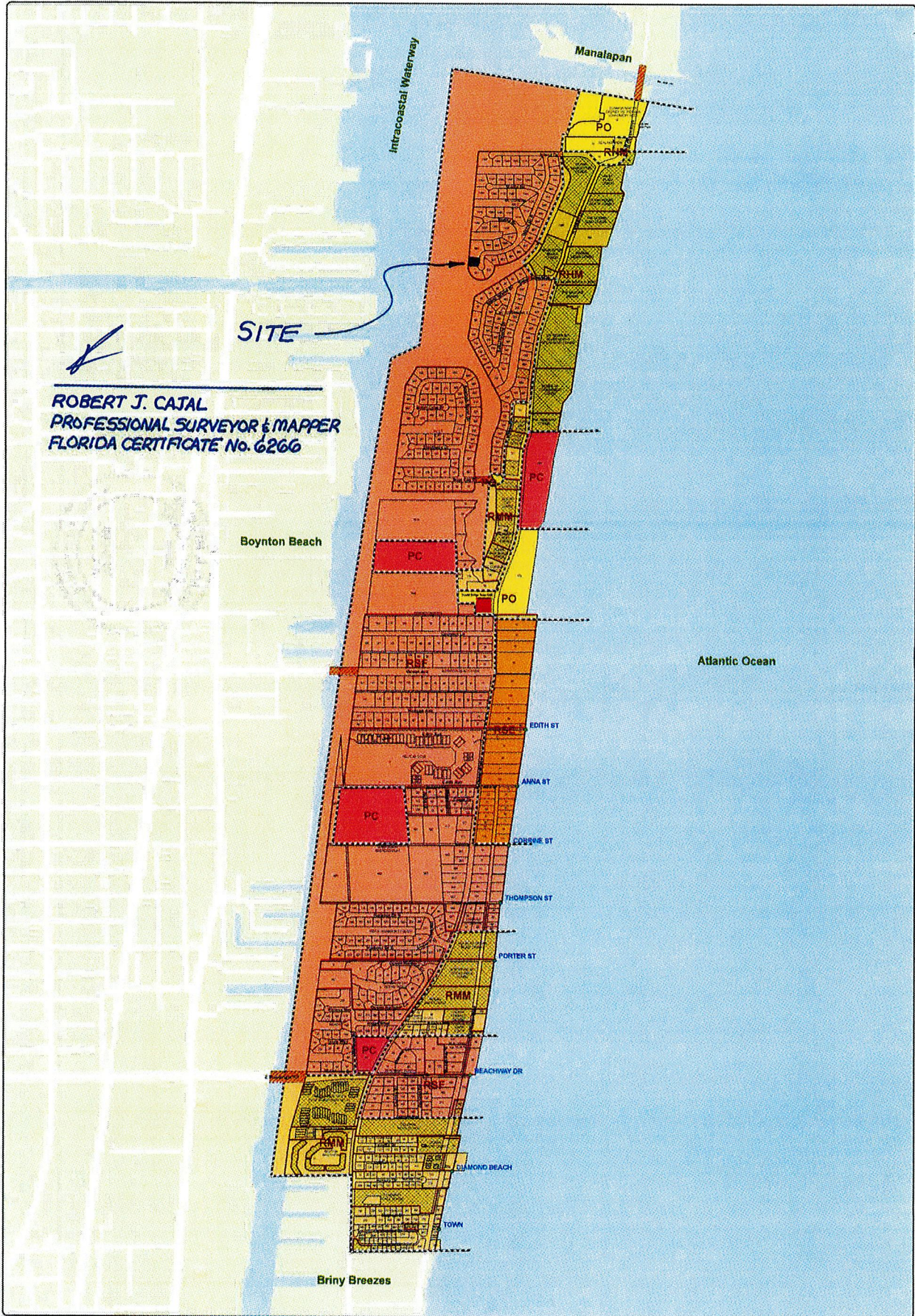
EXHIBIT "C"

Boundary Survey For: BB FAMILY TRUST



LEGEND

- A-1 4" AIR CONDITIONING
- A-2 6" AIR CONDITIONING
- A-3 8" AIR CONDITIONING
- A-4 10" AIR CONDITIONING
- A-5 12" AIR CONDITIONING
- A-6 14" AIR CONDITIONING
- A-7 16" AIR CONDITIONING
- A-8 18" AIR CONDITIONING
- A-9 20" AIR CONDITIONING
- A-10 22" AIR CONDITIONING
- A-11 24" AIR CONDITIONING
- A-12 26" AIR CONDITIONING
- A-13 28" AIR CONDITIONING
- A-14 30" AIR CONDITIONING
- A-15 32" AIR CONDITIONING
- A-16 34" AIR CONDITIONING
- A-17 36" AIR CONDITIONING
- A-18 38" AIR CONDITIONING
- A-19 40" AIR CONDITIONING
- A-20 42" AIR CONDITIONING
- A-21 44" AIR CONDITIONING
- A-22 46" AIR CONDITIONING
- A-23 48" AIR CONDITIONING
- A-24 50" AIR CONDITIONING
- A-25 52" AIR CONDITIONING
- A-26 54" AIR CONDITIONING
- A-27 56" AIR CONDITIONING
- A-28 58" AIR CONDITIONING
- A-29 60" AIR CONDITIONING
- A-30 62" AIR CONDITIONING
- A-31 64" AIR CONDITIONING
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- A-33 68" AIR CONDITIONING
- A-34 70" AIR CONDITIONING
- A-35 72" AIR CONDITIONING
- A-36 74" AIR CONDITIONING
- A-37 76" AIR CONDITIONING
- A-38 78" AIR CONDITIONING
- A-39 80" AIR CONDITIONING
- A-40 82" AIR CONDITIONING
- A-41 84" AIR CONDITIONING
- A-42 86" AIR CONDITIONING
- A-43 88" AIR CONDITIONING
- A-44 90" AIR CONDITIONING
- A-45 92" AIR CONDITIONING
- A-46 94" AIR CONDITIONING
- A-47 96" AIR CONDITIONING
- A-48 98" AIR CONDITIONING
- A-49 100" AIR CONDITIONING
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- B-3 3" BENCH MARK
- B-4 4" BENCH MARK
- B-5 5" BENCH MARK
- B-6 6" BENCH MARK
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- C-4 4" CURB
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- C-6 6" CURB
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- E-2 2" EASEMENT
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- T-15 15"



DATE	NOV 11 2010
BY	RJ CATAL
FOR	OWNER
SCALE	AS SHOWN
PROJECT	ZONING MAP
DATE	NOV 11 2010
BY	RJ CATAL
FOR	OWNER
SCALE	AS SHOWN
PROJECT	ZONING MAP

Town of Ocean Ridge
Zoning Map
Palm Beach County, Florida

PC - Preservation/Conservation	RMM - Medium Density Multiple Family Residential	PO - Public Ownership	PO - Beach Crest Over
RSE - Single Family Residential	PO - Beach Crest Over	RSM - Single Family Residential	PO - Beach Crest Over
RSM - Single Family Residential	PO - Beach Crest Over	RSM - Single Family Residential	PO - Beach Crest Over
RSM - Single Family Residential	PO - Beach Crest Over	RSM - Single Family Residential	PO - Beach Crest Over

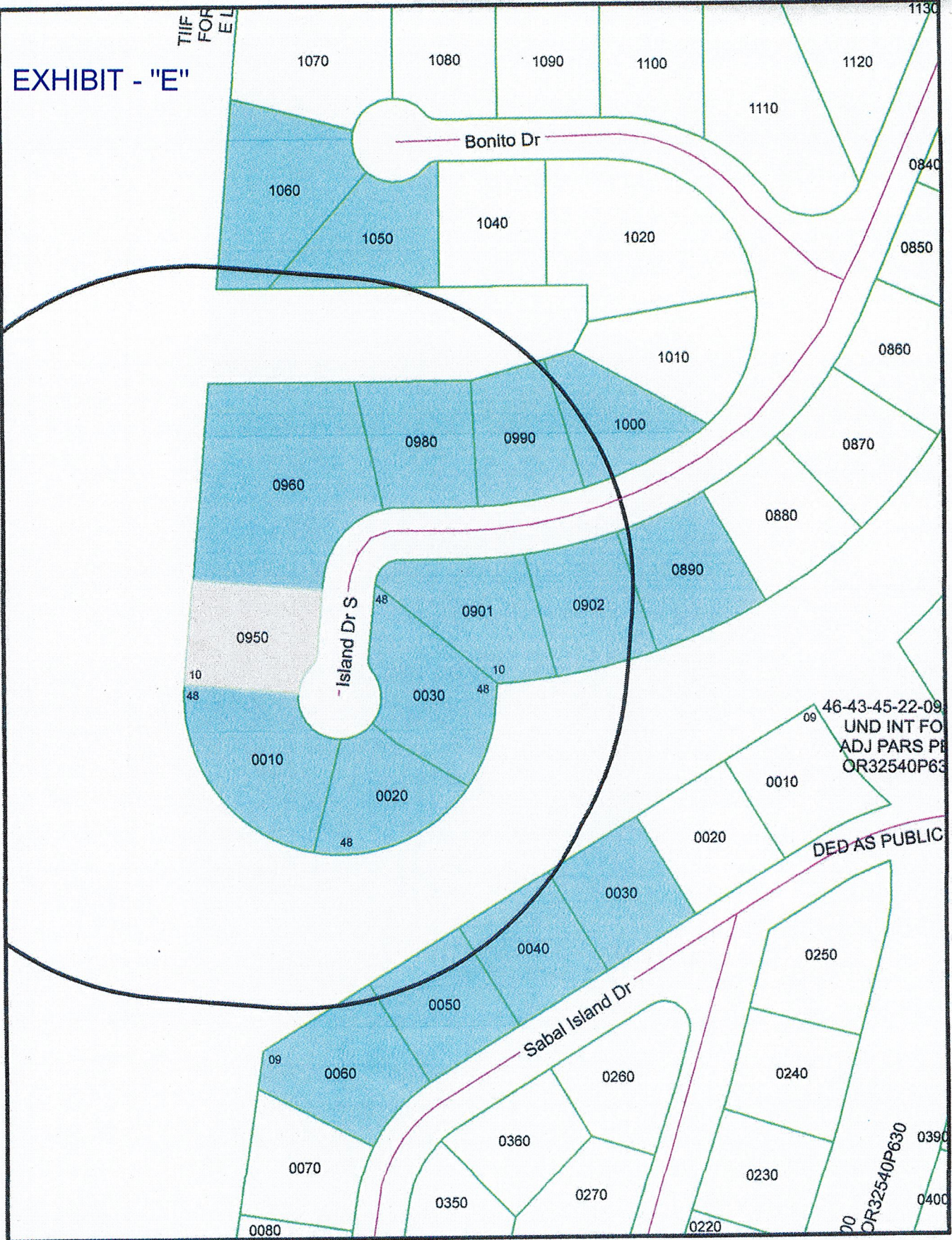
engenuity
GROUP, INC.

Engineers - Surveyors - GIS Mappers
1800 Highway 1, Suite 100, Palm Beach, FL 33480
www.engenuitygroup.com
Tel: 561-840-1111

DATE	NOV 11 2010
BY	RJ CATAL
FOR	OWNER
SCALE	AS SHOWN
PROJECT	ZONING MAP

EXHIBIT - "E"

TIF FOR EL

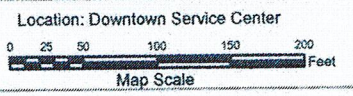


46-43-45-22-09
UND INT FO
ADJ PARS P
OR32540P63

DED AS PUBLIC

OR32540P630

Dorothy Jacks, CFA
Palm Beach County
Property Appraiser



Key

Selected Parcels	100	300	500
Others	200	400	

Notes:

Produced on: 3/9/2022

Property Appraiser GIS - PCN listing

Buffer:

S 46434522100000950

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46434522090000030

46434522090000040

46434522090000050

46434522090000060

46434522100000890

46434522100000901

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46434522100000980

46434522100000990

46434522100001000

46434522100001050

46434522100001060

46434522480000010

46434522480000020

46434522480000030

Property Appraiser GIS - Property Detail list by parcel control number

Buffer:

46434522090000950	BB FAMILY TRUST	833 E MICHIGAN ST STE 500	MILWAUKEE WI 53202 5619
Acres	0.28		
Value \$	1,647,148.00	Price \$	2,020,000.00
Taxbl \$	1,647,148.00	Date	5/14/2020
Bldg \$	647,148.00	Book	31458
Land \$	1,000,000.00	Page	332
MTG	VACANT		
MC CORMICK MILE ADD 1			LT 95

Buffer: 300

46434522090000300	ANTTERRY TIMOTHY	3 SABAL ISLAND DR	BOYNTON BEACH FL 33435 3321
Acres	0.25		
Value \$	1,074,684.00	Price \$	10.00
Taxbl \$	341,071.00	Date	4/6/2007 1
Bldg \$	124,684.00	Book	21741
Land \$	950,000.00	Page	1982
MTG	SINGLE FAMILY		
MC CORMICK MILE			LT 3

46434522090000400	MEINERS ALICE M	4 SABAL ISLAND DR	BOYNTON BEACH FL 33435 3321
Acres	0.25		
Value \$	2,026,602.00	Price \$	10.00
Taxbl \$	1,284,310.00	Date	11/4/2020
Bldg \$	1,076,602.00	Book	31910
Land \$	950,000.00	Page	1291
MTG	SINGLE FAMILY		
MC CORMICK MILE			LT 4

46434522090000500	HINDIN BRUCE I &	5 SABAL ISLAND DR	OCEAN RIDGE FL 33435 3321
Acres	0.26		
Value \$	2,423,883.00	Price \$	1,810,000.00
Taxbl \$	1,643,542.00	Date	4/29/2011
Bldg \$	1,473,883.00	Book	24503
Land \$	950,000.00	Page	720
MTG	SINGLE FAMILY		
MC CORMICK MILE			LT 5

46434522090000600	GOLDBAUM IAN	6 SABAL ISLAND DR	BOYNTON BEACH FL 33435 3321
Acres	0.32		
Value \$	1,486,746.00	Price \$	875,000.00
Taxbl \$	584,649.00	Date	12/30/2011
Bldg \$	286,746.00	Book	24959
Land \$	1,200,000.00	Page	1425
MTG	SINGLE FAMILY		
MC CORMICK MILE			LT 6

Property Appraiser GIS - Property Detail list by parcel control number

464345221000009890	FERRARA DAN & 9 COLONIAL DR GLEN HEAD NY 11545 2811	Acres 0.28 Value \$ 2,303,105.00 Taxbl \$ 2,254,278.00 Bldg \$ 1,353,105.00 Land \$ 950,000.00	Sales Instr Price \$ 2,000,000.00 Date 8/11/2014 Book 26982 Page 1300	WD	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1	LT 89
464345221000009901	HENNINGAN EDWARD N & 91 ISLAND DR S OCEAN RIDGE FL 33435 3338	Acres 0.31 Value \$ 2,182,931.00 Taxbl \$ 1,435,143.00 Bldg \$ 1,482,931.00 Land \$ 700,000.00	Sales Instr Price \$ 1.00 Date 12/16/2005 Book 19709 Page 1975	WD	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1, TRGLR PAR K/A W/LY 15 FT LT 90 & LT 91	
464345221000009902	KEHRIG ROBERT & 9279 MARINE CITY HWY FAIR HAVEN MI 48023 1222	Acres 0.26 Value \$ 962,971.00 Taxbl \$ 942,408.00 Bldg \$ 162,971.00 Land \$ 800,000.00	Sales Instr Price \$ 1,235,000.00 Date 6/13/2017 Book 29162 Page 1567	WD	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1 LT 90 (LESS TRGLR PAR K/A W/LY 15 FT)	
464345221000009960	SAAD MAYER J & 97 ISLAND DR S OCEAN RIDGE FL 33435 3338	Acres 0.67 Value \$ 4,915,216.00 Taxbl \$ 4,915,216.00 Bldg \$ 2,915,216.00 Land \$ 2,000,000.00	Sales Instr Price \$ 6,200,000.00 Date 5/1/2019 1 Book 30581 Page 523	WD	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1	LTS 96 & 97 INC
464345221000009980	KEHRIG TIMOTHY M 98 ISLAND DR S OCEAN RIDGE FL 33435 3338	Acres 0.28 Value \$ 1,100,092.00 Taxbl \$ 656,956.00 Bldg \$ 150,092.00 Land \$ 950,000.00	Sales Instr Price \$ 10.00 Date 2/17/1992 Book 14907 Page 1066	QC	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1	LT 98
464345221000009990	BLOCK GARY 99 ISLAND DR S BOYNTON BEACH FL 33435 3338	Acres 0.26 Value \$ 2,340,005.00 Taxbl \$ 1,498,388.00 Bldg \$ 1,540,005.00 Land \$ 800,000.00	Sales Instr Price \$ 10.00 Date 4/30/2013 Book 26134 Page 717	WD	MTG PUSE SINGLE FAMILY TaxDist 46984	NAV	MC CORMICK MILE ADD 1	LT 99

Property Appraiser GIS - Property Detail list by parcel control number

46634522100001000	LONGENBACH RANDY H & 5665 PILGRIM POINT RD CUMMING GA 30011 4893	Acres 0.24 Value \$ 930,088.00 Taxbl \$ 904,173.00 Bldg \$ 330,088.00 Land \$ 600,000.00	Sales Instr Price \$860,000.00 Date 9/24/2008 Book 22883 Page 1395	WD MTG PUSE SINGLE FAMILY TaxDist 46984	MC CORMICK MILE ADD 1 LT 100
46634522100001050	LAPORTE LOUIS 401-1570 AMPERE BOUCHERVILLE QC J4B 714 CANADA	Acres 0.29 Value \$ 2,503,898.00 Taxbl \$ 2,503,898.00 Bldg \$ 1,403,898.00 Land \$ 1,100,000.00	Sales Instr Price \$1,300,000.00 Date 12/18/2017 Book 29550 Page 1276	WD MTG PUSE SINGLE FAMILY TaxDist 46984	MC CORMICK MILE ADD 1 LT 105
46634522100001060	DARLING STEVEN G & 106 BONITO DR BOYNTON BEACH FL 33435 3306	Acres 0.39 Value \$ 2,193,365.00 Taxbl \$ 1,191,305.00 Bldg \$ 693,365.00 Land \$ 1,500,000.00	Sales Instr Price \$1,650,000.00 Date 8/15/2013 Book 26764 Page 1582	WD MTG PUSE SINGLE FAMILY TaxDist 46984	MC CORMICK MILE ADD 1 LT 106
46634522480000010	LAURING RAYMOND J 94 ISLAND DR S BOYNTON BEACH FL 33435 3338	Acres 0.36 Value \$ 2,050,672.00 Taxbl \$ 1,040,801.00 Bldg \$ 50,672.00 Land \$ 2,000,000.00	Sales Instr Price \$10.00 Date 9/29/2008 Book 22905 Page 0007	WD MTG PUSE SINGLE FAMILY TaxDist 46984	ISLAND DRIVE SOUTH ESTATES LT 1
46634522480000020	EATON MICHAEL B & 92 ISLAND DR S BOYNTON BEACH FL 33435 3338	Acres 0.26 Value \$ 2,800,000.00 Taxbl \$ 1,961,388.00 Bldg \$ 0.00 Land \$ 2,800,000.00	Sales Instr Price \$4,350,000.00 Date 4/27/2021 Book 32500 Page 1456	WD MTG PUSE SINGLE FAMILY TaxDist 46984	ISLAND DRIVE SOUTH ESTATES LT 2
46634522480000030	EATON MICHAEL B & 92 ISLAND DR S OCEAN RIDGE FL 33435 3338	Acres 0.32 Value \$ 1,818,417.00 Taxbl \$ 1,659,649.00 Bldg \$ 418,417.00 Land \$ 1,400,000.00	Sales Instr Price \$4,350,000.00 Date 4/27/2021 Book 32500 Page 1456	WD MTG PUSE SINGLE FAMILY TaxDist 46984	ISLAND DRIVE SOUTH ESTATES LT 3

Property Appraiser GIS - Property Detail list by parcel control number

<u>46434522090000030</u>	300	<u>46434522100001000</u>	300
ATTEBERRY TIMOTHY 3 SABAL ISLAND DR BOYNTON BEACH FL 33435 3321		LONGENBACH RANDY H & 5665 PILGRIM POINT RD CUMMING GA 30041 4893	
<u>46434522090000040</u>	300	<u>46434522100001050</u>	300
MEINERS ALICE M 4 SABAL ISLAND DR BOYNTON BEACH FL 33435 3321		LAPORTE LOUIS 401-1570 AMPERE BOUCHERVILLE QC J4B 7L4 CANADA	
<u>46434522090000050</u>	300	<u>46434522100001060</u>	300
HINDIN BRUCE I & 5 SABAL ISLAND DR OCEAN RIDGE FL 33435 3321		DARLING STEVEN G & 106 BONITO DR BOYNTON BEACH FL 33435 3306	
<u>46434522090000060</u>	300	<u>46434522480000010</u>	300
GOLDBAUM IAN 6 SABAL ISLAND DR BOYNTON BEACH FL 33435 3321		LAURING RAYMOND J 94 ISLAND DR S BOYNTON BEACH FL 33435 3338	
<u>46434522100000890</u>	300	<u>46434522480000020</u>	300
FERRARA DAN & 9 COLONIAL DR GLEN HEAD NY 11545 2811		EATON MICHAEL B & 92 ISLAND DR S BOYNTON BEACH FL 33435 3338	
<u>46434522100000901</u>	300	<u>46434522480000030</u>	300
HENNIGAN EDWARD N & 91 ISLAND DR S OCEAN RIDGE FL 33435 3338		EATON MICHAEL B & 92 ISLAND DR S OCEAN RIDGE FL 33435 3338	
<u>46434522100000902</u>	300	<u>46434522100000950</u>	
KEHRIG ROBERT & 9279 MARINE CITY HWY FAIR HAVEN MI 48023 1222		BB FAMILY TRUST 833 E MICHIGAN ST STE 500 MILWAUKEE WI 53202 5619	
<u>46434522100000960</u>	300		
SAAD MAYER J & 97 ISLAND DR S OCEAN RIDGE FL 33435 3338			
<u>46434522100000980</u>	300		
KEHRIG TIMOTHY M 98 ISLAND DR S OCEAN RIDGE FL 33435 3338			
<u>46434522100000990</u>	300		
BLOCK GARY 99 ISLAND DR S BOYNTON BEACH FL 33435 3338			



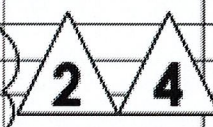
TOWN OF OCEAN RIDGE

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DATA CALCULATIONS FOR NEW STRUCTURES

(NEW SINGLE FAMILY, MULTI-FAMILY HOMES, ETC.)

APPLICANT FILL OUT: PROPERTY ADDRESS: 95 ISLAND DRIVE SOUTH		ZONING DISTRICT: <u>RS-F</u>	
APPLICANT USE		ZONING OFFICIAL USE ONLY	
*TOTAL SITE AREA	12169 Sq. Ft.	Sq. Ft.	
BASE FLOOD ELEVATION (NAVD) <small>(SOURCE THE FLOOD INSURANCE STUDY)</small>	AE-6 (CURRENT) / AE-9 (PROPOSED)		
FINISHED FLOOR ELEVATION (NAVD)	+10'-0" N.A.V.D. 66		
ZONING OFFICIAL USE ONLY		ZONING REVIEW	
APPLICANT USE		PROPOSED	
	Sq. Ft.	%	Sq. Ft. %
FLOOR AREA RATIO (MAXIMUM _____ %)	4,379.14	35.99%	
LOT COVERAGE (MAXIMUM _____ %)	3,687.27	30.30%	
ZONING OFFICIAL USE ONLY		ZONING REVIEW	
APPLICANT USE		PROPOSED	
*PERCENTAGE FROM TOTAL SITE AREA	Sq. Ft.	%	Sq. Ft. %
FIRST FLOOR A/C (_____)	2,280.86	18.74%	
SECOND FLOOR A/C (_____)	1,546.42	12.71%	
TOTAL A/C (_____)	3,827.28	31.45%	
GARAGE (_____)	551.88	4.53%	
COVERED PATIO (_____)	722.03	5.93%	
COVERED ENTRY (_____)	132.52	1.09%	
COVERED BALCONY (REAR) (_____)	1,053.17	8.65%	
COVERED BALCONY (FRONT) (_____)	0	0	
TOTAL UNDER ROOF (_____)	6,287.43	51.67%	
OPEN BALCONY (_____)	0	0	
TOTAL FLOOR AREA (_____)	4,379.71	35.99%	
BUILDING FOOTPRINT (_____)	3,687.27	30.28%	
SEPTIC TANK & DRAINFIELD (_____)	670.42	6%	
PAVED AREA (_____)	3,947.48	32.44%	
SYNTHETIC TURF (_____)	665	5.4%	
TOTAL IMPERVIOUS (_____)	7,534.75	62.74%	
TOTAL PERVIOUS (_____)	4,634.00	38.08%	
ZONING OFFICIAL USE ONLY		ZONING REVIEW	
APPLICANT USE		FEET	
FEET		FEET	
BUILDING HEIGHT (_____)	28'-0"		
BUILDING SETBACKS:			
FRONT (_____)	25'-0"		
REAR (_____)	26'-6"		
SIDE INTERIOR (_____)	15'-0"		
SIDE CORNER (_____)	N/A		
WATERWAY (_____)	28'-6"		
DRIVEWAY (_____)	16'-2"		



Prepared By: ANNIE CARRUTHERS Date: 09-28-2020

Town of Ocean Ridge, Florida
Board of Adjustment Agenda Memorandum

To: Board of Adjustment Members
From: Corey O’Gorman, Town Planner
Meeting Date: April 19, 2021
Subject: 26 Harbour Dr. South – Variance Application

1. PETITION DESCRIPTION

APPLICANT: Angel Darlene Johnston
OWNER: Angel Darlene Johnston
ADDRESS: 26 Harbour Drive S. Ocean Ridge, Florida 33435

ZONING DISTRICT: RSF

REQUEST: The applicant is requesting a variance from Section 64-1(j)(2), 64-57 and 67-36 to allow an existing second-floor balcony to be extended by 2’ into the 25’ rear yard setback.

2. BACKGROUND

The Board of Adjustment recently approved a variance for this property to allow a sun trellis to be located 7’ 3” from the rear side property. The sun trellis design proposes a 2’ extension of the existing 3’ deep balcony, although the proposal was not apparent to the town staff and the applicant did not realize that a variance would also be needed to extend the balcony. Section 64-1 establishes the a 25’ setback from the waterway, Sections 64-57 and 67-36 prohibits second floor balconies from extending into the required yard setbacks. The applicant is requesting a variance of 2’ to allow the existing 3’ deep balcony to be extended so that it is useable, and to be integrated into the design of the sun trellis.

3. STAFF ANALYSIS.

Section 63-73 of the Town Code states that “when literal or strict enforcement of the provisions of the land development code would cause unusual, exceptional or unnecessary difficulties or undue hardship or injustice because of the size of the tract to be subdivided, its topography, the condition or nature of adjoining areas or the existence of other unusual physical conditions, the board may vary or modify the requirements set forth herein after receiving and reviewing the report of the administrative official. No variance shall be granted if it has the effect of nullifying the intent and purposes of the land development code. In granting variances, the board may require such conditions as well secure the objectives of the land development code.”

Section 63-73.a. states that "variances will not be processed unless a written application on forms prescribed by the department and a fee have been submitted to the administrative official demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands within the zoning district; and
2. That a literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties within the zoning district; and
3. That the special conditions and circumstances do not result from the action of the applicant; and
4. That the granting of the variances requested will not confer on the applicant any special privilege that is denied to other lands within the zoning district."

The Town of Ocean Ridge Land Development Code Variance Application requires that the applicant provide a statement of reasons or basis for the variance requested and specifies that the statement must address items "a" through "g". Below is a listing of those items "a" through "g" and an excerpt of the applicant's response (please see Exhibit "B" in the application for a complete narrative response).

Attached to the application is "Exhibit B" in which the applicant's addresses the items noted above.

Section 63-73.b. of the Town code enables the Board of Adjustments to approve a variance provided the requirements of that code section are met, that the reasons set forth in the application justify the granting of the variance, and subject to the criteria listed below. Staff review of the criteria relative to each variance is provided below.

- a. That special conditions and circumstances existing which are peculiar to the land involved and which are not applicable to other lands within the zoning district;

Response: When the existing single-family home was constructed under the current home owner in 1997 it was setback 53' from the front property line leaving a rather large front yard area but a very little rear yard space. In doing so, there is only 3' of space on the rear of the home to provide a second floor balcony.

- b. That the special conditions and circumstances do not result from the action of the applicant;

Response: The special conditions and circumstances are the result of the layout of the house on the lot. The home was built in 1997 by Burdge Contracting and was owned by the current owner.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.

Response: Most homes in this zoning district are designed to meet the front yard setback and are designed to provide space in the rear yard for outdoor spaces and balconies which comply with the setback. Granting the variance would enable the proposed balcony slightly larger and to be generally consistent with similar spaces on other homes in this zoning district.

d. That literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties within the zoning district.

Response: Most homes in this zoning district are designed to meet the front yard setback and are designed to provide ample space in the rear yard for outdoor spaces and balconies. Literal interpretation would prevent the modest expansion of the balcony to be generally consistent with other homes in the same zoning district.

e. That the variance granted is the minimum variance that would make possible the reasonable use of the land, building or structure.

Response: The requested variance is for 2'. This will expand the existing balcony from 3' in depth to 5' in depth.

f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.

Response: If the variance were granted there would remain a 23' setback for the balcony from the edge of the balcony to the property line, and thus still provide a substantial setback.

g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: Extension of the second floor balcony would not be injurious to the area or detrimental to the public welfare as there would remain a 23' setback for the balcony from the edge of the balcony to the property line.

4. BOARD ACTION.

Section 63-73.b. states that "to approve a variance the board shall find following:

1. That the requirements of this section have been met; and,
2. That the reasons set forth in the application justify the granting of the variance; and,
3. That special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings in the same zoning district; and,

4. That special conditions and circumstances do not result from the actions of the applicant; and,
5. That granting the variance requested will not confer on the applicant any special privilege that is denied by this land development code to other lands, buildings or structures in the same zoning district; and,
6. That literal interpretation of the provisions of this land development code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this land development code; and,
7. That literal interpretation of the provisions of this land development code would work unnecessary and undue hardship on the applicant; and,
8. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and,
9. That the grant of the variance will be in harmony with the general intent and purpose of the land development code; and,
10. That such variance will not be injurious to the surrounding area and would not impair desirable general development of the neighborhood or the community as proposed in the comprehensive plan, or otherwise detrimental to the public welfare."

In addition to the above, Section 63-73 provides the following requirements for the Board of Adjustment when considering an application for variance:

1. Financial hardship is not to be considered alone as sufficient evidence of a hardship in the grant of a variance.
2. Under no circumstances, except as permitted in this section, shall the board of adjustment grant a variance to permit a use not generally permitted in the zoning district involved, or on the grounds of nonconforming or grandfathered use of neighboring lands, structures or buildings in the zoning district or of pre-existing conditions or neighboring lands which are contrary to the land development code.
3. In granting any variance the board may prescribe conditions and safeguards in conformance with the land development code. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this land development code.
4. The board of adjustment may prescribe a reasonable time limit within which the action for which the variance is required shall be begun or completed, or both. Unless a specific time limit is prescribed by the board of adjustment, a variance granted under the provisions of this land development code shall automatically lapse if building construction, in accordance with the plans for which such variance was granted, has not been initiated within six months from the date of granting of such variance by the board or, if judicial proceedings to review the board's decision are instituted, from the date of entry of the final order in such proceedings, including all appeals. The town manager is authorized to approve one automatic six-month extension of time

to commence construction pursuant to a variance. Any request for additional time shall be presented to the board of adjustment.

5. Any variance granted by the board shall be noted in its official minutes along with the reasons which justify the granting thereof and required conditions and safeguards.

5. STAFF RECOMMENDATION

Town Staff recommends that the Board of Adjustments consider the information supplied by the applicant, this report, testimony at the hearing, and other relevant information to make its decision.



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LAND DEVELOPMENT CODE VARIANCE APPLICATION

The completed application must be filed at least forty-five (45) days prior to the date of the Commission/Board meeting at which the application is to be considered. Please contact the Town Hall for any questions, and to schedule the required pre-application meeting.

The undersigned applicant(s) hereby petitions the Town of Ocean Ridge Board of Adjustment to call a public hearing(s) after due public notice, the cost of which is hereby assumed by the undersigned for the purpose of considering a variance to the Town's Land Development Code, as described herein.

APPLICANT(S) NAME: Angel Darlene Johnston
 PROPERTY ADDRESS: 26 Harbour Drive South, Ocean Ridge, FL 33435
 EMAIL ADDRESS: DARCARD965@gmail.com
 PHONE: 561.523.8939

INSTRUCTIONS FOR COMPLETION OF APPLICATION

1. All properties within a single application must be contiguous (immediately adjacent) to one another, and the Administrative Official may require more than one (1) application if the property concerned contains more than five (5) acres, or the fee paid for one (1) application would not equal the cost of processing the same.
2. No variance application shall be accepted by the Administrative Official for filing unless it is presented on the official forms provided by the town, and is filed with **an original plus ten (10) copies, including all exhibits as listed below, for a total submission of eleven (11) packets.**
3. Before any application is submitted, the applicant is required to schedule a pre-application meeting. The fee for this meeting will be \$250 that will be reduced from the \$1,500 variance fee, if the applicant chooses to apply afterwards.
4. Before any application is deemed "filed", it must be complete (with all required information as stated below), and the **filing fee of \$1,500.00** must be received by the Town Staff.
5. An application is complete only when it is executed in affidavit form (sworn) by:
 - a. the owner or owners of at least seventy-five (75%) per cent of the property described in the application; or
 - b. the tenant or tenants, with the owners' written (sworn) consent; or
 - c. the duly authorized agent(s), with the owners' power of attorney (not including members of the Florida Bar); or
 - d. the contract purchasers, with the filing of a copy of the Contract of Sale and Purchase; or
 - e. the Administrative Official; or
 - f. any person aggrieved by a development order or requirement.



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NATURE OF THE REQUEST FOR VARIANCE

64-1
67-36
Section 64-57 of the Town of Ocean Ridge, Land Development Code requires Balcony
not to extend into the setback. We want to extend the
Second floor balcony.
The applicant requests a variance to permit: the second floor balcony.

DESCRIPTION OF PROPERTY

A copy of the latest recorded deed is attached hereto as **Exhibit A**. The Property Control No. 46-43-45-27-09-000-0320 and the subject property is located approximately 400 feet from the intersection of A1A and HARBOUR DR S., on the (north) east, south, west) side of Harbour Dr South Street.

JUSTIFICATION OF VARIANCE

1. Section 63-34 of the Town of Ocean Ridge Land Development Code requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Sections 63-2 and 63-34 of the Code, and should be attached and marked as **Exhibit B**. The statement must include comments on each of the following individually, marked "a" through "g" as listed below:

- a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.
- b. That the special conditions and circumstances do not result from the actions of the applicant.
- c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.
- d. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would work unnecessary and undue hardship on the applicant.
- e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.
- g. That such variance will not be injurious to the area involved or otherwise detrimental



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to the public welfare.



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THE FOLLOWING REQUIRED GRAPHIC INFORMATION
SHALL BE ATTACHED TO THIS APPLICATION, AND MARKED AS REQUIRED

1. **Exhibit C:** Surveys submitted must be sealed by a Land Surveyor licensed by the State of Florida at a scale prescribed by the Town containing the following:
 - a. An accurate legal description of the property.
 - b. A computation of the size of the tract to the nearest one-tenth (1/10) of an acre.
 - c. The survey must have been prepared for the current property owner, contract purchaser, or owners' agent or attorney, and regardless of when prepared, must contain all updated information such as latter property revisions including but not limited to fencing, walls, structures, driveways or walkways.
2. **Exhibit D:** The location of the subject parcel plotted by an engineer or surveyor registered in the State of Florida on a copy of the official's zoning map of the Town or a reasonable facsimile thereof.
3. **Exhibit E:** A property owners' location drawing showing all property owner's information required below and their relation to the subject parcel:
4. **Exhibit F:** A complete list of all property owners, mailing addresses, one (1) set of mailing labels, and legal descriptions of all property within three hundred (300) feet of the subject parcel as recorded as prepared by the Palm Beach County Property Appraiser's office.
5. **Exhibit G:** A statement of the applicant's equitable or title interest in the property, accompanied by one of the following:
 - a. If joint and several ownership, a written consent by all owners of a record, or
 - b. if a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
 - c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
 - d. If a lessee, a copy of the lease agreement and written consent of the owners, or
 - e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or
 - f. If more than one owner, the title owners of a least seventy-five (75) percent of the



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property described in the application must provide written consent.

6. **Exhibit H:** Each application for variance shall include the following information to be shown on a Site Plan of the property:

a. The exact location of all structures on the property, showing distance from the property line(s) and other structures.

b. The exact location of the property related to the public street or easement on which the property fronts.

c. The exact location of driveways and fences of the subject property.

d. An accurate indication of what and where the variance is as it relates to the existing structures on the property and to the nearest property or properties which the relief sought would affect.

e. All pertinent information, such as drawings of details, landscaping, detailed measurements, parking, public and private utilities, and other information designed to provide a factual basis for the consideration of the variance shall be included on the Site Plan.

f. Plans for Multiple Dwelling Units **are to be reviewed for off-street parking and landscaping by the Administrative Official prior** to filing an Application for Variance.

OFFICIAL FILING FEE

1. The Official Filing fee for each request for variance or appeal shall be fifteen hundred (\$1,500.00) dollars. This fee is non-refundable.

2. Should there be expenses over and above the fifteen hundred dollar (\$1,500.00) fee, the Applicant shall remit the balance to the Town upon being notified of the amount due, and prior to public hearing on the application.

3. Payment may be made only in U.S. Currency, cashier's, personal, or business check on a U. S. bank. All checks shall be made payable to the "Town of Ocean Ridge". The issuance of a non-collectable check shall be subject to an additional administrative fee of one hundred (\$100.00) dollars. Checks issued on non-sufficient funds ("NSF") or closed accounts shall be prosecuted as provided by law.



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APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) understand and will comply with the provisions of the Town of Ocean Ridge Land Development Code, and in particular Sections 63-73 and 63-34 (only if a variance is requested). The undersigned further certifies the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.

[Signature]
(Witness)

[Signature]
(SIGNATURE OF APPLICANT(S))

[Signature]
(Witness)

Angel Darlene Johnston.
(Type/Print Name of Applicant(s))

APPLICANT IS:

- Owner
- Contract Purchaser
- Other _____
(explain)

26 Harbour Drive S.
(Street Address)

Ocean Ridge, FL 33435
(City and State)

(561) 523.8939.
(Telephone/Fax Numbers)

NAME OF OWNER(S),
IF OTHER THAN APPLICANT(S):

same as above
(Mailing Address)

darcar0965@gmail.com.
(Email Address)

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL PRESENCE
OR ONLINE NOTARIZATION ON THIS 29th DAY OF March, 20 22.

[Signature]
Notary Public, State of Florida - At Large
My Commission Expires:



KARLA MIRET ARMSTRONG (Seal)
Commission # GG 906110
Expires August 21, 2023
Bonded Thru Budget Notary Services

Personally Known or Type of Identification Produced: _____



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TOWN OF OCEAN RIDGE, FLORIDA FOR OFFICIAL TOWN USE ONLY

DATE OF OFFICIAL ACCEPTANCE: _____ OFFICIAL FILE NUMBER: _____

DATE OF AGENDA CERTIFICATION: _____ LAND USE DISTRICT: _____

FILING FEE PAID: _____ ADVERTISING FEE (AMOUNT PAID): _____

BY: _____

ADMINISTRATIVE COMMENTS

Type of Variance/Appeal:

Size of Parcel: _____ sq. feet Dimensions of Lot

Comments or Recommendation:

TOWN MANAGER
ADMINISTRATIVE OFFICIAL

BOARD OF ADJUSTMENT ACTION

PUBLIC HEARING DATE:

CONTINUANCES GRANTED:

FINAL ACTION TAKEN:

HISTORIC PROPERTY ADDENDUM

1. The applicant represents that the structure on the property described herein does not have "significant historic value", because of the following: (attach additional sheet(s), if necessary)

N/A

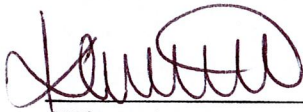
2. The applicant represents that the cost and practical feasibility of repairing or restoring the structure on the property described herein is not reasonable because of the following:

N/A.

APPLICANT'S CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

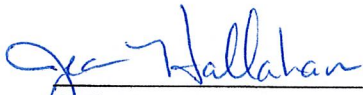
The undersigned Applicant(s) swears or affirms, under penalty of perjury, that he/she (they) the foregoing statements made herein, together with all exhibits attached hereto, or later presented at a hearing in this cause, are true to the best of his/her (their) knowledge and belief.



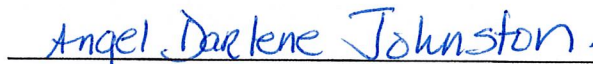
(Witness)



(SIGNATURE OF APPLICANT(S))




(Witness)



(Type/Print Name of Applicant(s))

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL PRESENCE
OR ONLINE NOTARIZATION ON THIS 29th DAY OF March, 2022.



Notary Public, State of Florida - At Large
My Commission Expires:



KARLA MIRET ARMSTRONG (Seal)
Commission # GG 906110
Expires August 21, 2023
Bonded Thru Budget Notary Services

Personally Known or Type of Identification Produced: _____



TOWN OF OCEAN RIDGE

6450 North Ocean Boulevard, Ocean Ridge, Florida 33435
(561) 732-2635 Main ♦ (561) 737-8359 Fax
oceanridgeflorida.com ♦ info@oceanridgeflorida.com

APPEAL ADDENDUM

In addition to other forms and requirements, the filing of an Appeal from the decision of the Administrative Official requires a detailed description of the basis for the challenge to such decision. The Applicant shall provide complete facts and circumstances which the Applicant believes constitute a violation of the Town's Land Development Code (LDC), and a clear description of the LDC section(s) which are alleged to have been violated.

The information provided shall be used by the Board of Adjustment in determining probable cause to believe the Administrative Official's decision in the matter described. The Board of Adjustment shall make an initial determination regarding probable cause. If a finding of "no probable cause" is determined, the hearing shall thereafter be adjourned, and the aggrieved party shall have a further right to file a Petition for Writ of Certiorari with the Circuit Court, in and for Palm Beach County, Florida.

If "probable cause" is found by the Board of Adjustment, the appellant shall immediately bring his/her case forward. While deemed an "appeal", the hearing before the Board of Adjustment shall be a quasi-judicial, evidentiary hearing, with the right to present and confront all evidence and witnesses. The Board shall observe fundamental due process requirements, including notice and the right to be heard. However, the Florida Rules of Evidence and Rules of Civil or Appellate Procedure shall not be so strictly enforced as to prohibit relevant hearsay or other relevant information coming before the Board. The appellant and the Administrative Official shall each have one half (1/2) hour within which to present their respective cases, unless otherwise determined by the Board. The Board shall thereafter be free to question either party and shall decide the matter after making "findings of fact" and "determination of law". Any decision of the Board of Adjustment shall be appealed, if at all, within thirty (30) days of being rendered, in writing, as provided by law and Rules of Appellate Procedure.

Exhibit A.

CFN 2019041094Z
OR BK 31025 PG 52
RECORDED 11/14/2019 11:38:03
Palm Beach County, Florida
AMT
Sharon R. Bock
CLERK & COMPTROLLER
Pgs 0052-0053; (2Pgs)

PREPARED BY:

[Signature]
RUSHMORE LOAN MANAGEMENT SERVICES LLC
15480 LAGUNA CANYON ROAD
IRVINE, CA 92618

Jared Kops

ATTN: WHEN RECORDED MAIL TO:
FIRST AMERICAN MORTGAGE SOLUTIONS
1795 INTERNATIONAL WAY
IDAHO FALLS, ID 83402

FLORIDA
COUNTY OF PALM BEACH
LOAN NO. 3600056409



MORTGAGE RELEASE, SATISFACTION, AND DISCHARGE

The undersigned, CAPITAL ONE, NATIONAL ASSOCIATION, AS SUCCESSOR IN INTEREST UPON MERGER WITH ING BANK, FSB, the Mortgagee of that certain Mortgage described below, does hereby release, discharge and reconvey, to the persons legally entitled thereto, all of its right, title, and interest in and to the real estate described in said mortgage, forever satisfying, releasing, cancelling, and discharging the lien from said Mortgage.

Said Mortgage bearing the date JANUARY 19, 2012, executed by DARLENE R. JOHNSTON AKA ANGEL DARLENE JOHNSTON, SINGLE, Mortgagor, and recorded in Public Records in the Office of the Clerk of the Circuit Court for PALM BEACH County, State of FLORIDA on MARCH 10, 2012 in Book 25064 at Page 1853 as Clerk's File No. 20120095601.

LEGAL DESCRIPTION: THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF PALM BEACH, STATE OF FL AND IS DESCRIBED AS FOLLOWS: ALL THAT PARCEL OF LAND IN CITY OF BOYNTON BEACH, PALM BEACH COUNTY, STATE OF FLORIDA, AS MORE FULLY DESCRIBED IN DEED BOOK 9318, PAGE 999, ID# 46-43-45-27-09-000-0320, BEING KNOWN AND DESIGNATED AS: LOT 32, RIDGE HARBOUR ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 25, PAGE 27 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed on
NOV 07 2019

CAPITAL ONE, NATIONAL ASSOCIATION, AS SUCCESSOR IN INTEREST UPON MERGER WITH ING BANK, FSB, BY RUSHMORE LOAN MANAGEMENT SERVICES LLC, AS ATTORNEY IN FACT

[Signature]
Name: _____
Title: **Jared Kops**
Vice President

POD: 20190927
RM8080117IM - LR - FL



A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

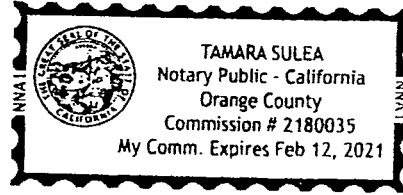
STATE OF CALIFORNIA

COUNTY OF ORANGE) ss.

On NOV 07 2019, before me, **TAMARA SULEA**, a Notary Public, personally appeared Jared Kops who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person(s), or the entity upon behalf of which the person acted, executed the instrument.

I certify under Penalty of Perjury, under the laws of the State of California, that the forgoing paragraph is true and correct. Witness my hand and official seal.

TAMARA SULEA (COMMISSION EXP. 02/12/2021)
NOTARY PUBLIC



This is a certified copy

NATURE OF THE REQUEST FOR VARIANCE

The applicant requests a variance to permit: An extension on the current balcony from 11' 9" wide by 3' deep (or projection off house) to 11' 9" wide to 5' projection off house, an increase of 24" inches. The backyard is 28' to the water or legal property line, however the set back is 25' providing the homeowner with a limited available space of only 3'. The balcony has no posts and is supported by the wall of the building and will not impede upon any setback on the ground level. The balcony was built with the house over 20 years ago, the wood is rotten, it is not effective or practical and is only cosmetic giving the look of a balcony. The homeowner would like to open the sliding glass door and be able to step outside and have a real balcony that could accommodate the size of a chair and small table to hold a coffee cup.

JUSTIFICATION OF VARIANCE

1. Section 67-36, 64-57, 64-1 of the Town of Ocean Ridge Land Development Code requires a statement of special reasons or basis for the variance request. This statement should be predicated on the objectives presented in Sections 67-36, 64-57, 64-1 of the Code, and should be attached and marked as **Exhibit B. The statement must include comments on each of the following individually, marked "a" through "g" as listed below:**

a. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved, and which are not applicable to other lands, structures, or buildings in the same zoning district.

The applicant's home, 26 Harbour Drive South, Ocean Ridge is approximately 1,000 feet from the ocean.

The applicant recently applied and was approved for a variance to build a shade structure in the backyard. At the time of the request for variance, and in order to be compliant with the Board of Adjusters and the comprehensive checklist of the documentation associated with that process, the homeowner had supplied (at the cost of \$3,000) 2 sets of full-blown engineering drawings. One set illustrating the shade structure with posts supporting it at the far end close to the water, and another set showing the posts being cantilevered back 5' 3" from the far corners. The variance was approved. Inherent in those drawings was the fundamental structure. The essential connection points to the wall of the house show the main characteristic of the structure being wrapped around and connected to the balcony. The balcony is showcased on page S-2, S-4, and S-5 of the 8-page set of drawings. (See attached Exhibit H)

In the original variance package, the homeowner outlined all the special conditions and circumstances to the Board, which is why the variance was issued. At the risk of being redundant we can include that data again or sparring that unnecessary need to go over what has already been addressed, we will just remain focused upon this latest development.

The homeowner followed procedure and filed the application for the permit to build the shade structure in accordance with the variance.

The homeowner was denied because during examination of the engineering drawings included in the plans, (the same plans that had already been submitted) it was determined that the homeowner had failed to previously mention how the structure was to be mounted to the house.

Additionally, the homeowner was reminded that there is a 25' setback and that the only legal amount of property that is allowed to be used is 3' of the 28' of available space, and the variance which allows 2 posts to be installed does not include extending the balcony.

The special conditions that apply to the balcony are purely structural to the approved shade structure, namely the older balcony was not effective as a support structure to hold the load of the unit. It was an old wooden device that had been built to finish the house with a look of a balcony, however it was never meant to be used. It projects out from the house a total of 36" and 6 of those inches are lost to the picket railing. When the engineer designed the shade structure, the solution had to meet all the stringent code of the Miami Dade Hurricane approval and as a result it was mandatory that the old balcony be replaced with 16 2" x 12" joist planks mounted directly into the wall of the house and then wrapped with a modern timberteck composite deck material designed to handle the wind load.

The homeowner made every effort to display and portray the entire shade structure during the variance by supplying all the plans which included the engineering drawings. Because the balcony is off the ground and in no way impeding the setback requirement the idea that it was even an issue never came up, however because the drawings make it so totally clear and evident, there is no way the homeowner in any stretch of the imagination failed to introduce it into the variance conversation.

The shade structure wraps around the balcony, the balcony is not visible to the eye, the structure goes back to the wall on both sides of the balcony like a horseshoe, it is invisible to see, and if anything, the shade structure appears to go directly back to the wall.

The homeowner asked the engineer if the shade structure could be built underneath the existing balcony, and unfortunately because the house is a two-story structure, directly where the shade structure would be installed the area is recessed and the height with

which the shade structure would be built would only be about 6' 6" off the ground creating an oppressive and suffocating environment.

The engineered solution is not only compliant with code it is aesthetically pleasing. By itself the original balcony is an eye sore, the added value is the homeowner will have a second-floor balcony that can be used instead of having an old wooden fake balcony with an unpleasant picket railing from the last century, finished and replaced with an almost imperceptible cable railing that is discrete and unnoticeable.

The applicant is begging for the possibility of having a home with an outdoor area that can be used and enjoyed.

It is the intent of this additional variance request to show the Board of Adjusters that the applicant thought that all this information was made abundantly clear during the official hearing. Because the applicant was acutely aware that all the documents were being scrutinized, every attempt to be transparent was made at that time. The applicant is requesting relief from any restrictions concerning an issue which we thought had already been settled. The applicant took pains to demonstrate why the engineer discovered the only practical way to provide the shade and rain protection and meet all the stringent code of the Miami Dade hurricane approval and that when the Board gave approval to build the structure it was based upon the drawings which the applicant had provided.

b. That the special conditions and circumstances do not result from the actions of the applicant.

The special conditions and circumstances concerning the design have to do with the structure of the house and have nothing to do with the applicant. If there is any special condition or circumstance it is that the homeowner is prohibited by a 25' setback when the entire area is only 28' leaving a total of 3 feet makes it extremely restrictive and basically prevents the pursuit of any happiness.

c. That granting the variance requested will not confer on the applicant any special privilege that is denied by the Zoning Ordinance to other lands, buildings, or structures in the same zoning district.

The variance is being requested because there is a 25' setback from the edge of the canal encroaching back toward the house.

The applicant has been made fully aware that the reason and purpose for the setback is to make certain that any homeowners bordering the property in a 300-foot radius would not be affected by losing any sightline view from their property looking out toward the applicant's home.

As a result, the applicant has contacted every homeowner individually and shared with them the circumstance and the intended solution. Each neighboring homeowner has looked at the property from their backyard and looked at the applicants' renderings and has given their consent and permission stating that not only will their sight line not be impeded, rather it will be an enhancement over a barren deck, the addition of a beautiful shade structure, with clean minimalist lines will enhance their view from the backyard and increase the value of their home.

d. That literal interpretation of the provisions of the Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Ordinance and would work unnecessary and undue hardship on the applicant.

The homeowner was granted a variance to build a shade structure, after a long and arduous process every issue had been met, to re address the issues which have already been approved does not appear to be warranted. The engineer came up with a solution that would allow the homeowner to be protected from the rain and sun with the absolute minimalist requirements; 2 posts.

Attached is the engineers letter providing the details explaining why this shade structure would meet the Miami Dade hurricane code requirements and meet the needs of the city. The structure approved included a full set of engineering drawings that completely displayed the structure and how it was going to be mounted to the wall of the house. (included in Exhibit H)

If it was approved, it was not a partial approval suggesting a new structural connection point to the wall of the house. The applicant has long tolerated the costly financial burdens and endured the unusual burden that comes with having a beautiful backyard that cannot be used. It is from these difficulties that the applicant humbly seeks relief and asks this respected body for understanding.

e. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

The applicant's home is exceedingly modest. The entire lot of land is 107' long x 94' wide or 10,058 square feet of total space.

From the front of the house to the road is 53.1', that represents 4,982 square foot, or 49.5% of unused space.

the house is 26.1' with a 15' easement on either side, or approximately 1,670 square foot big representing 16.6% of the total lot space.

The entire backyard is 27.8', or 2,613.2 square foot or 26% of the total lot space.

The rear setback is 25' from the canal. The setback equates to 2,350 square foot or 23.36% of the total lot

Since the entire backyard is 2,613.2 square feet and the setback is 2,350 feet the setback limits the homeowner to only being able to use 263 foot or 2.6% of her entire lot space for a backyard.

The current balcony is 3' x 11' 9" or 35 square feet. That 35' although minuscule, represents 13.5% of the available space. This space does not allow enough room for one chair, however in the revised balcony the 11' 9" x 5' represents 58 square feet again very diminutive yet large enough for a chair.

If the variance is granted the structure will be 10' off the deck. The balcony will have no posts or anything underneath to support it except the already existing wall joists that currently protrude 3'. The shade structure is engineered to meet all the stringent code to receive the Miami Dade hurricane approval.

f. That the granting of the variance will be in harmony with the general intent and purpose of the Ordinance.

If the ordinance as explained to the applicant is to protect the sightline from all the surrounding neighbors, it is not only in harmony it is welcomed and fondly anticipated by one and all.

g. That such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

If the variance is granted then rather than having an old ungainly non effective wooden balcony that looks dilapidated (there is no use to spend money to spruce it up if it is not operative), there will be a beautiful balcony that the homeowner could use and it will not be visible because the already approved shade structure will be wrapping it, rendering the balcony invisible. The ungainly picket fence railing will be replaced with a lovely modern stainless steel cable rail that is almost imperceptible to the eye.

**THE FOLLOWING REQUIRED GRAPHIC INFORMATION
SHALL BE ATTACHED TO THIS APPLICATION, AND MARKED AS REQUIRED**

1. **Exhibit C:** Surveys submitted must be sealed by a Land Surveyor licensed by the State of Florida at a scale prescribed by the Town containing the following:

- a. An accurate legal description of the property.

Survey attached

The applicant's home is exceedingly modest. The entire lot of land is 107' long x 94' wide or 10,058 square feet of total space.

From the front of the house to the road is 53.1', that represents 4,982 square foot, or 49.5% of unused space.

the house is 26.1' with a 15' easement on either side, or approximately 1,670 square foot big representing 16.6% of the total lot space.

The entire backyard is 27.8', or 2,613.2 square foot or 26% of the total lot space.

The rear setback is 25' from the canal. The setback equates to 2,350 square foot or 23.36% of the total lot

Since the entire backyard is 2,613.2 square feet and the setback is 2,350 feet the setback limits the homeowner to only being able to use 263 foot or 2.6% of her entire lot space for a backyard.

- b. A computation of the size of the tract to the nearest one-tenth (1/10) of an acre.

The tract is 107' x 94' 10,058 square foot or 2.3/10 of an acre or said another way slightly less than a quarter acre exactly .23% of an acre.

The applicant's home is exceedingly modest. The entire lot of land is 107' long x 94' wide or 10,058 square feet of total space.

From the front of the house to the road is 53.1', that represents 4,982 square foot, or 49.5% of unused space.

the house is 26.1' with a 15' easement on either side, or approximately 1,670 square foot big representing 16.6% of the total lot space.

The entire backyard is 27.8', or 2,613.2 square foot or 26% of the total lot space.

The rear setback is 25' from the canal. The setback equates to 2,350 square foot or 23.36% of the total lot

Since the entire backyard is 2,613.2 square feet and the setback is 2,350 feet the setback limits the homeowner to only being able to use 263 foot or 2.6% of her entire lot space for a backyard.

- c. The survey must have been prepared for the current property owner, contract purchaser, or owners' agent or attorney, and regardless of when prepared, must contain all updated information such as latter property revisions including but not limited to fencing, walls, structures, driveways or walkways.

Survey attached

2. **Exhibit D:** The location of the subject parcel plotted by an engineer or surveyor registered in the State of Florida on a copy of the official's zoning map of the Town or a reasonable facsimile thereof.

Ocean ridge zoning map attached

3. **Exhibit E:** A property owners' location drawing showing all property owner's information required below and their relation to the subject parcel:

This is all Darlene's personal info

4. **Exhibit F:** A complete list of all property owners, mailing addresses, one (1) set of mailing labels, and legal descriptions of all property within three hundred (300) feet of the subject parcel as recorded as prepared by the Palm Beach County Property Appraiser's office.

This is available through the portal that Karla sent Darlene

5. **Exhibit G:** A statement of the applicant's equitable or title interest in the property, accompanied by **one** of the following:

This is going to be a copy of Darlene's deed

- a. If joint and several owner ship, a written consent by all owners of a record, or
- b. if a contract purchaser, a copy of the Contract for Sale and Purchase, plus the written consent of the owners, or
- c. If an authorized agent, a copy of the Agency Agreement, or Power of Attorney giving the consent of the owners, or
- d. If a lessee, a copy of the lease agreement and written consent of the owners, or

- e. If a corporation or other business entity, the name of the officer or person responsible for the application and written proof that said person has the authority to represent the corporation or other business entity, or
- f. If more than one owner, the title owners of a least seventy-five (75) percent of the property described in the application must provide written consent.

6. **Exhibit H:** Each application for variance shall include the following information to be shown on a Site Plan of the property:

- a. The exact location of all structures on the property, showing distance from the property line(s) and other structures.

Attached screen shots of survey with red and blue highlight markings

- b. The exact location of the property related to the public street or easement on which the property fronts.

Attached screen shots of survey with red and blue highlight markings

- c. The exact location of driveways and fences of the subject property.

Attached screen shots of survey with red and blue highlight markings

- d. An accurate indication of what and where the variance is as it relates to the existing structures on the property and to the nearest property or properties which the relief sought would affect.

Ocean ridge zoning map attached

- e. All pertinent information, such as drawings of details, landscaping, detailed measurements, parking, public and private utilities, and other information designed to provide a factual basis for the consideration of the variance shall be included on the Site Plan.

Attached engineering drawings, ocean ridge zoning map, survey and renderings

- f. Plans for Multiple Dwelling Units **are to be reviewed for off-street parking and landscaping by the Administrative Official prior** to filing an Application for Variance.

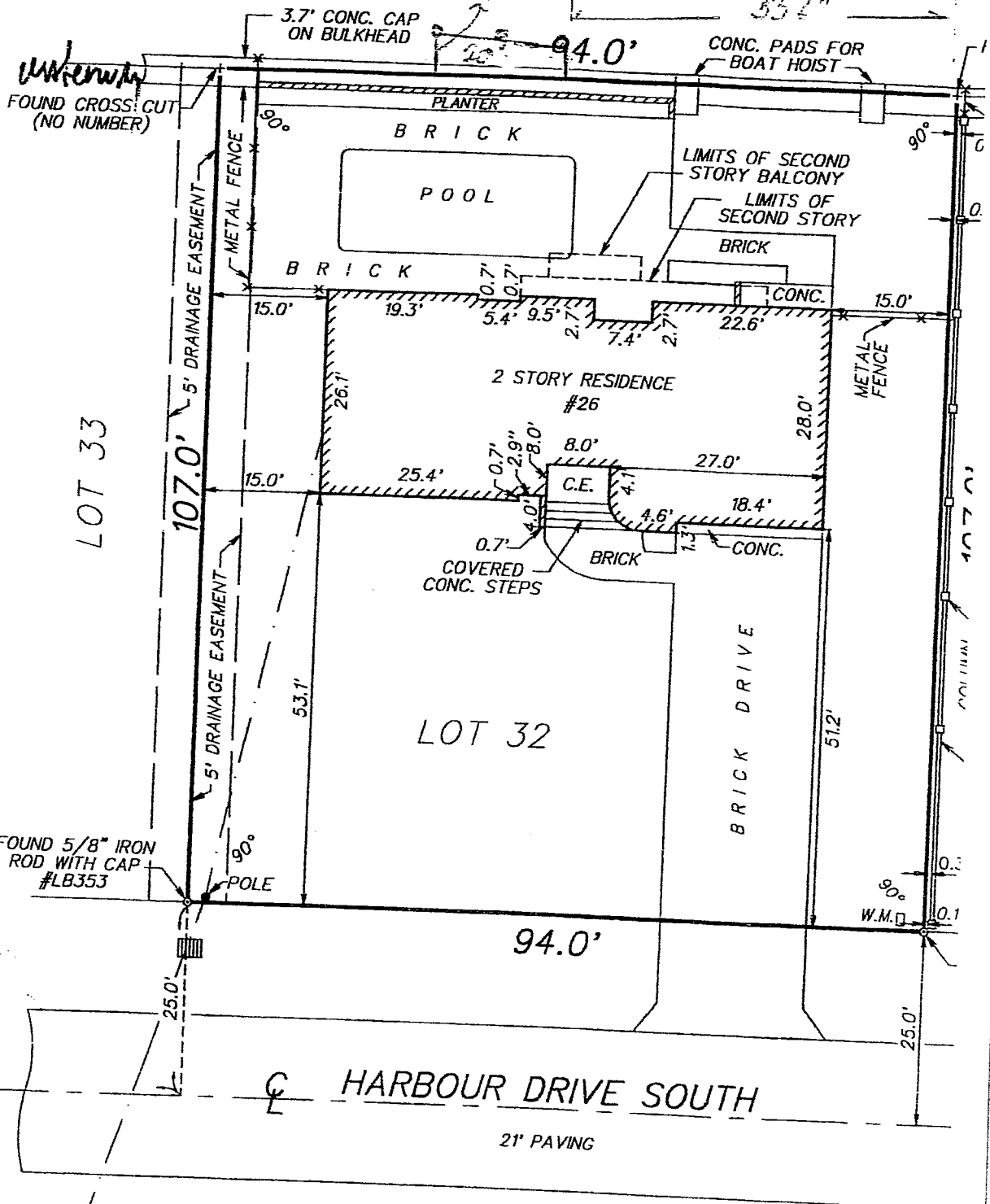
Not applicable

Exhibit C.

Dock

WATERWAY

10'
5' MAX into waterway





OCEAN Ridge

5/5/11

LEGEND:

⊕ = CENTERLINE

CONC. = CONCRETE

W.M. = WATER METER

C.E. = COVERED ENTRY

▤ = WALL

— — — = OVERHEAD UTILITY LINES

FLOOD ZONE: A5 (EL 7)

DESCRIPTION:

LOT 32, RIDGE HARBOUR ESTATES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 25, PAGE 27 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

CERTIFIED TO:

DARLENE R. JOHNSTON
SOUTHTRUST MORTGAGE CORPORATION, ITS
SUCCESSORS AND/OR ASSIGNS
STEWART TITLE GUARANTY CO.
G.M.D. SERVICES, INC.

MAP OF BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Paul D. Engle

PAUL D. ENGLE
SURVEYOR & MAPPER #5708

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

O'BRIEN, SUITER & O'BRIEN, INC.
LAND SURVEYORS

CERTIFICATE OF AUTHORIZATION #LB353

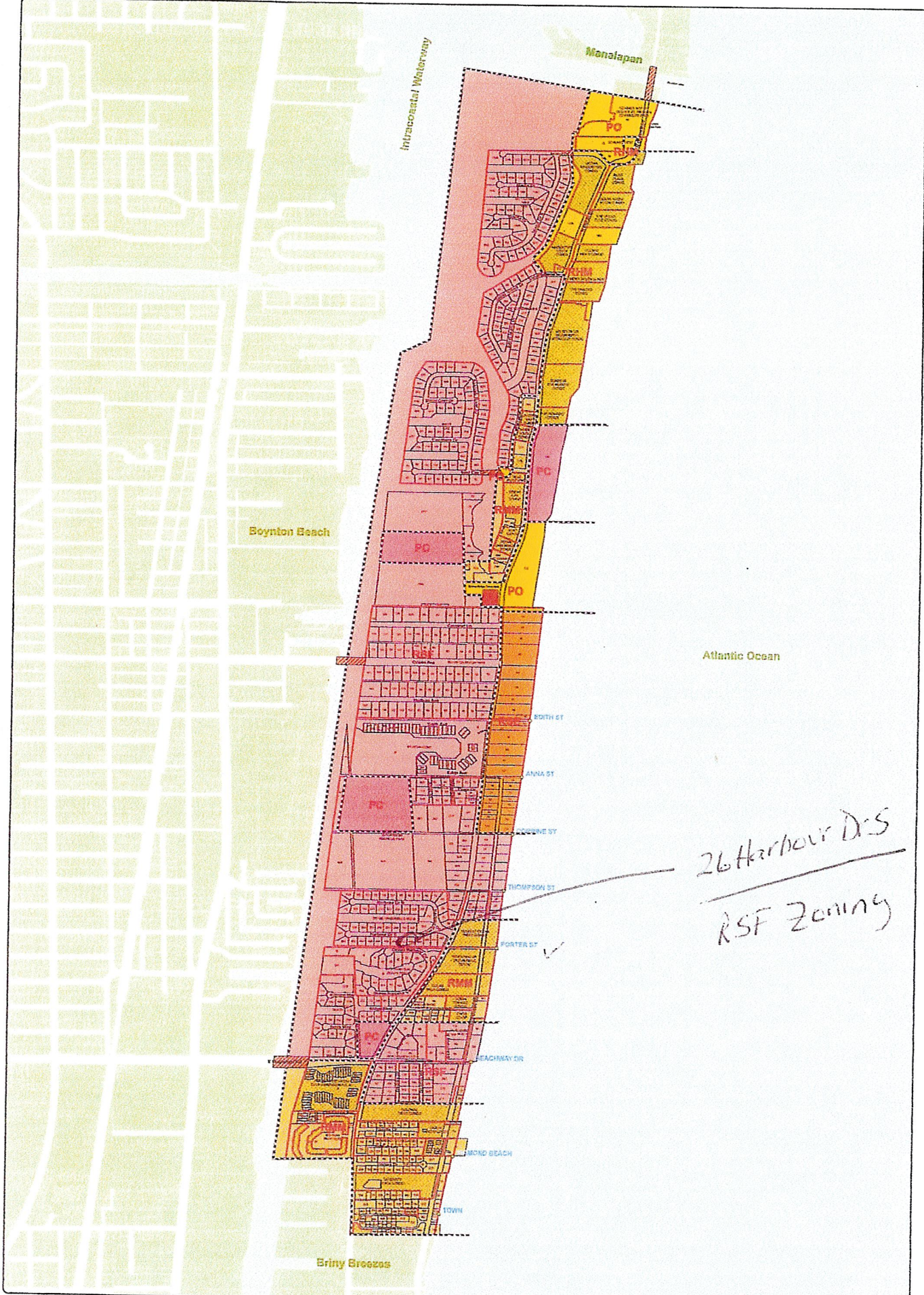
SURVEYOR AND MAPPER IN RESPONSIBLE CHARGE: JOHN N. SUITER
2601 NORTH FEDERAL HIGHWAY, DELRAY BEACH, FLORIDA 33483

(561) 276-4501 732-3279 FAX 276-2390

DATE OF SURVEY FEBRUARY 4, 1998	SCALE: 1" = 20'
FIELD BOOK PAGE NO. B.66 77	ORDER NO.: 73-1103d

MISS OUT
(BER)

IRON
CAP



26 Harbour Dr S
 RSF Zoning

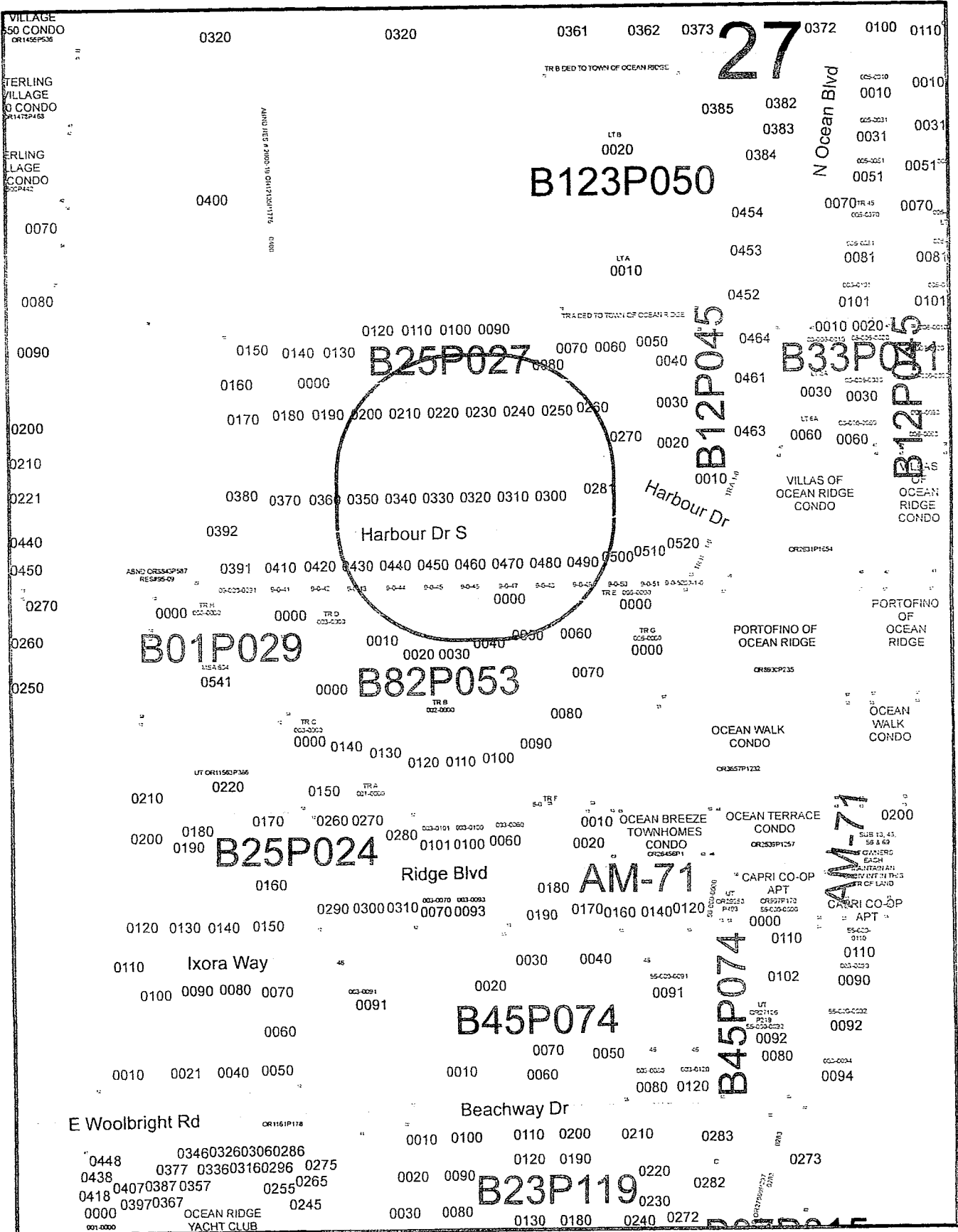
<p>PT 002000</p>	<p>SYMBOLS</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p>	<p>Legend</p> <p>PC - Professional/Commercial</p> <p>PO - Public Ownership</p> <p>RM - Medium Density Multiple Family Residential</p> <p>RSF - Single Family Residential</p> <p>RSF - Single Family Residential</p> <p>RSF - Single Family Residential</p>	<p>Legend</p> <p>RM - Medium Density Multiple Family Residential</p> <p>RSF - Single Family Residential</p> <p>RSF - Single Family Residential</p> <p>RSF - Single Family Residential</p>	<p>Legend</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p>	<p>Legend</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p>	<p>Legend</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p> <p>Waterway</p>
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Town of Ocean Ridge
 Zoning Map
 Palm Beach County, Florida

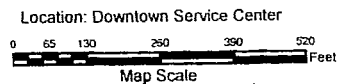


DATE	

Exhibit E



Dorothy Jacks, CFA
Palm Beach County
Property Appraiser



Key

Selected Parcels	100	300	500
Others	200	400	

Notes:

View Property Record

Owners

JOHNSTON DARLENE R

Property Detail

Location 26 HARBOUR DR S

Municipality OCEAN RIDGE

Parcel No. 46434527090000320

Subdivision RIDGE HARBOUR ESTS IN

Block 09318

Page 0999

Sale Date MAY-1996

Legal Address 26 HARBOUR DR S
BOYNTON BEACH FL 33435 6213

Use Type 0100 - SINGLE FAMILY

Total Square Feet 2688

Sales Information

Sales Date Price

MAY-1996	195000
DEC-1995	100
DEC-1994	100
DEC-1994	169000
JUN-1987	115000

Appraisals

Tax Year 2020

Improvement Value	\$248,226
Land Value	\$765,000
Total Market Value	\$1,013,226

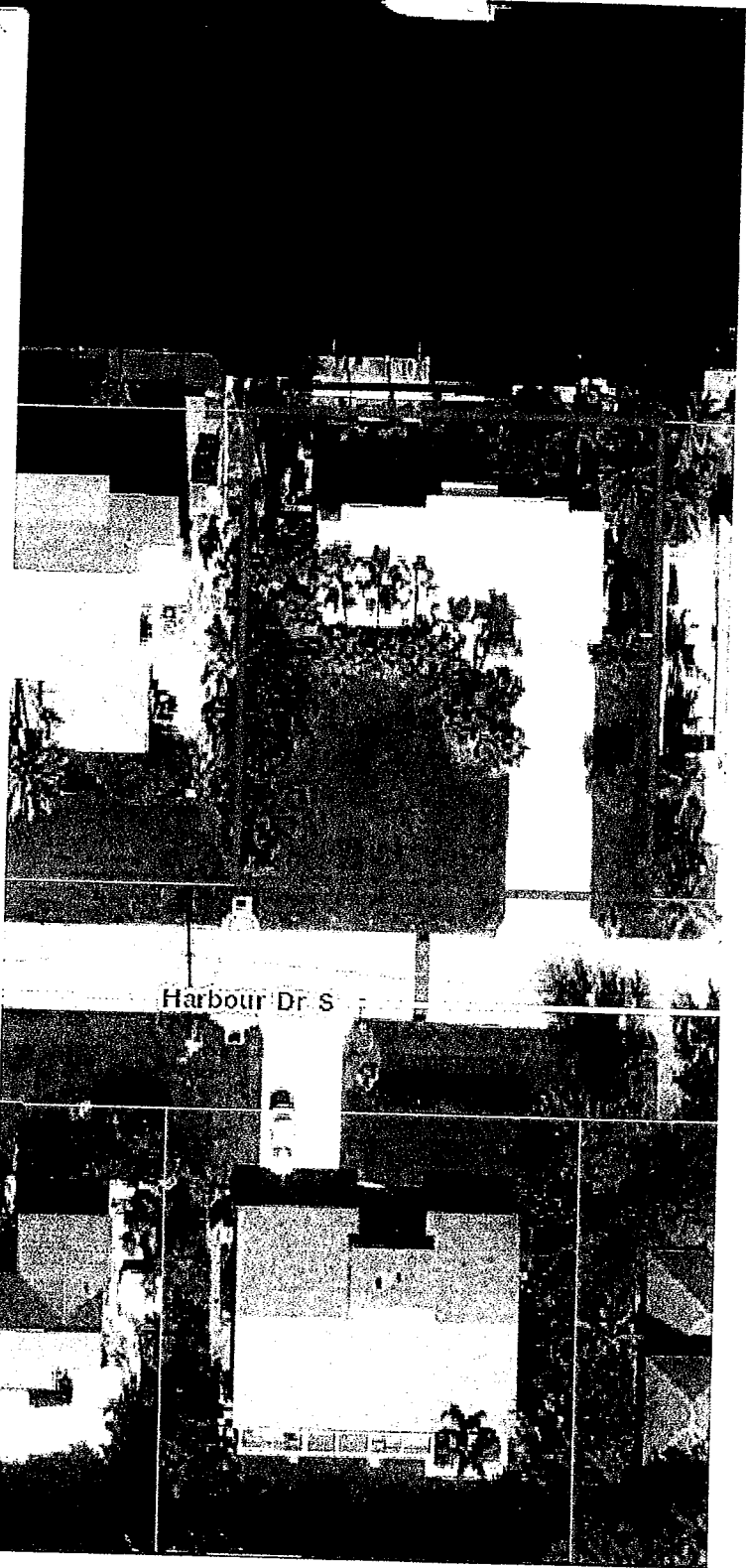


Exhibit E.

Property Detail

Location Address **26 HARBOUR DR S**
 Municipality **OCEAN RIDGE**
 Parcel Control Number **46-43-45-27-09-000-0320**
 Subdivision **RIDGE HARBOUR ESTS IN**
 Official Records Book **09318**
 Sale Date **MAY-1996**
 Legal Description **RIDGE HARBOUR ESTATES LT 32**

Page **0999**

Owner Information

Owners
JOHNSTON DARLENE R

Mailing address
26 HARBOUR DR S
BOYNTON BEACH FL 33435 6213

Sales Information

Sales Date	Price	OR Book/Page	Sale Type	Owner
MAY-1996	\$195,000	09318 / 00999	WARRANTY DEED	JOHNSTON DARLENE R
DEC-1995	\$100	09037 / 00175	QUIT CLAIM	
DEC-1994	\$100	08561 / 01546	QUIT CLAIM	
DEC-1994	\$169,000	08561 / 01545	WARRANTY DEED	
JUN-1987	\$115,000	05321 / 00713	WARRANTY DEED	

Exemption Information

Applicant/Owner	Year	Detail
JOHNSTON DARLENE R	2021	HOMESTEAD
JOHNSTON DARLENE R	2021	ADDITIONAL HOMESTEAD

Property Information

Number of Units **1**
 Total Square Feet: **2688**
 Acres **0.2309**
 Use Code **0100 - SINGLE FAMILY**
 Zoning **RSF - Single Family Residential (46-OCEAN RIDGE)**

Appraisals

	2020	2019	2018
Improvement Value	\$248,226	\$251,320	\$170,862
Land Value	\$765,000	\$747,000	\$855,535
Total Market Value	\$1,013,226	\$998,320	\$1,026,397

All values are as of January 1st each year

Assessed and Taxable Values

Tax Year	2020	2019	2018
Assessed Value	\$530,708	\$518,776	\$509,103
Exemption Amount	\$50,000	\$50,000	\$50,000
Taxable Value	\$480,708	\$468,776	\$459,103

Taxes

Tax Year	2020	2019	2018
Ad Valorem	\$9,516	\$9,389	\$8,934
Non Ad Valorem	\$173	\$175	\$175
Total tax	\$9,689	\$9,564	\$9,109

Exhibit F

Property Appraiser 409 - Property Detail history parcel control number

Buffer:

46434527090000320
 JOHNSTON DARLENE R
 26 HARBOUR DR S
 BOYNTON BEACH FL 33435 6213

Acres	0.23	Sales Instr	WD	MTG	
Value \$	1,013,226.00	Price \$	195,000.00	PUSE SINGLE FAMILY	RIDGE HARBOUR ESTATES
Taxbl \$	480,708.00	Date	5/1/1996 1	TaxDist 46984	LT 32
Bldg \$	248,226.00	Book	09318		
Land \$	765,000.00	Page	0999	NAV	

Buffer: 300

46434527090000080
 BOTT NICHOLAS B &
 32 HARBOUR DR N
 OCEAN RIDGE FL 33435 6212

Acres	0.23	Sales Instr	WD	MTG	
Value \$	753,237.00	Price \$	840,000.00	PUSE SINGLE FAMILY	RIDGE HARBOUR ESTATES
Taxbl \$	703,237.00	Date	5/18/2018	TaxDist 46984	LOT 8
Bldg \$	273,637.00	Book	29871		
Land \$	479,600.00	Page	273	NAV	

46434527090000090
 GLINERT PETER &
 34 HARBOUR DR N
 OCEAN RIDGE FL 33435 6212

Acres	0.23	Sales Instr	WD	MTG	
Value \$	723,198.00	Price \$	1,000,000.00	PUSE SINGLE FAMILY	RIDGE HARBOUR ESTATES
Taxbl \$	673,198.00	Date	9/10/2019	TaxDist 46984	LT 9
Bldg \$	243,598.00	Book	30887		
Land \$	479,600.00	Page	317	NAV	

46434527090000100
 SOMERVILLE BARRY D &
 1276 CATCHACOMA COURT
 MISSISSAUGA ON
 L5H 2Y6 CANADA

Acres	0.23	Sales Instr	WD	MTG	
Value \$	758,530.00	Price \$	673,000.00	PUSE SINGLE FAMILY	RIDGE HARBOUR ESTATES
Taxbl \$	703,343.00	Date	8/7/2015 1	TaxDist 46984	LOT 10
Bldg \$	278,930.00	Book	27732		
Land \$	479,600.00	Page	588	NAV	

46434527090000110
 SIMEONE ANGELA
 48 HARBOUR DR N
 BOYNTON BEACH FL 33435 6212

Acres	0.23	Sales Instr	WD	MTG	
Value \$	695,889.00	Price \$	10,000	PUSE SINGLE FAMILY	RIDGE HARBOUR ESTATES
Taxbl \$	286,169.00	Date	8/16/2001	TaxDist 46984	LT 11
Bldg \$	216,289.00	Book	12930		
Land \$	479,600.00	Page	1962	NAV	

Property Appraiser GIS - Property Detail list by parcel spatial number

46434527090000120	HARRIS HILLER	52 HARBOUR DR N	OCEAN RIDGE FL 33435 6212	Acres	0.23	Value \$	700,703.00	Taxbl \$	437,007.00	Bldg \$	221,103.00	Land \$	479,600.00	Sales Instr	WD	Price	\$ 515,000.00	Date	10/29/2013	Book	26445	Page	1056	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LOT 12
46434527090000190	PUGH GEOFFREY A &	35 HARBOUR DR N	BOYNTON BEACH FL 33435 6212	Acres	0.23	Value \$	1,075,890.00	Taxbl \$	450,880.00	Bldg \$	310,890.00	Land \$	765,000.00	Sales Instr	QC	Price	\$ 10.00	Date	11/1/2003	Book	16241	Page	1957	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LT 19
46434527090000200	HUTCHINS DAVID A &	33 HARBOUR DR N	BOYNTON BEACH FL 33435 6212	Acres	0.23	Value \$	954,748.00	Taxbl \$	389,770.00	Bldg \$	189,748.00	Land \$	765,000.00	Sales Instr	WD	Price	\$ 10.00	Date	12/26/2012	Book	25738	Page	547	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LT 20
46434527090000210	SHERIDAN TIMOTHY P	27 HARBOUR DR N	BOYNTON BEACH FL 33435 6212	Acres	0.23	Value \$	972,352.00	Taxbl \$	972,352.00	Bldg \$	207,352.00	Land \$	765,000.00	Sales Instr	WD	Price	\$ 1,500,000.00	Date	5/16/2018	Book	29881	Page	9	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LT 21
46434527090000220	MANCHON KENNETH L	23 HARBOUR DR N	BOYNTON BEACH FL 33435 6212	Acres	0.23	Value \$	2,188,522.00	Taxbl \$	1,527,189.00	Bldg \$	1,423,522.00	Land \$	765,000.00	Sales Instr	WD	Price	\$ 375,000.00	Date	4/1/1999	Book	11037	Page	0970	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LT 22
16434527090000230	KONRAD ROBERT L &	19 HARBOUR DR N	BOYNTON BEACH FL 33435 6212	Acres	0.23	Value \$	1,609,756.00	Taxbl \$	1,458,170.00	Bldg \$	844,756.00	Land \$	765,000.00	Sales Instr	WD	Price	\$ 1,980,000.00	Date	7/11/2019	Book	30756	Page	1850	MTG	PUSE SINGLE FAMILY	TaxDist	46984	RIDGE HARBOUR ESTATES	LT 23

Property Address - Property Index Map by parcel number

46434527090000240
 TRAYLOR BARBARA S
 15 HARBOUR DR N
 OCEAN RIDGE FL 33435 6212

Acres 0.23
 Value \$ 889,827.00
 Taxbl \$ 325,801.00
 Bldg \$ 124,827.00
 Land \$ 765,000.00

Sales Instr 00
 Price \$ 60,000.00
 Date 1/1/1974 1
 Book 02269
 Page 1677

MTG
 PUSE SINGLE FAMILY
 TaxDist 46984

RIDGE HARBOUR ESTATES LT 24

46434527090000250
 EVERTS TODD &
 16 SARUM FORGE WAY
 GLEN MILLS PA 19342 1486

Acres 0.23
 Value \$ 815,360.00
 Taxbl \$ 548,260.00
 Bldg \$ 135,360.00
 Land \$ 680,000.00

Sales Instr WD
 Price \$ 1,050,000.00
 Date 10/28/2020
 Book 31889
 Page 1548

MTG
 PUSE SINGLE FAMILY
 TaxDist 46984

RIDGE HARBOUR ESTATES LT 25

46434527090000260
 CHENOWETH ROBERTA
 7 HARBOUR DR N
 OCEAN RIDGE FL 33435 6212

Acres 0.25
 Value \$ 457,946.00
 Taxbl \$ 180,422.00
 Bldg \$ 117,946.00
 Land \$ 340,000.00

Sales Instr WD
 Price \$ 10.00
 Date 5/10/2018
 Book 29876
 Page 1757

MTG
 PUSE SINGLE FAMILY
 TaxDist 46984

NAV

RIDGE HARBOUR ESTATES LT 26

46434527090000270
 3 N HARBOUR LAND TRUST
 217 N SEACREST BLVD STE 413
 BOYNTON BEACH FL 33435 9998

Acres 0.49
 Value \$ 830,316.00
 Taxbl \$ 830,316.00
 Bldg \$ 235,316.00
 Land \$ 595,000.00

Sales Instr WD
 Price \$ 10.00
 Date 5/12/2020
 Book 31422
 Page 1082

MTG
 PUSE SINGLE FAMILY
 TaxDist 46984

NAV

RIDGE HARBOUR ESTATES LT 27 & NLY 1/2 (

46434527090000281
 GIANNETTI JEFFREY &
 564 ADMIRALS WAY
 DELRAY BEACH FL 33483 8022

Acres 0.42
 Value \$ 825,741.00
 Taxbl \$ 825,741.00
 Bldg \$ 230,741.00
 Land \$ 595,000.00

Sales Instr WD
 Price \$ 950,000.00
 Date 6/5/2019 1
 Book 30669
 Page 1583

MTG
 PUSE VACANT
 TaxDist 46984

NAV

RIDGE HARBOUR ESTATES SLY 1/2 OF LT 28

46434527090000300
 DEWITT FRED B III &
 18 HARBOUR DR S
 OCEAN RIDGE FL 33435 6213

Acres 0.23
 Value \$ 680,733.00
 Taxbl \$ 680,733.00
 Bldg \$ 733.00
 Land \$ 680,000.00

Sales Instr WD
 Price \$ 890,000.00
 Date 12/26/2018
 Book 30346
 Page 555

MTG
 PUSE VACANT
 TaxDist 46984

NAV

RIDGE HARBOUR ESTATES LT 30

Property Appraiser's Office - Property Detail Use by parcel control number

8/4/2021

46434527090000310
 FODOR VALENTIN Z
 22 HARBOUR DR S
 OCEAN RIDGE FL 33435 6213

Acres	0.23	Sales Instr	QC	MTG	
Value \$	944,958.00	Price \$	10.00	PUSE	SINGLE FAMILY
Taxbl \$	630,639.00	Date	3/3/2017 1	TaxDist	46984
Bldg \$	179,958.00	Book	29010		
Land \$	765,000.00	Page	473	NAV	

RIDGE HARBOUR ESTATES LT 31

46434527090000330
 SUTHERLAND JASON R &
 28 HARBOUR DR S
 OCEAN RIDGE FL 33435 6213

Acres	0.23	Sales Instr	QC	MTG	
Value \$	1,654,003.00	Price \$	10.00	PUSE	SINGLE FAMILY
Taxbl \$	1,604,003.00	Date	10/13/2014	TaxDist	46984
Bldg \$	889,003.00	Book	27162		
Land \$	765,000.00	Page	848	NAV	

RIDGE HARBOUR ESTATES LT 33

46434527090000340
 MARINI KIMBERLY M &
 400 LONNSTRROM LN
 SLINGERLANDS NY 12159 9829

Acres	0.23	Sales Instr	QC	MTG	
Value \$	2,627,220.00	Price \$	1,070,000.00	PUSE	SINGLE FAMILY
Taxbl \$	2,627,220.00	Date	7/18/2019	TaxDist	46984
Bldg \$	1,862,220.00	Book	30766		
Land \$	765,000.00	Page	1216	NAV	

RIDGE HARBOUR ESTATES LT 34

46434527090000350
 WILSON RICHARD H JR TRUST
 40 HARBOUR DR S
 BOYNTON BEACH FL 33435 6213

Acres	0.23	Sales Instr	WD	MTG	
Value \$	1,073,613.00	Price \$	2,300,000.00	PUSE	SINGLE FAMILY
Taxbl \$	1,073,613.00	Date	3/15/2021	TaxDist	46984
Bldg \$	308,613.00	Book	32329		
Land \$	765,000.00	Page	1392	NAV	

RIDGE HARBOUR ESTATES LT 35

46434527090000360
 ANDERSON LUMI J
 42 HARBOUR DR S
 OCEAN RIDGE FL 33435 6213

Acres	0.23	Sales Instr	WD	MTG	
Value \$	985,816.00	Price \$	1,000,000.00	PUSE	SINGLE FAMILY
Taxbl \$	935,816.00	Date	11/7/2018	TaxDist	46984
Bldg \$	220,816.00	Book	30251		
Land \$	765,000.00	Page	960	NAV	

RIDGE HARBOUR ESTATES LT 36

46434527090000430
 PALENA MARGARET A &
 37 HARBOUR DR S
 BOYNTON BEACH FL 33435 6213

Acres	0.27	Sales Instr	WD	MTG	
Value \$	1,238,131.00	Price \$	10.00	PUSE	SINGLE FAMILY
Taxbl \$	731,022.00	Date	5/12/2021	TaxDist	46984
Bldg \$	758,531.00	Book	32495		
Land \$	479,600.00	Page	1136	NAV	

RIDGE HARBOUR ESTATES
 LT 43 & ABND PORTER ST LYG S OF & ADJ TO

Property Appraiser Office - Property Detail Report for Parcel Control Number

46434527090000440
 SCHARLINSKI ELI TR
 18 CROCKER ST
 ROCKVILLE CENTRE NY 11570 1905

Acres	0.27	Sales Instr	QC	MTG	RIDGE HARBOUR ESTATES
Value \$	1,177,738.00	Price \$	10.00	PUSE	LT 44 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	1,058,750.00	Date	6/28/2013	TaxDist	46984
Bldg \$	698,138.00	Book	26220		
Land \$	479,600.00	Page	1896	NAV	

46434527090000450
 NGUYEN CHERYL C &
 31 HARBOUR DR S
 BOYNTON BEACH FL 33435 6213

Acres	0.27	Sales Instr	WD	MTG	RIDGE HARBOUR ESTATES
Value \$	1,095,926.00	Price \$	980,000.00	PUSE	LT 45 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	1,045,550.00	Date	7/24/2017	TaxDist	46984
Bldg \$	616,326.00	Book	29254		
Land \$	479,600.00	Page	1459	NAV	

46434527090000460
 OSBORN TIMOTHY F &
 27 HARBOUR DR S
 OCEAN RIDGE FL 33435 6213

Acres	0.27	Sales Instr	WD	MTG	RIDGE HARBOUR ESTATES
Value \$	654,219.00	Price \$	800,000.00	PUSE	LT 46 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	604,219.00	Date	4/1/2019	TaxDist	46984
Bldg \$	174,619.00	Book	30523		
Land \$	479,600.00	Page	1021	NAV	

46434527090000480
 PERRY THOMAS W III
 19 HARBOUR DR
 BOYNTON BEACH FL 33435

Acres	0.27	Sales Instr	WD	MTG	RIDGE HARBOUR ESTATES
Value \$	630,120.00	Price \$	260,000.00	PUSE	LT 48 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	214,922.00	Date	5/24/2002	TaxDist	46984
Bldg \$	150,520.00	Book	14033		
Land \$	479,600.00	Page	358	NAV	

46434527090000490
 KATZ ANDREW K &
 14714 HORSESHOE TRCE
 WELLINGTON FL 33414 7867

Acres	0.27	Sales Instr	WD	MTG	RIDGE HARBOUR ESTATES
Value \$	722,028.00	Price \$	626,000.00	PUSE	LT 49 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	690,786.00	Date	1/15/2016	TaxDist	46984
Bldg \$	242,428.00	Book	28091		
Land \$	479,600.00	Page	1965	NAV	

46434527090000500
 KOEDEL SCOTT S &
 11 HARBOUR DR S
 BOYNTON BEACH FL 33435 6213

Acres	0.28	Sales Instr	WD	MTG	RIDGE HARBOUR ESTATES
Value \$	904,947.00	Price \$	800,000.00	PUSE	LT 50 & ABND PORTER ST LYG S OF & ADJ TO
Taxbl \$	533,246.00	Date	9/17/2008	TaxDist	46984
Bldg \$	425,347.00	Book	22872		
Land \$	479,600.00	Page	532	NAV	

Property Appraisal Office - Property Detail Report as of 8/4/2021

46434527090010000
 OCEAN RIDGE TOWN OF
 6450 N OCEAN BLVD
 BOYNTON BEACH FL 33435 5251

Acres	0.11	Sales Instr	CO	MTG	
Value \$	33.00	Price \$	10.00	PUSE	RIDGE HARBOUR ESTATES
Taxbl \$	0.00	Date	10/3/2017	TaxDist	TR S A & B & PT OF ABND PORTER ST LYG S OF 8
Bldg \$	0.00	Book	29396		
Land \$	33.00	Page	1722	NAV	

46434527580000110
 NORMIS WILLIAMS JR
 1 OCEAN HARBOUR CIR
 BOYNTON BEACH FL 33435 6207

Acres	0.41	Sales Instr	WD	MTG	
Value \$	2,002,779.00	Price \$	2,187,500.00	PUSE	WATERWAYS AT OCEAN RIDGE LT 1
Taxbl \$	1,952,779.00	Date	3/28/2012	TaxDist	
Bldg \$	980,779.00	Book	25124		
Land \$	1,022,000.00	Page	1842	NAV	

46434527580000020
 FELDMAN LAWRENCE R &
 2 OCEAN HARBOUR CIR
 OCEAN RIDGE FL 33435 6207

Acres	0.32	Sales Instr	WD	MTG	
Value \$	2,180,491.00	Price \$	2,500,000.00	PUSE	WATERWAYS AT OCEAN RIDGE LT 2
Taxbl \$	2,130,491.00	Date	7/16/2013	TaxDist	
Bldg \$	1,158,491.00	Book	26204		
Land \$	1,022,000.00	Page	310	NAV	

46434527580000030
 DEBAPTISTE MARC &
 3 OCEAN HARBOUR CIR
 BOYNTON BEACH FL 33435 6207

Acres	0.32	Sales Instr	WD	MTG	
Value \$	2,289,197.00	Price \$	1,886,300.00	PUSE	WATERWAYS AT OCEAN RIDGE LT 3
Taxbl \$	2,239,197.00	Date	10/24/2012	TaxDist	
Bldg \$	1,267,197.00	Book	25557		
Land \$	1,022,000.00	Page	439	NAV	

46434527580000040
 CARBONE LOUIS J &
 4 OCEAN HARBOUR CIR
 BOYNTON BEACH FL 33435 6207

Acres	0.34	Sales Instr	WD	MTG	
Value \$	2,107,440.00	Price \$	2,652,168.00	PUSE	WATERWAYS AT OCEAN RIDGE LT 4
Taxbl \$	2,107,440.00	Date	7/14/2021	TaxDist	
Bldg \$	1,085,440.00	Book	32704		
Land \$	1,022,000.00	Page	805	NAV	

46434527580000050
 HURRY KOBIKI I &
 5 OCEAN HARBOUR CIR
 OCEAN RIDGE FL 33435 6207

Acres	0.33	Sales Instr	WD	MTG	
Value \$	2,013,515.00	Price \$	2,550,000.00	PUSE	WATERWAYS AT OCEAN RIDGE LT 5
Taxbl \$	1,963,515.00	Date	3/1/2013 1	TaxDist	
Bldg \$	1,064,515.00	Book	25879		
Land \$	949,000.00	Page	48	NAV	

Property Appraisal GIS - Property Detail Use by parcel control number

46434527580000060
 ROSSI CARL
 6 OCEAN HARBOR CIR
 BOYNTON BEACH FL 33435 6207

Acres	0.33	Sales Instr	QC	MTG	
Value \$	1,762,065.00	Price \$	10.00	PUSE	SINGLE FAMILY
Taxbl \$	1,558,121.00	Date	11/8/2010	TaxDist	46984
Bldg \$	1,032,065.00	Book	24263		
Land \$	730,000.00	Page	829	NAV	

WATERWAYS AT OCEAN RIDGE LT 6

46434527580010000
 WATERWAYS OCEAN RIDGE HOA INC
 6421 CONGRESS AVE STE 110
 BOCA RATON FL 33487 2858

Acres	2.10	Sales Instr		MTG	
Value \$	0.00	Price \$		PUSE	RESIDENTIAL COMMON AR
Taxbl \$	0.00	Date		TaxDist	46984
Bldg \$	0.00	Book			
Land \$	0.00	Page		NAV	

WATERWAYS AT OCEAN RIDGE TR A K/A STREE

46434527580030000
 WATERWAYS OF OCEAN RIDGE HOA INC
 6421 CONGRESS AVE # 110
 BOCA RATON FL 33487 2858

Acres	1.41	Sales Instr		MTG	
Value \$	0.00	Price \$		PUSE	RESIDENTIAL COMMON AR
Taxbl \$	0.00	Date		TaxDist	46984
Bldg \$	0.00	Book			
Land \$	0.00	Page		NAV	

WATERWAYS AT OCEAN RIDGE TRS C & D K/A I AREAS

46434527580050000
 WATERWAYS OF OCEAN RIDGE HOA INC
 6421 CONGRESS AVE # 110
 BOCA RATON FL 33487 2858

Acres	0.26	Sales Instr		MTG	
Value \$	0.00	Price \$		PUSE	RESIDENTIAL COMMON AR
Taxbl \$	0.00	Date		TaxDist	46984
Bldg \$	0.00	Book			
Land \$	0.00	Page		NAV	

WATERWAYS AT OCEAN RIDGE TRS E & F K/A L

Exhibit G

Angel Darlene Johnston
26 Harbour Drive South
Ocean Ridge, FL 33435

September 15, 2021

Town of Ocean Ridge
6450 North Ocean Boulevard
Ocean Ridge, FL 33435

RE: Variance Application for 26 Harbour Drive South

Please be advised that I, Angel Darlene Johnston am the sole owner of 26 Harbour Drive South. I purchased the lot for cash in 1996 and got my CO in 1997. I have lived in this house for the past 24 years.

Thank you in advance,

Respectfully,

A handwritten signature in black ink, appearing to read "A. Johnston". The signature is written in a cursive, flowing style.

Angel Darlene Johnston

Exhibit H.



IMG_4830.JPG

Exhibit H

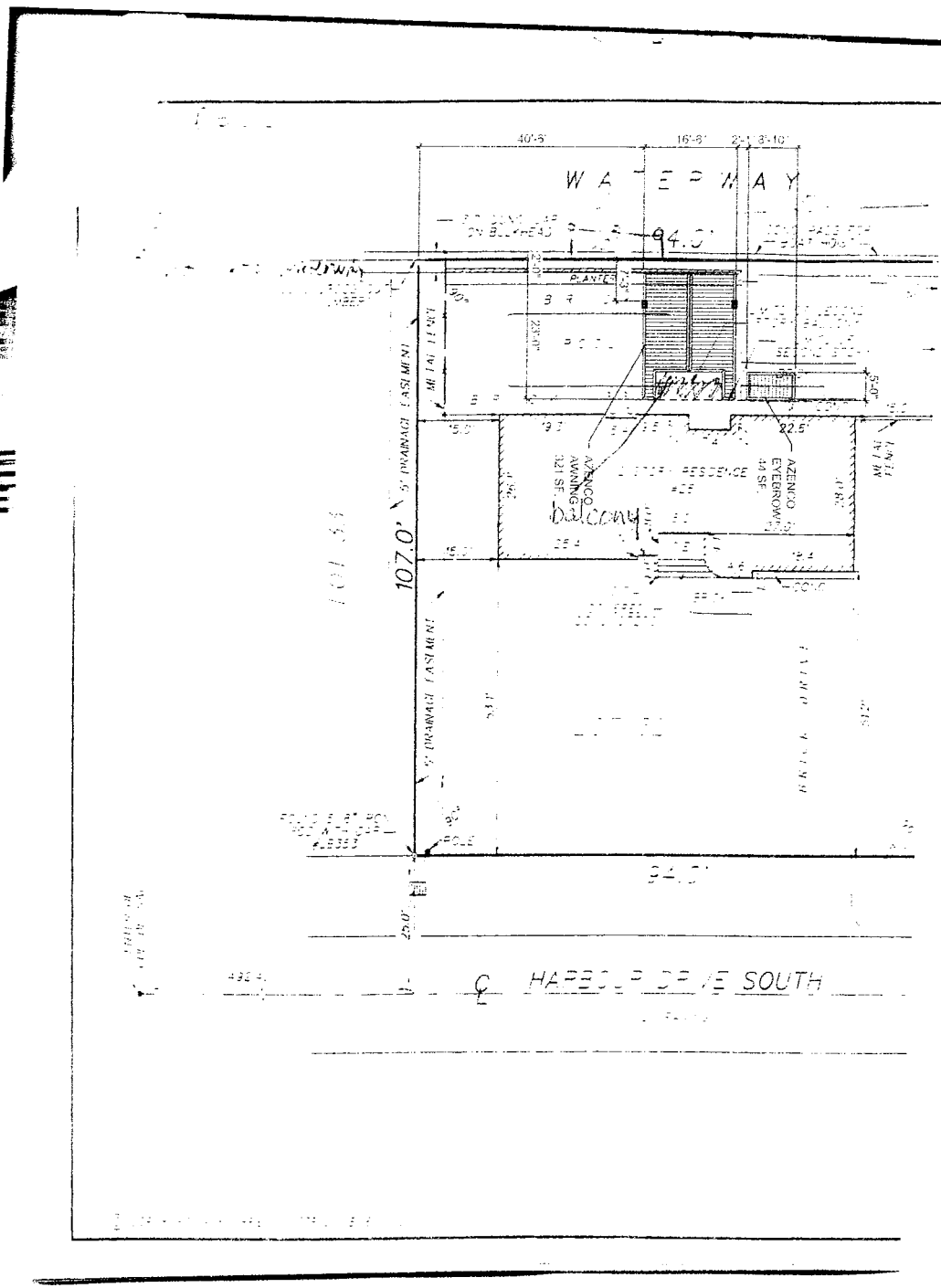
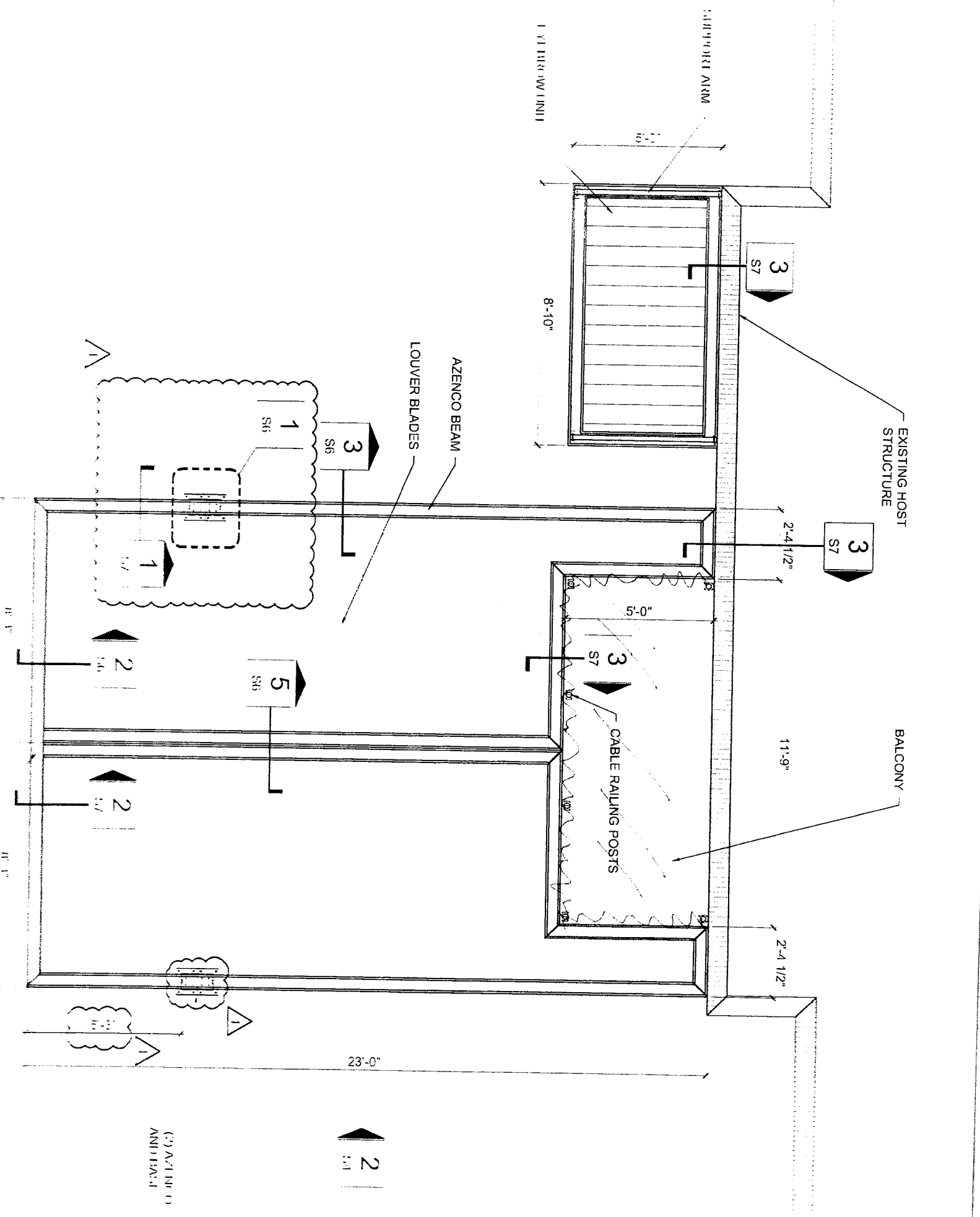
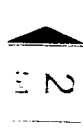
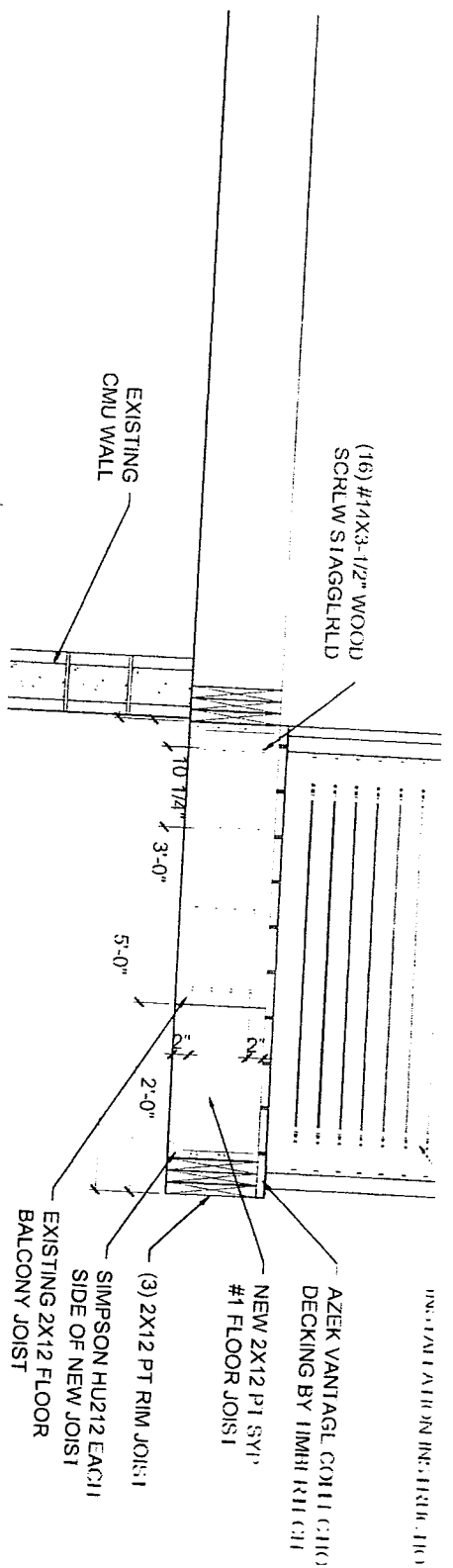


Exhibit H

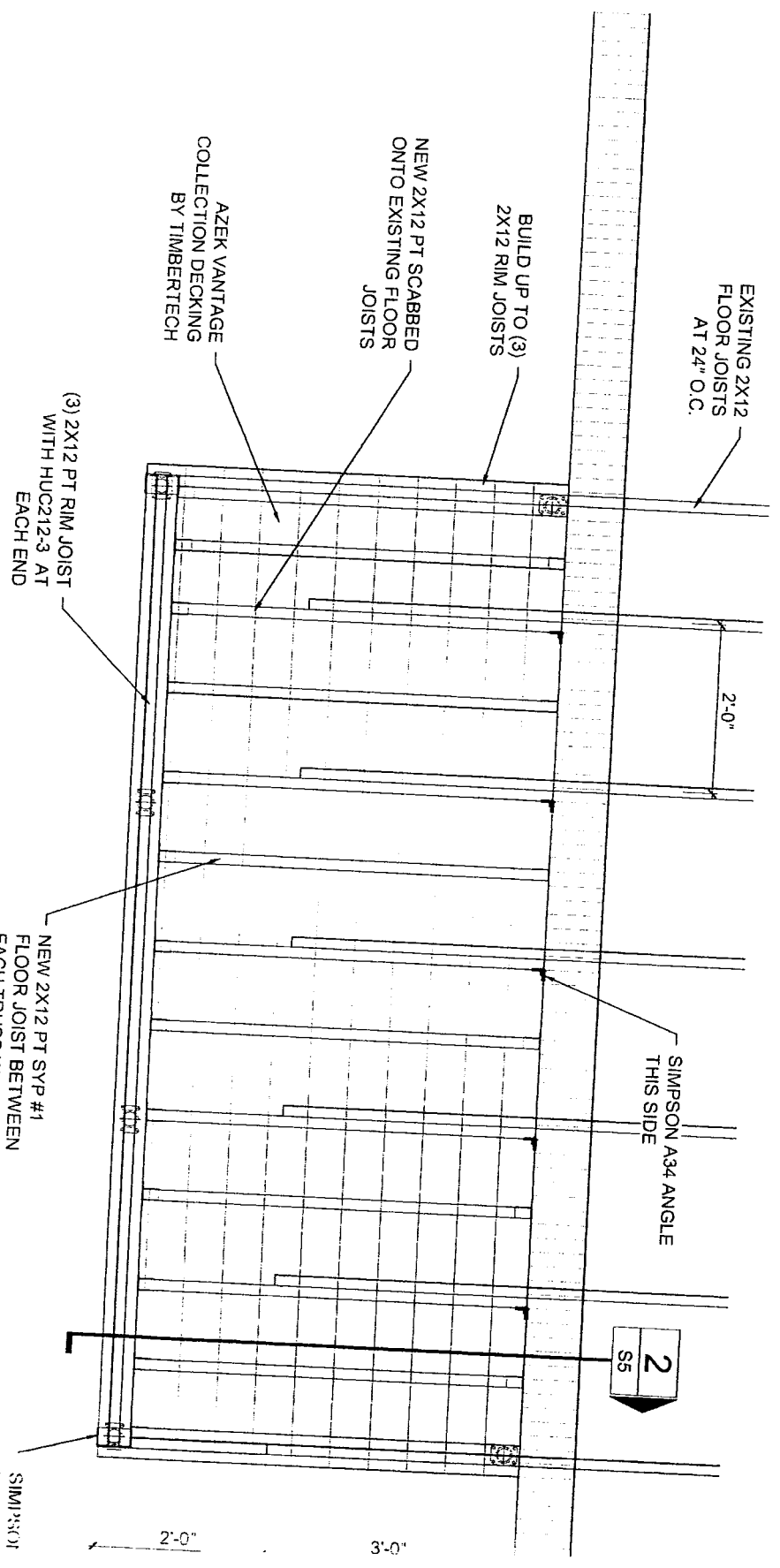


(C) AZENCO
AND ENCL





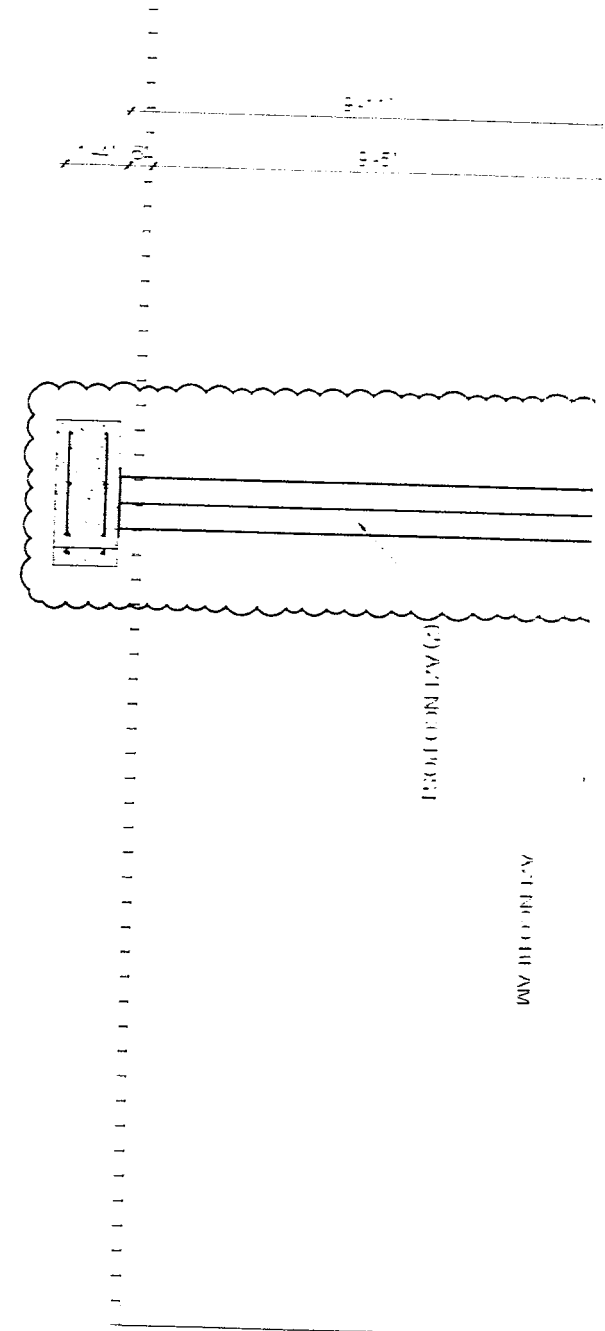
2 BALCONY JOIST SECTION
 S5 SCALE: 1/2" = 1'-0"



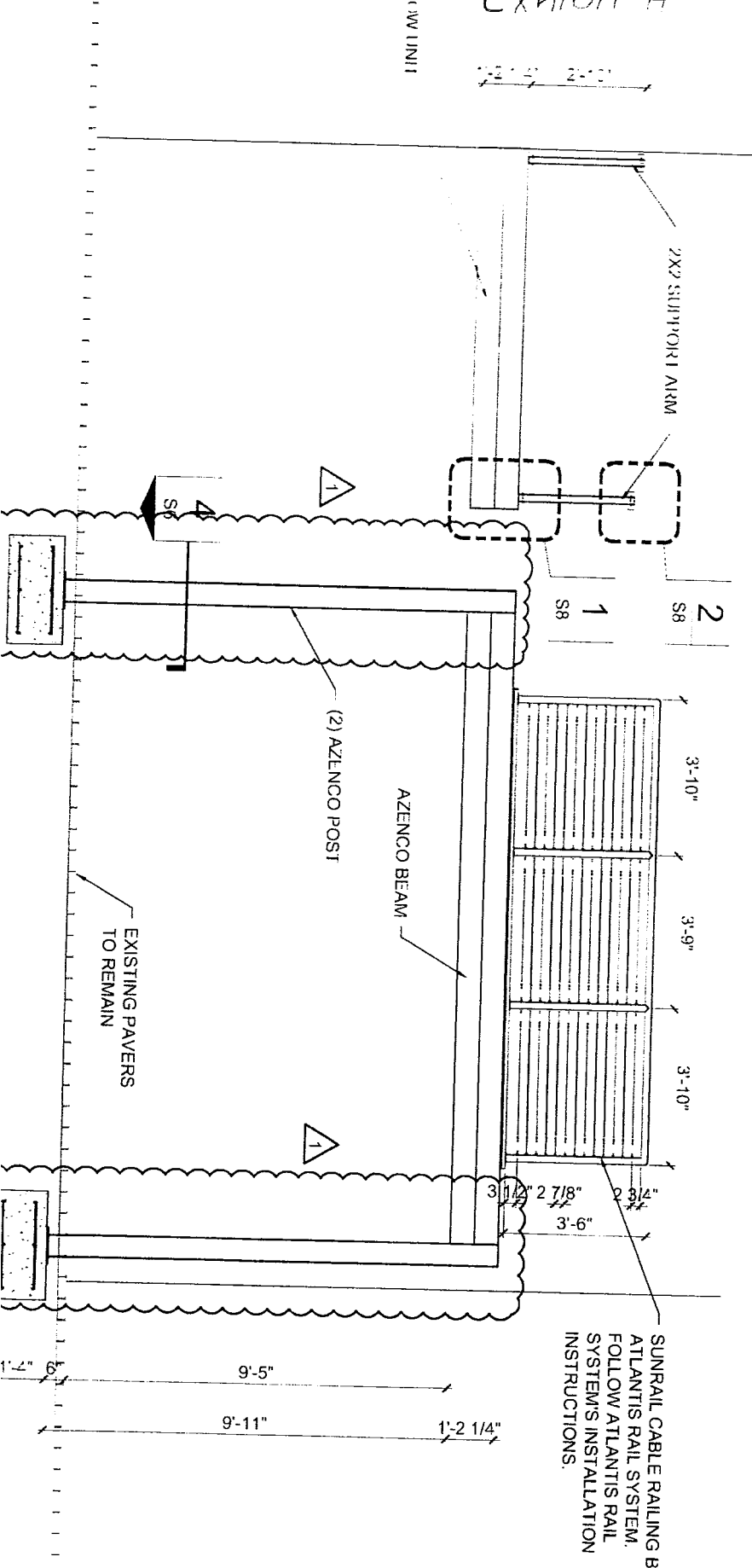
1 BALCONY PLAN VIEW

EXISTING ARM

(2) AZENCO POSTS



2 SIDE ELEVATION
 S4 SCALE: 1/4" = 1'-0"



SUNRAIL CABLE RAILING BY
 ATLANTIS RAIL SYSTEM.
 FOLLOW ATLANTIS RAIL
 SYSTEMS INSTALLATION
 INSTRUCTIONS.



DE STEFANO
 ENGINEERING GROUP, PL

341 Interstate Blvd
 Sarasota, Florida 34234

Phone: 941-554-2224
 Fax: 941-554-0871



AZENCO

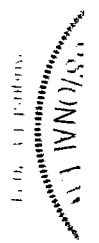


Exhibit H





Exhibit H.

Exhibit H





DE STEFANO
ENGINEERING GROUP, PL

Arnold/Sanders

September 7, 2021

Bob McAllister
Palm Beach Pergola
2116 N. Dixie Hwy
Lakeworth, FL.33460

RE: The Johnston Residence –26 Harbour Dr. S. Ocean Ridge, FL
DEG File No. 214351
Field Condition Letter

Dear Bob,

As requested *DeStefano Engineering Group, PL (DEG)* has been asked to provide a narrative on why we cannot cantilever the Azenco awning any further than 5'-3".

DEG offers the following, DEG has provided two different scenarios on where posts can be for the Azenco shade awning. The best option is for the posts to be at the corners of the Azenco unit. We cannot move the posts any closer to the host structure than the 5'-3" as previously mentions due to the location of the existing pool. Having a post in the middle of the pool is not an option nor with DEG take the responsibility for the integrity of the pool's shell.

DEG did try to see if a kicker support beam could be used connecting to the structure at a 45-degree angle. This option presented tripping and head injury hazards.

We do understand the homeowner requires shade to sit out back however, DEG believes this is the only two viable options.

Let us know how you would like to proceed.

If you have any questions or require additional information regarding this report, please do not hesitate to call.

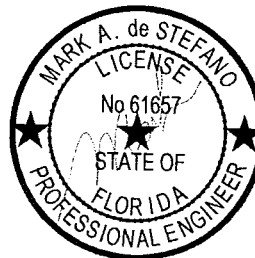
Sincerely,

DE STEFANO ENGINEERING GROUP, PL

Mark A. de Stefano, PE

Mark A. de Stefano, PE
President / Principal

Fl. PE 61657
Certificate of Authorization 27383



Digitally signed by Mark A DeStefano
DN: c=US, o=DESTEFANO
ENGINEERING GROUP PL,
dnQualifier=A01410D00000178AD08A
4C4000490AE, cn=Mark A DeStefano
Reason: This document has been
digitally sealed. Printed copies of this
document are not considered sealed
and the SHA authorization code must
be verified on any electronic copies.
Date: 2021.09.08 09:19:11 -04'00'

Sarasota Office
341 Interstate Blvd.
Sarasota Florida 34240
Ph. (941) 371-1724

Fort Myers Office
12651 McGregor Blvd., Suite 103
Fort Myers, Florida 33919
Ph. (239) 267-3666