

**TOWN OF OCEAN RIDGE  
BOARD OF ADJUSTMENT MEETING  
AGENDA**



**October 16, 2024 at 9:00 AM  
Town Hall - Meeting Chambers**

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**COMMISSION**

Chair Bruce Hindin  
Vice Chair Betty Bingham  
Member Arthur Ziev  
Member Victor Martel  
Member Robert Sloat  
Alt. Member Nicholas Arsali  
Alt. Member John Lipscomb

**ADMINISTRATION**

Town Manager Lynne Ladner  
Town Attorney Christy Goddeau  
Town Clerk Kelly Avery  
Building Official Mike Crisafulle  
Town Planner Corey O'Gorman  
Town Engineer Tara Bamber

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**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**DISCUSSION / ACTION ITEMS**

1. Approval of the Minutes of the April 17, 2024, May 17, 2023, and the April 19, 2023, Meetings.
2. Selection of Chair & Vice Chair
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 III, Supplemental Regulations, Section 64-41; Accessory uses, buildings and structures generally- to permit a sun trellis to be located 2'6" from the legal property line. The variance would allow for 2'6" setback for the sun trellis from the property line and a relief of 22'6" 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. You may join from your computer, tablet or smartphone. <https://meet.goto.com/284378493>

**Notice: The public may view the hard copy of the meeting materials at Town Hall before the meeting.**

**Agenda: Wednesday, October 16, 2024**  
**Memo: Item #1.**

**Town of Ocean Ridge, Florida**

**Town Commission Agenda Memorandum**

**Kelly Avery, Town Clerk**

**Subject: Approval of the Minutes of the April 17, 2024, May 17, 2023, and the April 19, 2023, Meetings.**

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Commissioners -

As mentioned at the last meeting in April 2024, there have been several sets of minutes that have never gotten approved for various reasons. I am trying to get things back in order and with this meeting and possibly the next few meetings, we aim to get all these caught up. Please consider approving these minutes so that the record is correct.

**Suggested Motion:**

Respectfully,  
Kelly Avery, Town Clerk

BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 17, 2024

**CALL TO ORDER**

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

**ROLL CALL**

Town Clerk Avery led the roll call, which was answered by the following:

Chair Bruce Hindin  
Vice Chair Betty Bingham  
Member Arthur Ziev  
Member Victor Martel  
Member Robert Sloat

**PLEDGE OF ALLEGIANCE**

Chair Hindin led the pledge of allegiance. Chair Hindin requested that item 1 the Approval of the Minutes be changed to item 2 and item number 2 Discussion/Action item become item 1.

**DISCUSSION/ACTION ITEMS**

1. An application submitted by Helen Asir, as owner, for a parcel of property located at 5920 N Ocean Blvd, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64, Zoning, Article I, RSF and RSE single-family residential districts, Section 64-1 (j)(2)(b) Minimum side (interior) yard setback to permit a 5'9" side interior, which is a 9'3" variance from the required 15' setback. The property is located at 5920 N Ocean Blvd, property control number 46-43-45-27-08-000-0453 and legally described as AMENDED PL OF BOYNTONS SUB N 110 FT OF S 210 FT OF MUCK LT 45 LYG W OF SR A1A (exact legal Description located at Town Hall).

Chair Hindin explained that this is a quasi-judicial hearing and asked if any board members had any ex-pare communications with the applicant, owner, or builder. Member Sloat stated that he visited the property. Member Hindin stated that he visited the property and searched on Google Earth. Member Bingham stated that she visited the back of the property. Member Martel stated that he drove by the property.

Town Clerk Avery swore in those who wished to give testimony.

Town Planner O'Gorman gave his report with an explanation of the item. He recommended that the Board take into consideration the staff report and information provided by the applicant.

Joseph Asir, the owner, explained the variance request.

Chair Hindin opened the floor for public comment.

Terry Brown – spoke regarding substantial improvements and is not in favor of the project.  
Carolyn Cassidy – made a comment regarding substantial improvement under the flood regulations.

Chair Hindin closed the floor for public comment.

There was a discussion regarding the Fifty (50) percent threshold for substantial improvement.

The board asked Mr. Asir questions regarding the driveway, foundation, and the impact the improvements

BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 17, 2024

may have on the neighbors' properties and Mr. Asir answered their questions.

Chair Hindin closed the quasi-judicial hearing and asked for the Board Members' discussion.

The Board discussed the setback requirements for the sunroom, the previous history of the structure, rules, guidelines, and regulations set by the board.

**Member Ziev moved to approve the variance request with conditions that only the structure and any renovations must be within the current footprint; seconded by Member Sloat. Motion carried 4-1.**

### APPROVAL OF MINUTES

2. Approval of the Minutes of the April 19, 2022, February 15, 2023, and March 15, 2023, Meetings.  
(*Changed from item number 1. to item number 2*)

Member Ziev left the dais.

**Member Bingham moved to approve the minutes of April 19, 2022, February 15, 2023, and March 15, 2023, as submitted; seconded by Member Sloat. Motion carried 4-0.**

3. Approval of the 2024 BOA Meeting Dates

**Member Hindin moved to approve the 2024 BOA Meeting Dates with the removal of the August 2024 date as submitted; seconded by Member Martel. Motion carried 4-0.**

### ADJOURNMENT

**Member Bingham moved to adjourn the meeting at 9:52 a.m.; seconded by Member Sloat. Motion carried 4-0.**

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Board of Adjustment on October 16, 2024.

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Chair Hindin, Chair

ATTEST:

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Kelly Avery, Town Clerk

BOARD OF ADJUSTMENT MEETING MINUTES  
MAY 17, 2023

Meeting Minutes of the Board of Adjustment of the Town of Ocean Ridge held on Tuesday, May 17, 2023, in the Town Hall Meeting Chambers.

**CALL TO ORDER**

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

**ROLL CALL**

Town Clerk Avery led the roll call, which was answered by the following:

|                            |         |
|----------------------------|---------|
| Chair Bruce Hindin         | Present |
| Member Arthur Ziev         | Present |
| Member Betty Bingham       | Present |
| Member Victor Martel       | Present |
| Member Robert Sloat        | Absent  |
| Alt Member Nicholas Arsali | Present |
| Alt Member John Lipscomb   | Absent  |

Member Sloat was absent with notice.

**PLEDGE OF ALLEGIANCE**

Chair Hindin led the Pledge of Allegiance.

**DISCUSSION/ACTION ITEMS**

**1. Selection of Chair & Vice Chair**

Town Clerk Avery explained the selection process. The ballots were passed out to the board and the voting commenced. The results of the votes were Bruce Hindin was reelected as Chair and Betty Bingham became Vice Chair.

**2. ~~An application submitted by Albert & Patricia Thrower, as owners, for parcel of property located at 8 Inlet Cay Drive, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64, Zoning, Article IV, Marinas, Docks, and Bulkheads, Section 64-77 (b); Location, type and height of docks, floating docks, and pilings to permit a floating dock to be located 3' from the property line at East end of Seawall, rather than 10'. Also, Section 64-77(d) to permit kayak racks to be constructed on the floating platform, which is normally prohibited. The property is located at 8 Inlet Cay Drive, property control number 46-43-45-22-11-000 0080 and legally described as INTLET CAY DRIVE, LT 8 (exact legal description located at Town Hall).~~ (CONTINUED TO JUNE MEETING)**

**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 III, Supplemental Regulations, Section 64-41; Accessory uses, building and structures generally – to permit a sun trellis to be located 7' 3' from the legal property line.**

BOARD OF ADJUSTMENT MEETING MINUTES  
MARCH 15, 2023

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 for the second floor balcony from the property line and relief of 2' from 25' required setback; and would allow for a 7'3' setback for the sun trellis from the property line and relief of 17'9" 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).

Town Clerk Avery read the item into the record by title.

Chair Hindin 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 Martel stated that he lives five houses down from the property. Vice Chair Bingham went to look at the property. Member Ziev used Google Earth to look at the property. Member Arsali stated that he lives five houses down from the property. Chair Hindin mentioned that this is a revised case, and he previously viewed the property.

Town Clerk Avery swore in those who wished to give testimony.

Darlene Johnston, owner of the property, spoke briefly about her variance request.

Town Planner O'Gorman explained that his staff report indicates background and conditions for approval. He stated his recommendation is to consider the information in the staff report, application, and testimony provided to decide granting or denial of the variance.

A representative of Palm Beach Pergola emphasized that the balcony & trellis would be constructed to code and enhance Ms. Johnston's property.

Ms. Johnston emphasized that her request exceeded the length of time and should be approved.

The Board expressed their concerns regarding approving variance extensions and balconies constructed throughout the town.

Chair Hindin closed the quasi-judicial hearing and asked for the Board Members' discussion.

There was a discussion regarding the size of Ms. Johnson's balcony that was approved at the previous meeting.

**Member Ziev moved to approve both variances with conditions outlined by Town Attorney Goddeau; seconded by Member Arsali. Motion carried 4-1.**

BOARD OF ADJUSTMENT MEETING MINUTES  
MARCH 15, 2023

**STAFF PRESENTATIONS**

**1. Power and Duties of the Board of Adjustment when reviewing variances. (By: Town Attorney Goddeau)**

Town Attorney Goddeau provided an overview of the Power and Duties of the Board of Adjustment handbook. She discussed the rules of the Sunshine Law and County Community on Ethics and gift rules.

There was a question about approving expired variances assuming no ordinances changed, and Town Attorney Goddeau answered the question. More discussion followed regarding expired variances and criteria for granting or denying a variance.

Chair Hindin questioned the meeting dates and times.

Vice Chair Bingham announced that she will not be here for the June 21<sup>st</sup> meeting.

There was a brief discussion, and the Board all agreed that the time and day of the week was sufficient. Discussion ensued regarding time limitations for variance extensions.

There was a consensus to recommend they change the ordinance that extensions granted for variances remain 60 days and allowed for continuance up to 120 days.

Attorney Goddeau stated that she was going to review the current ordinance some more and if a change is needed, then she would bring up the Board's recommendations to the Town Commission when they review it.

**ADJOURNMENT**

Meeting adjourned at 10:08 a.m.

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Board of Adjustment on October 16, 2024.

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Bruce Hindin, Chair

Attest:

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Kelly Avery, Town Clerk



BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 19, 2023

Meeting Minutes of the Board of Adjustment of the Town of Ocean Ridge held on Tuesday, April 19, 2023, in the Town Hall Meeting Chambers.

**CALL TO ORDER**

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

**ROLL CALL**

Town Clerk Kelly led the roll call, which was answered by the following:

|                            |         |
|----------------------------|---------|
| Chair Bruce Hindin         | Present |
| Member Ann Cody            | Absent  |
| Member Betty Bingham       | Present |
| Member Robert Sloat        | Present |
| Alt Member Nicholas Arsali | Present |
| Alt Member John Lipscomb   | Absent  |

Members Cody and Lipscomb were absent with notice.

**PLEDGE OF ALLEGIANCE**

**DISCUSSION/ACTION ITEMS**

**1. An application submitted by Albert R. Naar, for a for a parcel of property located** at 6107 N Ocean Blvd, 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(k)(1)(b); RSE single-family residential estate districts regarding the minimum lot area and dimensions – to permit a lot size width of 79.12 feet, rather than the required 100-foot lot size width. The property is located at 6107 N Ocean Blvd, property control number 46-43-45-27-08-009-0031 and legally described as AMENDED PL OF BOYNTONS SUB S ½ OF LT 3 & LT 4 BLK 9 (exact legal description located at Town Hall).

Town Clerk Avery read the item title into the record by title.

Chair Hindin 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. All other Board Members informed that they had no ex-parte communications since the last meeting.

Town Clerk Kelly swore in those that wished to give testimony.

Town Planner O’Gorman provided an updated explanation of the item. He stated that the report provides additional background for the lot and staff recommends granting a variance based on compliance with the criteria provided in his staff report.

Albert Naar, the applicant, presented a slide presentation and explanation of his variance request.

Chair Hindin opened the floor for public comment.

BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 19, 2023

Carolyn Cassidy – spoke regarding a legal lot of record and she stated she supports the variance.  
Terry Brown – commended the applicant and requested approval of the variance.

Chair Hindin closed the floor for public comment and asked for staff comments. There were none.

Mr. Naar mentioned a family purchased 6103 N Ocean Blvd but decided to sell it because the vacant lot next to their property was an eyesore.

The board asked questions about maximum lot coverage, square footage, and requirements. Town Planner O’Gorman answered their questions.

Chair Hindin closed the quasi-judicial hearing and asked for the Commissioners' discussion. The board all agreed to move and approve the variance request.

**Member Sloat moved to approve the 6107 N Ocean Variance request; seconded by Member Bingham. Motion carried 4-0.**

**2. An application submitted by Albert & Patricia Thrower, as owners, for parcel of property located at 8 Inlet Cay Drive, Ocean Ridge, FL 33435, requesting a variance from the provisions of the Land Development Code, Chapter 64, Zoning, Article IV, Marinas, Docks, and Bulkheads, Section 64-77 (b); Location, type and height of docks, floating docks, and pilings – to permit a floating dock to be located 3’ from the property line at East end of the Seawall, rather than 10’. Also, Section 64-77(d) – to permit kayak racks to be constructed on the floating platform, which is normally prohibited. The property is located at 8 Inlet Cay Drive, property control number 46-43-45-22-11-000-0080 and legally described as INLET CAY, LT 8 (exact legal description located at the Town Hall).**

Town Clerk Avery read the item title into the record by title.

Chair Hindin 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 Sloat stated that he only drove by the property. Member Bingham explained that she completed a study about kayaks. Member Arsali had no ex-parte communications with the applicant, owner, or builder, and Chair Hindin stated that he visited the site previously.

Town Clerk Kelly swore in those who wished to give testimony.

Town Planner O’Gorman provided an updated explanation of the item. He recommended that the Board should consider the information provided in the staff report.

Patricia F. Thrower, owner of the property, provided background information on the item. She also responded to each variance request.

The Board asked questions about the setback requirements for floating platforms and Town Attorney Goddeau answered their questions.

BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 19, 2023

Chair Hindin opened the floor for public comment.

David Glickman, attorney for Nancy Fornatora, entered documents in the record as evidence. He stated that Mrs. Fornatora is opposed to the variance request and provided specific details for the denial of the variance. He also stated that all criteria should be met for each variance.

Martin Wiescholek – spoke about the replacement of the boat dock and explained that a variance is a hardship. He stated that the applicant could install a boat lift. Cut off a portion of your boat dock. He does not support the variance.

Terry Brown – stated that the variance should be denied.

Carolyn Cassidy – mentioned that she wanted to remind everyone that the variance was already approved previously, and now new conditions are being imposed.

Fritz Devitt - asked Town Attorney Goddeau if all criteria should be met before granting the variance and Town Attorney Goddeau answered yes to his question. He stated that he does not support the variance.

Mrs. Thrower responded to the residents' concerns regarding the placement of her platform. There was a discussion about the dock being moved further east. Mrs. Thrower proceeded to discuss that the boat dock had nothing to do with her view.

The Board asked questions about the reconstruction of the seawall, platform, and the weight of the kayak.

Member Bingham asked a question about pilings on the property line and Town Attorney Goddeau answered her question. More discussion followed regarding pilings, the setbacks, the previous variance request, and documentation showing the placement of the original boat dock.

Chair Hindin closed the quasi-judicial hearing and asked for the Commissioners' discussion.

The Board expressed their concerns and was not in favor of the variance request.

Chair Hindin reminded the Board that the variance request was previously approved and recommended that the applicant submit a written explanation of why they made the recommendations.

Town Attorney Goddeau mentioned that the initial variance request was approved for only the side setback.

Further discussion ensued about the size of the platform and relocation of the boat dock.

**Member Arsali moved to table this item until further notice that additional information is provided along with the Marine Engineer report and the previous architectural drawings showing the boatlift; seconded by Member Bingham. Motion carried 4-0.**

BOARD OF ADJUSTMENT MEETING MINUTES  
APRIL 19, 2023

**ADJOURNMENT**

Meeting adjourned at 10:34 a.m.

Minutes prepared by Deputy Town Clerk Pinder and adopted by the Board of Adjustment on October 16, 2024.

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Bruce Hindin, Chair

Attest:

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Kelly Avery, Town Clerk

**Town of Ocean Ridge, Florida**  
**Town Commission Agenda Memorandum**  
**Kelly Avery, Town Clerk**

**Subject: Selection of Chair & Vice Chair**

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Board of Adjustment Members:

After each annual appointment cycle, the board has to choose a Chair and Vice Chair as indicated in the Code.

Section 63-34 (c)(1) of the Town Code of Ordinances requires that a Chair and a Vice-Chair be selected from among its members. Per the Rules of Order and Procedure, the Chair and the Vice Chair shall be selected by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

The Chair will serve as the presiding officer for the Board of Adjustment meetings. The Presiding Officer shall preserve order during the meetings. In the case of absence or disability of the Chair, the Vice-Chair shall assume the responsibilities of the Chair as Presiding Officer. The Rules of Order and Procedure is attached for reference.

**Suggested Motion:**

Respectfully,  
Kelly Avery, Town Clerk

# TOWN OF OCEAN RIDGE

6450 NORTH OCEAN BOULEVARD

OCEAN RIDGE, FLORIDA 33435

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LYNNE LADNER  
TOWN MANAGER

KELLY AVERY  
TOWN CLERK



MAYOR  
GEOFF PUGH

VICE MAYOR  
STEVE COZ

COMMISSIONERS  
CAROLYN CASSIDY  
DAVID HUTCHINS  
AINAIR AIJALA JR.

## TOWN COMMISSION & BOARDS RULES OF ORDER AND PROCEDURE

Adopted by Resolution No. 2021-24 on November 1, 2021

### **Rule 1. Public Meetings.**

- 1.1 All Town Commission and Town Commission Appointed Board/Committee meetings shall be open to the public except as otherwise provided by law.

### **Rule 2. Regular Meetings.**

- 2.1 The Town Commission shall meet the first Monday of each month at 6 p.m. in Town Hall. This date may be changed from time to time as needed by a majority vote of the Town Commission.
- 2.2 The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law. Town Commissioners and Department Heads may make requests in writing to the Town Manager to place an item on the upcoming Town Commission meeting agenda by the deadline date set by the Town Manager. If the Town Manager refuses to accept any Commissioner's timely addition to the agenda, the Commissioner can bring up the matter during Commission discussion. The order of the items on the Town Commission agenda will be determined by the Town Manager, subject to change by a majority vote of the Town Commission at the beginning of the meeting.

### **Rule 3. Special Meetings**

- 3.1 Special Meetings may be held on the call of the Mayor or of a majority of the members of the Town Commission and, whenever practicable, upon no less than twenty-four hours' notice to each member and the public, unless there is an immediate threat to the public health, safety or welfare. The Town Manager or designee shall prepare the agenda, notices, and package materials for the meetings as required by Florida law.
- 3.2 The Mayor, Town Manager, or a majority of the Commission Members may call an Emergency Town Commission meeting when a sudden,

urgent event or situation arises necessitating immediate action and judgment. The Town Clerk or designee shall post the agenda and notify each Town Commission Member, the Town Manager, and Town Attorney immediately. Such notification shall be given as soon as practicable before commencement of the meeting, which may be less than 24 hours' notice, and shall state the time, place, and subject of the meeting.

#### **Rule 4. Adjourned Meeting**

- 4.1 A Town Commission session may be adjourned or continued from day to day or for more than one day, but the adjournment shall not be extended beyond the next regular meeting.

#### **Rule 5. Duties and Responsibilities of the Presiding Officer**

- 5.1 The Mayor shall preside at Town Commission meetings and shall be recognized as head of the Town government for ceremonial purposes and by the Governor for martial law purposes. The Presiding Officer shall preserve order during Town Commission meetings. The Presiding Officer shall have discretion to make rulings for the progress of the meeting, subject to these rules. In the case of absence or disability of the Mayor, the Vice-Mayor shall assume the responsibilities of the Mayor as Presiding Officer, and if both are absent or disabled the Commissioner with the longest term of continuous service shall preside.

The Chair of a Board/Committee shall be designated as the Presiding Officer for the Board/Committee he/she serves, with the Vice-Chair presiding in the absence of the Chair, and if both are absent or disabled the committee member with the longest term of continuous service present at the meeting shall preside.

- 5.2 The Presiding Officer may call to order any member of the Commission, staff, or any member of the public who shall violate any of these rules or otherwise disrupt the orderly proceeding of the meeting.

#### **Rule 6. Corporate Seal**

- 6.1 The duly appointed Town Clerk shall keep in custody the Town's corporate seal and ensure its proper and lawful use on behalf of the Town. No person shall use the Town Seal for a purpose other than official Town business.

#### **Rule 7. Presentations & Public Comment**

- 7.1 Town Commission and Board/Committee meetings are business meetings of the Commission/Board/Committee and the right to limit discussion rests with the Commission/Board/Committee.
- 7.2 Except as otherwise set forth in these Rules, persons who make an approved, pre-scheduled presentation to the Town Commission must limit the duration of their presentation to 15 minutes. Exceptions may be granted by the Presiding Officer.

- 7.3 Public Comments made by a member of the public will be limited to one time per subject matter for a total of three minutes. Exceptions may be granted by the Presiding Officer or a majority of Commissioners agreeing to grant extended time not to exceed one minute. Individuals addressing the Commission on the same topic as an individual who has already spoken should attempt to provide new information. When possible, individual grievances should first be taken up with Town Staff before comments are made at a Town Commission meeting.
- 7.4 The Commission may withhold comment or direct the Town Manager to take action on requests or comments made by the public.
- 7.5 Each person addressing the Commission shall step up to the podium and state his/her name and address in an audible tone of voice for the record. All public comments must be addressed to the Commission as a body and not to individuals. Personal verbal attacks upon Commissioners, staff, and/or members of the public will not be tolerated. Any person making impertinent obscene, personally insulting, defamatory, or slanderous remarks or who becomes disruptive while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

**Rule 8. Decorum and Order**

- 8.1 The presiding officer shall preserve decorum and order during meetings. Any Commissioner may call point of order during the meeting and state the question of order along with the rule citation. The Presiding Officer decides all questions of order subject to the Commission's appeal by majority vote of all Commissioners present.
- 8.2 During all meetings of the Commission, Commissioners must preserve order and decorum and a Commissioner shall neither by conversation or otherwise, delay or interrupt the proceeding or the peace of the Commission nor disturb any Commissioner while speaking, or refuse to obey the rules of the Commission or its Presiding Officer, except as otherwise provided herein. Members of the Commission shall accord the utmost courtesy to each other, the Town employees, consultants, professionals presenting applications or other matters, and the public appearing before the Commission. Members of the Commission shall refrain at all times from rude and derogatory remarks and abusive comments or statements.
- 8.3 No member of the public shall, during a Commission meeting, make or cause to be made any intentional disruptive noise, or take any intentional disruptive action of any kind in the Commission Chambers.
- 8.4 The presiding officer shall have the authority to direct the removal of any member of the public who violates the rules of decorum as set forth herein.



- 8.5 Town Commissioners, Town Staff members and those individuals who address the Commission or its appointed boards or committees shall not use language which includes profanity or cursing, or which is presented in a belligerent or threatening manner toward the Commission, members of its staff or its consultants, the public or other individuals participating in a public meeting. All comments shall be directed to the Presiding Officer of the meeting and not to individual members of the Commission, town staff or consultants, or to members of the public in the audience. During public comment, on a regular agenda item, if a member of the public wishes to ask a question directly to town staff or a guest presenter, the member of the public will present the question to the Presiding Officer who may choose how or if to ask the question. However, Town staff or guest presenter has no obligation to respond to the question.

Those addressing the Commission or its appointed boards or committees shall avoid personal verbal attacks toward members of the Commission, members of its appointed boards or committees, town staff or consultants, or members of the public in order to preserve decorum during the conduct of public meetings. The Presiding Officer may remove individual(s) from the Commission Chambers if such conduct persists after the Presiding Officer has provided the offending individual with a warning that the individual is in violation of this policy.

- 8.6 It is the intent of Commission to maintain order and enforce the Rules of Decorum for Citizen Participation for its meetings. Disregard of these rules will be met with the following consequences:
1. The Presiding Officer will identify out loud the out-of-compliance behavior and request for the behavior to stop;
  2. The Presiding Officer will ask the speaker to have a seat if he/she continues to disrupt the meeting;
  3. If the speaker refuses to have a seat and/or stop the out-of-compliance behavior, the Presiding Officer will recess the meeting; and,
  4. Will instruct a law enforcement officer to instruct the speaker to stop the disruptive conduct and escort the speaker out of the meeting venue.

#### **Rule 9. Rules of Debate**

- 9.1 Sequence of Debate: With the exception of quasi-judicial matters, items before the Commission shall be commenced by presentation of the item by a staff member, followed by public comment on the item. Once the Presiding Officer closes public comment, he or she opens the floor for debate by Commissioners, and shall not re-open public comment on the item unless there is a majority vote by all Commissioners present to do so. Once all Commissioners have had the opportunity to speak on the item,

the Presiding Officer may call for a motion and a second on the item and then open debate on the motion by the Commission. Once debate by Commissioners has concluded on the motion, the Presiding Officer shall call for a vote on the motion. A roll call vote may be requested by any Commissioner on any item.

- 9.2 Presiding Officer May Move, or Second, & Debate: The Presiding Officer may make a motion or second on any item subject only to such limitations of debate as are imposed by these rules on all Commissioners and shall not be deprived of any of the rights and privileges of the Commissioner by reason of the Commissioner acting as the Presiding Officer. However, the Presiding Officer may only make a motion once he/she has called for a motion and no other Commission Member has offered a motion on the floor.
- 9.3 Responsibility of Presiding Officer: The Presiding Officer has the responsibility of controlling and expediting debate. A Commissioner who has been recognized to speak on a question has a right to the undivided attention of the Commission. The Presiding Officer's responsibility is to keep the subject clearly before the Commissioners, to rule out irrelevant discussion, and to restate the question whenever necessary.
- 9.4 All Members Shall Vote: No member of the Commission who is present at any meeting of the Commission at which an official decision, ruling or other official action is to be taken or adopted may abstain from voting in regard to such decision, ruling or act and a vote shall be recorded or counted for each such member present, except when, with respect to any such Commissioner, there is a conflict of interest under the provisions of Chapter 112, Florida Statutes. In such cases, such Commissioner shall comply with the disclosure requirements of Section 112.313, Florida Statutes.
- 9.5 Interruptions: A Commissioner, once recognized, shall not be interrupted when speaking except to call the Commissioner to order or as herein otherwise provided. If a Commissioner while speaking is called to order, said Commissioner shall cease speaking until the question of order is determined, and if in order, the Commissioner shall be permitted to proceed.
- 9.6 Withdrawal of Motions: Any motion before the Commission may be withdrawn at any time prior to a vote being taken thereon by the Commissioner making such motion, upon agreement by the Commissioner seconding said motion to withdraw the second.
- 9.7 Amending of Motions: At any time during discussion of a motion on the floor, a motion to amend said motion may be made. If the amending motion is seconded, the Commission shall at the conclusion of discussion, first vote on the amending motion and then vote upon the original motion in its amended form. An amending motion may be withdrawn in the same manner as set forth in sub-paragraph 9.76 above.

- 9.8 Motion to Reconsider: A motion to reconsider any action taken by the Commission may be made only during the meeting that such action was taken. Such motion must be made by one of the Commissioners on the prevailing side, but may be seconded by any Commissioner. The motion to reconsider may be made at any time and have precedence over all other motions. Nothing herein contained shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission.

#### **Rule 10. Appointments to the Commission and Boards & Committees**

- 10.1 Vacancies on the Town Commission or any Board or Committee of the Town of Ocean Ridge shall be announced on the Town Commission agenda, and on the Town website. All interested persons shall submit a letter of interest and resume to the Town Clerk by the deadline stated in the announcement. The Town Clerk shall determine whether or not the interested person is a qualified elector of the Town and submit that information to the Town Commission. No nominations from the floor are allowed unless otherwise set forth herein.
- 10.2 To fill a vacancy on the Town Commission, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing the qualified candidates that submitted a letter of interest and resume by the stated deadline. If no letters of interest or resumes are received by the stated deadline, or only one letter of interest and resume is received by the stated deadline, the Commission may choose to fill the vacancy by a motion and second, nominating any qualified elector to fill the vacancy. The Town Commission may, by majority vote of the Commission, change the voting process at any time.
- 10.3 To fill a vacancy on any Board or Committee of the Town other than the Town Commission, the Town Commission shall vote by ballot as set forth in 10.2 above.
- 10.4 To fill the positions of Mayor and Vice-Mayor, the Town Commission shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Town Commissioner's name. The Town Commission may, by majority vote of the Commission, change the voting process at any time.

To fill the positions of Chair & Vice-Chair on the Planning & Zoning Commission, Board of Adjustment, or any other committee created by the Town Commission, the Members of each Board shall vote by ballot. The Town Clerk shall prepare the ballots, listing each Board Member's name. The Board may, by majority vote of the Board, change the voting process at any time.

#### **Rule 11. Suspension and Amendment of these Rules**

- 11.1 Suspension of Rules: Any provision of these rules not governed by the Town Charter or Town Code may be temporarily suspended by a vote of a majority of the Town Commission Members.

- 11.2 Amendment of Rules: These rules may be amended, or new rules adopted, by a majority vote of the full membership of the Town Commission, provided that the proposed amendments or new rules shall have been introduced into the record.

**Town of Ocean Ridge, Florida**  
**Board of Adjustment Agenda Memorandum**

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**To:** Board of Adjustment Members  
**From:** Corey O’Gorman, Town Planner  
**Meeting Date:** October 16, 2024  
**Subject:** 26 Harbour Dr. South – Variance Application

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**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 64-41 Accessory Structures referencing 64-1(j)(2) setbacks in an RSF Zoning District to allow a sun trellis to extend 22’6” into the 25’ rear yard setback and located 2’ 6” from the rear property line.

**2. BACKGROUND**

On November 17, 2021, the Board of Adjustment approved a variance to allow for construction of a sun trellis to be located 7’ 3” from the rear property line allowing an extension of 17’9” into the 25’ rear yard setback. The variance was approved with the condition that it only applies to the current home, the structure installed can be repaired or replaced for the same but cannot be reconfigured. Subsequently the applicant submitted application for permit, however delays obtaining engineering information caused the variance to expire. On May 17, 2023 the Board of Adjustment approved an identical variance to reinstate the prior approval, along with a variance for a 2’ encroachment for a second-floor balcony (see Exhibit “A” Order of the Board of Adjustment).

Subsequently, the applicant applied for and received a permit to construct the sun trellis and during construction a conflict with existing improvements was discovered making it impractical to install the support posts for the sun trellis where proposed. This conflict requires that the support post be shifted further into the setback area due to other conflicts closer to the house. In addition, the support posts were located as close to the home as possible to meet structural engineering and code requirements. This application requests additional setback variance to allow the support posts for the sun trellis to be located 2’ 6” from the rear property line (see Exhibit “B” Variance

Application). Because the Town Code requires accessory structures such as the sun trellis structure to meet all setbacks and the rear of the main structure is located very close to the rear setback, there is no space for the sun trellis on the property without approval of a variance (see Exhibit "C" Plan View).

### **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 attached to the application is "Exhibit D" 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 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, and no space to add outdoor covered areas such as the proposed sun trellis. In addition, the location of the existing swimming pool and deck area requires shifting of the support posts.

- 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 and swimming pool on the lot both of which were constructed in 1997 by Burdge Contracting.

- 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 which comply with the setback. Granting the variance would enable the sun trellis 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 extension of the sun trellis support structure enabling outdoor shade areas similar to 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 variance request for the sun trellis support posts is 22'6" and due to the location of other site improvements and structural design of the trellis is the minimum needed for the construction of the structure.

- 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 2' 6" setback from the support post of the sun trellis to the property line, and the sun trellis structure is completely open on the sides with a louvered roof area limiting its purpose to provide shade and not encroaching on any neighboring properties.

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

Response: Extension of the sun trellis would not create any potential to be injurious to the area.

#### **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.

**TOWN OF OCEAN RIDGE****6450 NORTH OCEAN BOULEVARD  
OCEAN RIDGE, FLORIDA 33435**www.oceanridgeflorida.com  
(561) 732-2635 ♦ FAX (561) 737-8359**LYNNE LADNER  
TOWN MANAGER &  
FINANCE DIRECTOR****KELLY AVERY  
TOWN CLERK****MAYOR  
GEOFF PUGH****VICE MAYOR  
STEVE COZ****COMMISSIONERS  
CAROLYN CASSIDY  
PHILIP BESLER  
KENNETH KALEEL**Angel Darlene Johnston  
26 Harbour Drive South  
Ocean Ridge, FL 33435

**RE:** Request for Variance at 26 Harbour Drive South to permit a sun trellis to be located 7' 3" from the legal property line and to permit the extension of the second-floor balcony by 2'.

Dear Ms. Johnston,

Enclosed is the Town of Ocean Ridge Development Order for the above referenced variance request granted on May 17, 2023 by the Board of Adjustment. Since the Board of Adjustment did not set a specific time limit for construction, the variance granted shall automatically lapse if construction of the project for which such variance was granted has not been initiated within six months from May 17, 2023. See Section 63-73(3)(f) of the Town Code of Ordinances. The Town Manager may approve one automatic six-month extension of time to commence construction based upon a variance.

Any development order issued by the Town of Ocean Ridge is contingent on the applicant meeting all applicable requirements of the State of Florida, Palm Beach County, and the Town of Ocean Ridge in the applicant's building permit submittal, which will be reviewed by the Building, Zoning, and Engineering Departments of the Town of Ocean Ridge. Any questions in regards to building permit submittal, please contact Lindsay Winters, Building Clerk, at 561-732-2635 or via email at [Lwinters@oceanridgeflorida.com](mailto:Lwinters@oceanridgeflorida.com).

**Important:** *If your building permit submittal includes any changes to your variance approval, please contact Town staff. All modifications to the variance approval must be evaluated by Town staff and processed accordingly. If a modification is substantial, the building permit submittal may need to be re-reviewed by the Board of Adjustment, as determined by the Building Official or Zoning Official. Finally, a copy of this transmittal letter and the attached Development Order must be presented with your building permit submittal.*

If you have any questions, please do not hesitate to contact Kelly Avery, Town Clerk, at 561-732-2635 or [kavery@oceanridgeflorida.com](mailto:kavery@oceanridgeflorida.com).

Sincerely,

Kelly Avery, Town Clerk

**ORDER OF THE BOARD OF ADJUSTMENT  
OF THE TOWN OF OCEAN RIDGE, FLORIDA**

PROJECT NAME: 26 Harbour Drive South

APPLICANT/CONTACT: Angel Darlene Johnstone

LOCATION OF PROPERTY: 26 Harbour Drive South, Ocean Ridge, FL 33435

PCN: 46-43-45-27-09-000-0320

DATE OF HEARING: May 17, 2023

APPROVAL SOUGHT: Requesting a variance from Section 64-1(j)(2), 64-57 and 67-36 to allow an existing second-floor balcony to extend 2' into the 25' rear yard setback, and a sun trellis to extend 17'9" into the 25' rear yard setback.

**THIS MATTER** came to be heard before the Board of Adjustment of the Town of Ocean Ridge, Florida, on the date of hearing stated above. The Board, having considered the Applicant's application and materials submitted, having reviewed the staff report, and having heard testimony from the Applicant, members of Town staff, consultants and the public, hereby finds as follows:

1. Application for the Variance Request was made by the Applicant in a manner consistent with the requirements of the Town's Land Development Regulations.
2. The request for a variance must meet all of the criteria as set forth in section 63-73 of the Town's Code of Ordinances before relief can be granted. The Board determined that:
  - A. Special conditions and circumstances exist which are peculiar to the land involved and which are not applicable to other lands within the zoning district. This criterion HAS been met.
  - B. 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. This criterion HAS been met.
  - C. The special conditions and circumstances do not result from the action of the applicant. This criterion HAS been met.
  - D. The granting of the variance requested will not confer on the applicant any special privilege that is denied to other lands within the zoning district. This criterion HAS been met.
3. The Applicant's variance request is hereby **GRANTED** subject to the following conditions:
  - a. Approval is subject to the plans for the second-floor balcony meeting all structural, electrical, and applicable laws for weight bearing.
  - b. The variance will run exclusively with the structure of the single-family.

**ORDER OF THE BOARD OF ADJUSTMENT  
OF THE TOWN OF OCEAN RIDGE, FLORIDA**

- c. The variance approval is limited to the proposed structure referred to as “sun trellis” with the dimensions, materials, and configuration to match the variance application. The proposed structure cannot be enclosed or reconfigured or any additional items added.
  - d. The structure can be repaired or replaced for the same.
4. This Order is effective June 14, 2023.

For the Board of Adjustment



\_\_\_\_\_  
Kelly Avery, Town Clerk

DATE: \_\_\_\_6/14/23\_\_\_\_



## 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: darcar0965@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 seven (7) copies, including all exhibits as listed below, for a total submission of eight (8) packets.**  
**We will also need a digital copy of the entire packet either emailed or on a flash drive.**
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** (non-refundable) 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
  - c. the Administrative Official; or
  - d. any person aggrieved by a development order or requirement.





# 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

## NATURE OF THE REQUEST FOR VARIANCE

64-1  
67-36  
Section 64-57 of the Town of Ocean Ridge, Land Development Code requires \_\_\_\_\_  
A revision of existing variance.

The applicant requests a variance to permit: A revision of existing variance.  
to mount the last 2'6" from property line.

## 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 \_\_\_\_\_ 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.

# TOWN OF OCEAN RIDGE

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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. Postage paid envelopes need to be provided as well.
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 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:



# TOWN OF OCEAN RIDGE

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- 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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## 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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## 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.

Danielle Buzetta  
(Witness)

D Johnson  
(SIGNATURE OF APPLICANT(S))

Danielle Buzetta

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

APPLICANT IS:

☒ Owner

26 Harbour Dr. South  
(Street Address)

☐ Contract Purchaser

Ocean Ridge, FL 33435  
(City and State)

☐ Other

(explain)

561.523.8939  
(Telephone/Fax Numbers)

NAME OF OWNER(S)

IF OTHER THAN APPLICANT(S):

\_\_\_\_\_  
(Mailing Address)

\_\_\_\_\_  
(Email Address)

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL ☒ PRESENCE OR ☐  
ONLINE NOTARIZATION ON THIS 9th DAY OF August, 2024.

Susan Ammons-Tate  
Notary Public, State of Florida - At Large  
My Commission Expires: 6-7-2025



☐ Personally Known or ☒ Type of Identification Produced: FLDL

# TOWN OF OCEAN RIDGE

6450 N. Ocean Blvd., Ocean Ridge, FL 33435  
561.732.2635 Main ♦ [permits@oceanridgeflorida.com](mailto:permits@oceanridgeflorida.com) ♦ [www.oceanridgeflorida.com](http://www.oceanridgeflorida.com)



## 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.

Danielle Buzzetta  
(Witness)

D. Johnson  
(SIGNATURE OF APPLICANT(S))

Danielle Buzzetta

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

SWORN TO AND SUBSCRIBED BEFORE ME BY MEANS OF PHYSICAL ☒ PRESENCE OR ☐  
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(Seal)



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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:



# TOWN OF OCEAN RIDGE

6450 N. Ocean Blvd., Ocean Ridge, FL 33435

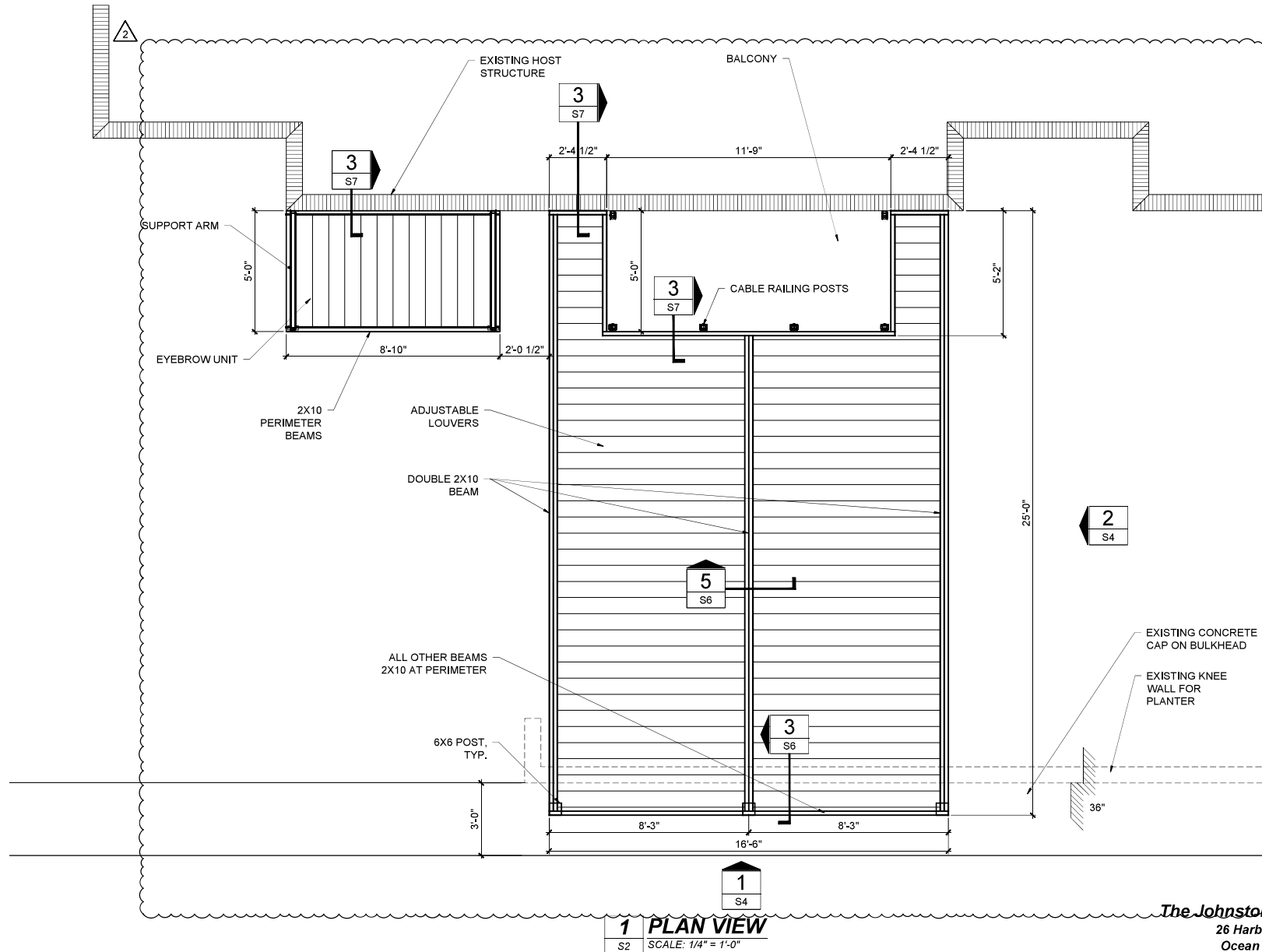
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## HISTORIC PROPERTY ADDENDUM

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)

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:



**1 PLAN VIEW**  
S2 SCALE: 1/4" = 1'-0"



2 Apr 17, 2024  
1 Aug 16, 2021



**DE STEFANO**  
ENGINEERING GROUP, P.L.L.C.  
Phone: (841) 371-1724  
Fax: (841) 847-0870  
27383  
341 Interstate Blvd.  
Sarasota Florida 34240  
Certificate of Authorization Number  
www.DeStefanoEngineering.com



**The Johnston Residence**  
26 Harbour Drive South.  
Ocean Ridge, FL 33435  
April 30, 2021 File:214351

**S2**  
of 7

### NATURE OF THE REQUEST FOR VARIANCE

The applicant requests a revision to the already approved variance to permit: A Sun Trellis has already been approved to be built, the structure demands tow support posts to meet the stringent code of the Miami Dade Hurricane approval. The approved permit calls for the post placement to be located 7' 3" back from the legal property line, which is a variance of 17' 9" from the 25' existing setback demanded. The applicant asks for a revision allowing the post placement to be 2' 6' from the property line which would be 22' 6" of the existing setback of 25'.

### 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.

Most of the original points made which granted the variance in the first place have been included in this document to assist the governing body to recall the unique circumstances effecting this location. The new and current request will be clearly identified and the original will properly labeled as well.

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

The average wind speed for Ocean Ridge is approximately 10 mph, however the wind blowing directly off the surf tends to be stronger.

The applicant's home is nestled at the precise base of the ridge.

When the wind comes off the ocean across A1A, the entrance to Harbor Drive South is a wide access point, and the flow comes straight up the street until it meets a home right on the corner. This forces the wind to immediately change direction and since it is blowing on a westward path it finds a spot between the first two homes where it changes direction and turns this corner sending it directly down the Ridge and towards the flat area where the applicant's home and the canal meet.

This change of wind flow magnifies the winds steady speed, and the flow approaches 20 or 25 mph. This wind speed is steady, on days when it is gusty it can be double. On days when it is stormy you cannot go in the back yard because the wind force approaches gale force conditions.

This increased wind speed is known as downwash and without deflection and left on automatic tends to serve as the gateway for the wind. It is generally accepted within the meteorological societies that these areas tend to take the pounding to the betterment of all other surrounding properties.

In the science of wildfires, engineers work diligently to locate these natural formations causing the wind tunnel effect so that entire tracts of the forest can be cutdown to create paths to protect the adjacent areas.

The applicant's backyard is ground zero for the wind tunnel effect as the wind off the ocean needs a place to go when it comes down the ridge.

Additionally, the sun follows a straight-line east to west directly over the property line. From 8:00 am to 7:00 pm the constant exposure to direct sunlight is unrelenting, there is no shade.

The special reason, or the basis for the request of a variance is to seek relief from the suns harsh intensity while being able to put up a shade trellis that will not blow into the canal.

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 variance request to show why the applicant, and the engineer, have discovered the only practical way to provide the shade and rain protection and meet all the stringent code of the Miami Dade hurricane approval.

The applicant would like to stress that every conceivable solution has been explored, any option that has been available through the years has been paid for only to have it prove worthless like all the others. Several multi thousand-dollar umbrellas and several hundred-pound bases have been purchased and thrown away, the wind just picks them up and hurls them into the canal or the pool. A portable temporary cabana was purchased and put up at the cost of several thousand dollars, it lasted three days until the wind turned it into a kite that almost went flying down the canal. The applicant has tried canvas sails, same result. It was not until the applicant learned of and researched the current shade structure that there was ever a possibility to correcting the circumstance. The aluminum louvered roof is an engineered solution that is the answer to the applicant's prayer, the trellis appears to be tailor made for the conditions at 26 Harbour Drive South. This is the home where the applicant has lived for over twenty years and wants to remain



the rest of her life, she is begging this board to allow her to have a shade structure where her family can use the backyard and enjoy it.

**New Request:** during the original variance hearings several modified sets of engineering drawings were offered, and every attempt was made to meet the city inspector's requests, when the final compromise was reached the applicant was extremely grateful and had the engineer produce the final approved drawings. Upon the beginning of the commencement, it became clear that while the structure could be engineered to meet the setback, the post location would conflict with the existing pool and its coping on one side and buckle the retaining knee wall which serves as support for the raised deck on the opposite side bringing the project to a standstill. Both post placements require a different area to be mounted. The applicant had the engineer come out to the house to make a personal walk through of the site and it was concluded that the simplest easiest and most powerful way to mount the posts will be directly to the bulkhead deck which is supported with pilings and has been approved by the army corps of engineers. See engineering drawings included.

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

**Original:** The special conditions and circumstances concerning the sun, and the wind have nothing to do with the applicant, these are direct forces stemming from nature. When the applicant purchased the home many years ago, she was a young female first time homebuyer. Her experience with outdoor living was next to zero. It was not evident at the time that her lovely home had such deep-seated limitations. The property has approximately 50% of the available lot as empty space from the front of the home to the street. The back of the house has absolutely no lanai or extended soffit or anything which most of all the neighbors enjoy. For whatever the reason when this home was built there was never any provisions made to provide shade of any kind for this particular dwelling. Had this home been built 10 or 20 foot closer to the street her backyard would provide all the ample space necessary to create an outdoor are that could be used and cherished. If there is any special condition or circumstance it is that almost every other home in the surrounding area has some facility that was built into the structure providing shade or relief from the pervasive sun, the fact that this home has none, and then is further 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 a 25' setback from the edge of the canal encroaching back toward the house.

The applicant has exhausted all and every avenue of research and expert opinion to discover “why” the 25’ setback exists.

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 effected 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.

Because the applicant has been neighbors with almost all of the residents for many years most of them have been to the applicant’s home for social events and are aware of the lack of shade and how uncomfortable it is in the heat.

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.

Almost every homeowner has a porch or a lanai providing some shade protection attached to their house, the applicant has spent thousands of dollars during the past twenty years of living at the property here in Ocean Ridge, during that time the applicant has learned with firsthand experience that the pervasive heat from the sun destroys the very best solar fabrics on the market.

It is unfortunate but after a minimum of 2 years of direct daily exposure to the elements they have to be replaced at a considerable expense usually in the range of a thousand dollars.

The daily pounding makes the fabric sun bleached and hard, what causes the rapid deterioration is the summer rains, after the fabric becomes saturated, than the sun comes out and dries it up, since the fabric becomes brittle shortly after, it begins to tear and leak and then its worthless.

Added to this the applicant has had to deal with the wind tunnel effect at the base of the ridge which lifts the umbrella off the deck and either throws the umbrella into the pool or worse into the canal which then costs more money to have someone retrieve it because the base is so heavy.

It would be easy if the base of the umbrella was mounted to the deck however that would also be an encroachment upon the 25' setback because it would then be considered a permeant structure.

In fact, there would be no difference with a 6-inch base and post for an umbrella, then the 6 inch post for the shade structure.

The only purpose of the post is to secure it from blowing over. The shade structure will need 2 posts to secure it in position.

The engineer has come up with a solution that would allow the homeowner to cover a table for her family to sit and dine at while being protected from the rain and sun with the absolute minimalist requirements; 2 posts.

**New Request:** The engineer has designed a solution where the structure can be mounted directly to the super strong bulkhead wall using 2 posts so the area can be covered. The applicant is requesting instead of the cantilevered posts coming back 5' 3" from the edge of the structure (which has been approved) that the structure be extended 2' and the posts be mounted 2' 6" from the property line, using 22' 6" of the 25' setback.

**Original:** 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 applicant has long tolerated these 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 263 feet of available space only allows the applicant to cover 2' 9 1/2" of her backyard. This space does not allow enough room for one chair.

If the variance is granted the structure will be 10' off the deck. The structure will have 2 – 6-inch posts. The shade structure is engineered to meet all the stringent code in order 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 the shade structure being injurious to the area, it will offer a very much needed breathing space for all neighboring homeowners who want to be outdoors, and at the same time experience shade plus a breeze.

While the wind tunnel effect is in force the constant blowing coupled with the sun light heat creates a blowtorch environment, the shade structure plus the wind will provide a cool place which could contribute to the public welfare.

**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**

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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.

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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:

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:

This is going to be a copy of Darlenes deed

- 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 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