

# ZONING BOARD OF ADJUSTMENTS AND APPEALS MEETING

## City of Greenacres, Florida

Tuesday, October 05, 2021 at 6:00 PM City Hall Council Chambers | 5800 Melaleuca Lane

#### **AGENDA**

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

**AGENDA APPROVAL** | Additions, Deletions, Substitutions to the entire Agenda

**APPROVAL OF MINUTES** 

**QUASI-JUDICIAL PUBLIC HEARING** 

1. BA-21-02

A request by the owner for a variance from Article III, Division 4, Section 16-309(c) to reduce the setback requirements for an existing single-family home and accessory structure. The site is located at 333 Jackson Avenue.

**DEPARTMENT REPORT & OTHER ITEMS** 

**Z.B.A.A. MEMBER COMMENTS** 

**ADJOURNMENT** 

#### **Meeting Records Request**

Any person requesting the appeal of a decision will require a verbatim record of the proceedings and for that purpose will need to ensure that such verbatim record is made. Pursuant to FS. 286.0105, the record must include the testimony and evidence upon which the appeal is to be based. The City of Greenacres does not prepare or provide such verbatim record.

#### **Notice of Meetings and Agendas**

Meetings may be called based on an application and whenever necessary. Agendas are posted on the City's website on the Friday prior to each scheduled meeting. A copy of the meeting audio and the complete agenda may be requested at <a href="mailto:cityclerk@greenacresfl.gov">cityclerk@greenacresfl.gov</a> or 561-642-2006.

#### **Americans with Disabilities Act**

In accordance with the provisions of the Americans with Disabilities Act (ADA), this document can be made available in an alternate format upon request. Special accommodations can be provided upon request with three (3) days advance notice of any meeting, by contacting City Clerk Quintella Moorer at Greenacres City Hall, 5800 Melaleuca Lane, Greenacres, Florida. Phone No. 561-642-2006. Hearing Assistance: If any person wishes to use a Listen Aid Hearing Device, please contact the City Clerk prior to any meeting held in the Council Chambers.

*BA-21-02* Exhibit "A"

Date: September 29, 2021

Revised:



#### LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

#### Subject/Agenda Item:

BA-20-01: 333 Jackson Ave

Consideration of Approval: A request from Jason Abrams, for approval of three (3) variances for the 333 Jackson Ave parcel. The variance requests a reduction to the required 7.5' side setback for the South side of the principal structure, a reduction to the required 25' front setback for the primary structure and a reduction of the 20' rear setback for an accessory structure. The subject site is located approximately 350' north of the intersection of Second Street and Jackson Ave.

and the measurement of Second Succession of	
[ ] Recommendation to APPROVE	
[X] Recommendation to DENY	
[X] Quasi-Judicial	
[] Legislative	
[X] Public Hearing	
Originating Department:	Reviewed By:
Planning & Engineering	Director of Planning & Engineering
30	Kara L. Irwin-Ferris, AICP
Project Manager	Kara L. Irwin-rettis, AICF
	C'- August
Kara Ferris, Director	City Attorney
	Public Notice:
	[X] Required [ ] Not Required
	Dates: 9/23/2021
	Paper: The Lake Worth Herald Mailing
	[X] Required
	Dot Required Notice Distance: 300'
	Notice Distance: _300_
Attachments:	BZAA Action:
	[] Approval [] Approve with conditions
Survey     Concept Plan	Approve with conditions
Aerial Map	[ ] Continued to:
Petitioner's Justification Statement	

#### I. Executive Summary

The Applicant is requesting variances for an existing single-family home (principal structure) and an accessory building (accessory building) on the subject site. The requested variances are from Chapter 16, Zoning Regulations, and Sec.16-309 (c) Minimum yard requirements for the front (East), rear (West) and side (South) setbacks. The lot has multiple structures that the applicant is requesting the variances for as part of this request.

The applicant is requesting design standard variances for an existing single-family residence that is located on the west side of Jackson Ave approximately 350' north of Second Street. The Palm Beach County Property Appraiser has determined that the property was built as 1925, but could not provide the City with the data to support the information. The applicant is requesting the variances to bring the non-conforming structures into compliance.

#### II. Site Data:

**Existing Use:** Single Family Residential

**Proposed Use:** Single Family Residential

**Parcel Control Number(s):** 18-42-44-22-01-010-0270

**Parcel Size:** 0.1492 acres (6,500 sq. ft.)

Future Land Use Designation: Residential- Low Density (RS-LD)

**Zoning District:** Residential Low-3 (RL-3)

Table 1:	Table 1: Surrounding Existing Land Use, Future Land Use, Zoning District:					
Dir.	Existing Land Use	Future Land Use	Zoning District			
North	Single-family Residential	Residential- Low Density (RS-LD)	Residential Low-3 (RL-3)			
South	Single-family Residential	Residential- Low Density (RS-LD)	Residential Low-3 (RL-3)			
East	Single-family Residential	Residential- Low Density (RS-LD)	Residential Low-3 (RL-3)			
West	Single-family Residential	Residential- Low Density (RS-LD)	Residential Low-3 (RL-3)			

#### III. Annexation/Zoning History:

The approximately 0.1492 acre site is located at 333 Jackson Ave. The property is located within the Original Section of Greenacres and was initially incorporated as the City of Greenacres, along with all of the other properties located within Greenacres Plat #2, in 1926. The Comprehensive Plan Amendment in 1981 designated this parcel and other parcels located in what is considered the Original Section as Residential-Low Density. The lot was zoned to its current Residential Low-3 district on February 29, 1988 with petition ZC-87-02 through Ordinance 1988-05.

#### IV. Applicable City Code Provisions:

Sec. 16-101 through 16-107 pertaining to the Zoning Board of Adjustments and Appeals

Sec. 16-309(1)(C)(3) pertaining to front, rear and side setbacks in the RL-3 district

Sec. 16-1358 pertaining to nonconforming buildings and structures

#### V. Staff Analysis:

#### Background:

The subject property is a 0.1495-acre parcel with an existing single-family residence. According to Palm Beach County Property Appraiser's website, the lot contains one residential unit, a single-family home that was built on the lot in 1925. However, the property has no City permits for the original development of the existing single-family home, but does have a permit for the carport enclosure from 1980 and a 6' x 6' storage room in 1961. The carport enclosure includes a rough sketch of the house along with the proposed dimensions of the enclosed carport. Final inspection of the work was completed on March 5, 1980.

The City does not have any surveys on file for the property; however, permits and sales records for the property indicate the parcel was originally developed by combining two (2) lots. Block 10, Lots 27 and 28 were sold together with one single-family home.

On June 10, 2005, the parcel was purchased by Raymond Loukinen, who subsequently took action to subdivide the parcel back into the two original platted lots approved via the Greenacres Plat No. 2. The property owner received two separate Parcel Control Numbers (PCNs) from the Palm Beach County Property Appraiser (PAPA) and sold the southern lot to a homebuilder on April 21, 2006. Based on the property file, the homebuilder built a single-family home on the adjacent property. The subdivision of the parcels created a non-conformity on Lot 27, when the existing lot was left with only 3.0' on the south side of the principal structure for a side setback that was required to be 7.5'. The existing principle structure was already non-conforming due to the side (North) setback being 2.2' where 7.5' is required and the front (East) setback being 19.7' and 24.8' along the front setback where 25' is required.

On January 30, 2008, Mr. Loukinen sold the property to Errol A. Harvey. On March 25, 2009, the property was cited for multiple code violations (Case 03-09-1676) including a garage that was converted into a living space, two sheds in the backyard all cited for being constructed or installed without permits. The Code Enforcement Board found the property in violation and set a fine of \$100 per day if the property was not brought into compliance by October 2, 2009. The property was not brought into compliance and the fines started accruing. On January 15, 2010, the City filed a lien on the property. This fine is still accruing and has not been brought into compliance to date.

On August 25, 2015, the City cited the property again for multiple violations (Case 08-15-5344) including general maintenance of the exterior structure, overgrown property, vehicle(s) without tag, electrical service falling off the wall, no weather head, and tampering with an electrical meter. On March 16, 2016, the Code Enforcement Board found the property in violation and set a fine of \$50.00 per day if the property was not brought into compliance by April 15, 2016. The property was not brought into compliance and the fines started accruing. On December 20, 2017, the City filed a lien on the property. The property owner at the time contacted the City in April of 2018 to discuss the liens on the property. The property owner claimed

that the purchase was done with identity fraud and that he was unaware of the property being in his name, let alone the two cases with multiple violations and accruing fines. The City attorney could find no evidence of a case of fraud for Mr. Harvey, as he indicated and the City decided to move forward to bring the site into compliance. Mr. Harvey indicated he was going to sell the property

The current owner, who purchased the property on February 27, 2020 from Mr. Harvey, brought Case 08-15-5344 into compliance on October 8, 2020, and the fines stopped accruing as of that date, but the lien is still in place. Case 03-09-1676 is still accruing fines and has not been brought into compliance.

#### Non-conforming Buildings, Structures, and Use:

The existing home has many non-conformities that do not meet the current code requirements, so the Code section that regulates Non-conformities, Chapter 16, Article IX, Section 16-1358 is applied to the review and approval of any site plan amendments requested or building permits for the subject site. Code Section 16-1356 (a) states:

"Within the zoning districts established by this chapter, there exists nonconformities to uses, components of use, buildings, structures or lots. It is the intent of this article to provide for the continuation of those nonconformities which were lawful prior to the adoption of this chapter, but which would be prohibited, regulated or restricted under the terms of this chapter. It is the intent of this article to regulate and limit the continued existence of those nonconformities until they are removed under the terms of this chapter. It is further the intent of this article that, except under the limited circumstances established herein, certain nonconformities may not be enlarged upon, expanded, replaced, restored, reconstructed, extended, nor be used as grounds for adding other buildings, structures or uses prohibited elsewhere in the same zoning district."

The code means to regulate the non-conforming buildings, uses, structures, lots, etc. until they comply with the current zoning regulations and therefore conform to the neighborhood or zoning district. Based on the non-conforming codes, the non-conforming buildings are permitted to continue and may "increase, extension, expansion or enlargement of building or structure", "Replacement, restoration, or reconstruction of nonconforming buildings and structures", and "Repairs and maintenance" provided specific regulations are met. These regulations apply to buildings and structures that were lawful prior to the adoption of new codes and regulations. These non-conformities are called legal non-conformities. The principal structure located at 333 Jackson Ave is non-conforming, but it can be repaired and maintained, provided permits are applied for and issued for any work.

The applicant's justification submitted states that the City is requiring him to demolish the front porch structure, the south side addition to the structure with the flat roof, and the rear structure that is separate from the principal structure, because they are not legal non-conformities, so he needs a variance to maintain them. In fact, the code clearly allows the repair and maintenance of existing legal non-conforming structures and in some instances permits further improvements. Overall, the City can only approve permits that are permitted by the Code. The existing parcel does not legally have the rights to three or even two separate dwelling units, only one single-family unit, as it indicates on the Property Appraiser's website. This has been a major conflict between the applicant and the City, as he chooses to ignore the City's determination that his proposed use of the accessory structure as additional dwelling units is not permitted, nor is there any indication in the history of the property that allowed that use to occur. In the variance request, he is applying the principal structure rear setback to the shed for the variance, as opposed to the accessory structure setback of 5'.

#### Variance Requests:

The petitioner is requesting variances from the Zoning Code to decrease the side yard setback along the south perimeter of the principal structure (a.k.a. single-family home) as well as the front setback for a portion of the single-family home front porch. The petitioner is also requesting a principal variance to the rear yard setback on the West side of the property for the accessory structure located on the west end of the lot. The variances requested are from the following Code provision:

- V1) Chapter 16, Article III. District Regulations, Division 4. Residential Low Density, Sec.16-309 (1) c 1, which requires a front setback to be a minimum of 25' from the property line. The applicant is proposing to reduce this front setback to 24.8' for the primary structure and 19.7' for the front porch structure. The variance is for 0.2' and 5.3'.
- V2) Chapter 16, Article III. District Regulations, Division 4. Residential Low Density, Sec.16-309 (1) c 3, which requires a side setback to be a minimum of 7.5' from the property line. The applicant is proposing to reduce this side setback to 3.0' for the south side. The variance is for 4.5'.
- V3) Chapter 16, Article III. District Regulations, Division 4. Residential Low Density, Sec.16-309 (1) c 2, which requires a rear setback to be a minimum of 20' from the property line. The applicant is proposing to apply the setback to a separate building located on the rear of the property that requires a variance to allow a rear setback of 3.2'. The variance is for 16.8'.

On August 12, 2021 and August 20, 2021, the Land Development Staff reviewed this petition and found it sufficient to move forward in the development review process.

#### Land Development Staff Comments:

Planning and Engineering Dept.: Incorporated into the staff report.

Building Department: No objections.
Public Safety Department: No objections.
Public Works Department: No objections.

#### VI. Variance Findings of Fact:

The Zoning Board of Adjustment and Appeals shall have the power to authorize a variance from the terms of the Zoning Code. In order to be granted a variance from the Zoning Code, the petitioner must meet the six specific criteria findings and the general criteria listed in the Code. The following is a list of those criteria and an analysis of whether or not the subject variance request meets the criteria.

#### Specific Criteria Findings:

(1) 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 district.

#### Finding:

**Front Setback:** The existing home is approximately less than one foot into the required 25-foot front setback (East) and the porch structure is 5.3 feet into the required front setback. While the existing front porch encroaches on the front setback and there may be other structures within the

area that also encroach based on the differing regulations throughout the years, this does not qualify as a special condition or circumstance peculiar to the land or structure. This issue is addressed in the non-conforming regulations of the code that regulate non-conformities and how they are brought into conformance over time. Granting the variance for the existing structure would circumvent the intent of the non-conforming regulations that applies uniformly to all of the addresses listed in the applicant's justifications. The fact that the structure existed prior to the adoption of the current code is not an adequate justification showing that special circumstance exist that are peculiar to the land, structure, or building involved. In fact, it is not an isolated condition, as the same code regarding non-conformities applies across the board for all structures that do not meet current regulations.

<u>South Side Setback</u>: There is not any special conditions or circumstances that existed which were peculiar to this structure or piece of land that create or justify the variance. As indicated by the applicant, there are other parcels in the Original Section with similar setbacks that do not meet code on the side or front setbacks, but these issues are addressed by the non-conforming regulations. The non-conformity was created through the subdivision of the lots 27 and 28. The non-conforming code section applies in this situation and granting a variance will circumvent the non-conforming regulations with justification.

West Rear Setback: The rear structure is not a principal structure that requires the application of the rear setback of 20 feet. It is an accessory structure that has no legal support documentation showing that it was built as a primary or principal structure, therefore a variance to the rear setback is not appropriate. The applicant is requesting the variance in order to utilize the structure as an accessory dwelling unit, which is not permitted. No special conditions or circumstances exist that justify the granting of a variance for this structure to the rear yard setback for principal structures.

#### (2) That special conditions and circumstances do not result from the actions of the applicant.

#### Finding:

**Front Setback:** The applicant has not provided justification that a special condition and/or circumstance exists to justify the variance requested. The structure was built prior to the existing zoning regulations and therefore some deviation from current regulations are regulated under the non-conforming regulations in the Code. These regulations provide for the eventual transition over time of old structures into compliance with current regulations. The principal structure was built by previous owners and were not the actions of the applicant.

<u>South Side Setbacks</u>: The applicant has not provided justification that a special condition and/or circumstance exists to justify the variance requested. The applicant has not provided any documentation that shows the structure was approved by the City. Staff cannot find any documentation on file showing that work was approved and constructed in compliance with the applicable code at the time of construction. The work done was completed by previous owners and were not the actions of the applicant, but requesting to allow this setback in perpetuity through the approval of the variance would be based on actions of the applicant. Allowing the non-conformity to become a conformity is in direct conflict with the Code provisions for non-conforming uses, buildings, and structure..

<u>West Rear Setback:</u> The rear structure is not a principal structure that requires the application of the rear setback of 20 feet, an accessory unit setback of 5' would be appropriate. The applicant's request to treat the building as a principal structure and to apply the 20' rear setback is a situation

resulting from the actions of the applicant. The applicant was informed prior to the purchase that the structure was not permitted to be used as a dwelling unit. Any improvements that the applicant completed to utilize the structure as a dwelling unit were done with the full knowledge that the City did not permit accessory dwelling units on single-family lots. This request is based on circumstances created by the applicant.

(3) That granting the variance request will not confer on the applicant any special privilege that is denied by this chapter to the other lands, buildings, or structures in the same zoning district.

#### Finding:

Front Setback: The granting of the variance as requested by the applicant will confer on the applicant special privileges that are denied to other non-conforming structures in the same zoning district. The applicant is not being denied the use of the structure based on the non-conformity, but the City must apply the same regulations for addressing the non-conformities that apply to all other properties in the zoning district. A granting of the variance runs with the land in perpetuity, so the non-conforming regulations would no longer apply to applicant, but would apply to every other non-conforming building, structure or lands in the same zoning district that has similar circumstances.

**South Side Setbacks**: The applicant would be granted a special privilege by allowing the south side setback to be reduced by variance. The applicant is proposing a 3.0 ft. setback, which is significantly less than the 7.5' that is required in the current zoning district. The applicant is not being denied the use of the structure based on the non-conformity, but the City must apply the same regulations for addressing the non-conformities that apply to everyone else. A granting of the variance runs with the land in perpetuity, so the non-conforming regulations would no longer apply to applicant, but would apply to every other non-conforming building, structure or lands in the same zoning district.

West Rear Setback: The granting of the variance for the rear structure would confer on the applicant a special privilege that is denied to all single-family lots in all residential zoning districts. Single-family lots are permitted to have accessory structures limited in square footage, but they are not permitted to be used as dwelling units. The consideration that the rear structure is a viable dwelling unit is not allowed and granting the variance would give the applicant a privilege currently denied to all other properties in this zoning district.

(4) That the literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter.

#### Finding:

**Front Setback:** The literal interpretation of the provision of this chapter would not deprive the property owner of rights commonly enjoyed by other properties in the same district under the terms of this chapter. The applicant can make improvements to the home based on the non-conforming regulations and is not being deprived of an use of the property commonly enjoyed by other properties in the district.

<u>South Side Setbacks</u>: The literal interpretation of the provisions of this chapter would not deprive the property owner of rights commonly enjoyed by other properties in the same district under the terms of this chapter. The property owner can still enjoy the single family home that meets the side

setback requirements. The applicant hasn't provided any documentation that would show that they would be deprived of rights commonly enjoyed by other properties in the same district. There is nothing stopping the applicant from expanding the house in a way that would meet current code requirements.

<u>West Rear Setback</u>: The literal interpretation of the provision of this chapter would not deprive the property owner of rights commonly enjoyed by other properties in the same district under the terms of this chapter. There are no regulations that would permit an accessory dwelling unit in the RL-3 zoning district.

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

#### Finding:

<u>Front Setback</u>: The applicant does not need the variance to enjoy the use of the existing single-family home. There is not a Code regulation that requires the applicant to remove the porch structure in order to maintain the structure. There are no special circumstance that exist for the site that requires the approval of the variance in order for the applicant to have reasonable use of the building.

<u>South Side Setback</u>: The variance for this structure is not required to make use of the single family home. The applicant is not being denied use of the portion of the building that encroaches into the side yard. The variance does not have adequate justification to support any side yard variance for the south side.

<u>West Rear Setback</u>: There are no special circumstance that exist for the site that requires the approval of the variance in order for the applicant to have reasonable use of the building.

(6) No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

**Finding:** All three variance requests are currently regulated as non-conforming uses. The applicant has tried to justify the request by pointing out other non-conformities within the same zoning district, which are regulated the same as the subject site. Staff cannot use that justification for the variance.

#### General Criteria Findings:

#### (1) A Variance:

a: shall not be contrary to the public interest

Granting the variance, as requested will be contrary to the public interest, as it would circumvent the regulations that apply for non-conforming buildings and uses in all zoning districts.

b: may be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship

For the reasons previously stated, the literal interpretation of the provisions of the zoning code do not hinder proper re-development or maintenance of the site.

## (2) Financial hardship is not to be considered alone as sufficient evidence of a hardship.

The petitioner has expressed financial hardship as a justification for being granted the variance, as well as money invested in the rear structure, which the applicant invested at his own risk, as he was well informed that the rear structure was not an accessory dwelling unit.

#### Summary of Variance Criteria:

Based on the preceding analysis, the subject front (East), side (South) and rear (West) setback variance requests for the existing single family home and accessory structure do not comply with the six variance criteria.

#### VII. Staff Recommendation:

**Denial** of BA-21-02 for the front, side (south) and rear setback variances for the existing single family home and accessory structure.

In the event that the Board finds that the requested variances meet all six (6) of the variance criteria, staff proposes the following conditions:

- 1. Permits project shall be obtained within six (6) months of the date of approval of this variance in order for the Development Order to be recorded. (Planning)
- 2. The variance being granted for the single family home will only apply to the existing footprint of the single family home. Any expansion of the garage or single family home will have to meet current setback requirements for the current Zoning District. (Planning and Building)
- 3. The granting of the rear setback variance does not confer on the applicant the rights to utilize the structure as a dwelling unit, principal or accessory. (Planning & Building)

Z	ONING BOAR	D OF ADJUST	MENTS	AND A	APPEALS	ACTION	N – October	5, 2021
			e	———Walter	· Buist, Ch	airperson	1	<u>—</u> .
				Attest:				

Quintella L. Moorer, CMC, City Clerk

## RECEIVED by CITY OF GREENACRES



JUL 2 2021

PLANNING & ENGINEERING

#### **Instructions to Applicant:**

Answer all questions completely.

A filing fee in the amount of \$220.00 and advertising fees in the amount of \$200.00 for Residential Uses <u>OR</u> \$550.00 and advertising fees in the amount of \$200.00 for Non-Residential Uses must accompany this application. Since advertising costs vary, the final amount will be reconciled upon receipt of invoice from the newspaper. Provide required attachments (warranty deed, survey and plans) as shown on the attached checklist.

Provide required attachments (warranty deed, survey, list of property owners and plans) as shown on the attached checklist.

Project Name 333 Jackson Ave			
Agent's Name			
Address			
City	State		Zip
Phone		Fax	
Email			
Owner's Name			
333 Jackson Ave Address			
Greenacres City	FL		33463
347-248-9864 Phone		Fax	
Jabrams@carbn.net Email			
Correspondence Address: (If o		agent or ow	vner)
Address			
City	State		Zip
Phone		Fax	
Email			

This is the address to which all agendas, letters and other materials will be forwarded.

333 Jackson Ave, Greenacres, FL 33463 Site Address	JUL	2 2021
18-42-44-23-01-010-0270 Parcel Identification Number(s)	PLANNING (	& ENGINEERI <mark>NG</mark>
1178 sqft/0.1493 arcres		
Property Size (Square feet/Acres)		<del></del> @
Residential Existing Use of Property		
RL-3 Existing Zoning of Property		
A Variance is requested from Article, Section of the City of Greenacres Zoning Regulations.		
Describe Variance Requested.		
÷		
Petitioner's Statement: (Explanation, extent and nature of your request) I as necessary.	Provide atta	achments
		÷
Applicant's Statement of Justification: (Attach additional sheets as nece	essary).	
The applicant is to explain how the request conforms to the following finding	gs:	
A. That special conditions and circumstances exist which are peculiar to the building involved and which are not applicable to other lands, structures same district.		

B.	That special conditions and circumstances do not result from the actions of the applicant.
C.	That granting the variance request will not confer on the applicant any special privilege that is denied by the Zoning Code to the other lands, buildings or structures in the same zoning district.
D.	That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Zoning Code.
Ε.	That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

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BA-21-02

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PLANNING & ENGINEERING

The Applicant Affirm and Certify that the information supplied on this Application is complete and accurate, and that the request for Variance, if approved, will be completed and the premises used as stipulated by the Zoning Board of Adjustments and Appeals regarding this request.

Signature of Applicant or AgentPrint NamePrint NamePrint NamePrint NamePrint NamePrint NamePrint Name
OWNER (If other than above):
have read and familiarized myself with the contents of this application and do hereby consent to it being submitted and processed. If owner using an agent, please use attached form.
Signature of Owner(s) of RecordPrint Name
Sworn to and subscribed before me this 30 day of Jove 20 21 by to son Abraha who s personally known to me, or who has produced Kord Mare as identification.
Signature of Notary Public Print Name <u>Free A-Guerra</u> Notary Public State of <u>Hovida</u> County of <u>Pala Bu Ach</u>
Commission Number 66 138337 Commission Expires ACJ 24, 204
RENE A. GUERRA Notary Public – State of Florida Commission # GG 138337 My Comm. Expires Aug 27, 2021

(Print, Type, or Stamp Commissioned Name of Notary Public)

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BA-21-02

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#### **Affidavit**

State of Florida County of Palm Beach City of Greenacres

Before me this day personally appeared
That the accompany list of property owners, mailing addresses and legal descriptions of all property within 300 feet of the below described parcel of land is, to the best of his or her knowledge, complete and accurate as recorded in the latest official tax rolls in the Palm Beach County Courthouse.
The subject Property is Legally described as follows. <b>See attached.</b> Further Affiant sayeth not.
Signature Signature Sworn to and subscribed before me this 30 day of fune 20 21 by \$\frac{1}{450}\$ Aby an \$\frac{5}{450}\$ who
is personally known to me, or who has produced Florica Driver (2014) as identification.
Signature of Notary Public Print Name Reve 4. Bullion Commission Number 66/3833 7 _ Commission Expires Ay 27, 202/
RENE A. GUERRA  Actary Public - State of Florida Commission = GG 138337 My Comm. Expires Aug 27, 2021  RECEIVED by

BA-21-026

(Print, Type, or Stamp Commissioned Name of Notary Public)

PLANNING & ENGINE

JUL

**CITY OF GREENACRES** 

2 2021

#### Foreword:

At the time of this report, the city of Greenacres and myself, Jason Abrams, are at odds due to the structures on the site in addition to an ongoing code case from a previous owner who neglected the property. The city and I have not been able to reach an agreement about what must take place to bring it into compliance. It is my desire to do what's necessary to see the neighborhood brought up to a standard that everyone will benefit from, but not at the expense of deny my legal rights and flagrant misinterpretation of local codes. I hope, through this report, and at close of this variance request, to have a resolution come of our impasse.

#### Annexation/Zoning History:

The approximately 0.1492 acre site is located at 333 Jackson Ave. The property is within the Original Section of Greenacres and was initially incorporated as the City of Greenacres, along with all of the other properties in Greenacres Plat #2, in 1926. The Original development was subdivided into a grid pattern layout, creating a number of lots typically 50' x 130' within 53 separate blocks. The Comprehensive Plan Amendment, in 1981, designated this parcel, and other parcels located in the Original Section, as Residential-Low Density. The lot was zoned to its current Residential Low-3 district on February 29th, 1988 with petition ZC-87-02 through Ordinance 1988-05.

#### Description of the variances requested:

The requested variances are for the east, west and south side setbacks. All sides encroach on the city's current zoning regulations, but meet the regulations of the time in which the structures were built. Through this document, I will define and explain why all variances should be approved.

#### Petitioner's statement:

The reasons for the requested variances are to keep my home in its current state without losing defining elements to its existence. It is my goal to have a very defining renovation to the lot, but not at the cost of losing what I will prove to be legal and integral to the structure(s). Should I not be given these requested variances, then it would mean an unjustifiable physical, financial and emotional loss to what I have worked hard to bring back from a state of neglect that the home had gone through with the previous owner.

The requests that I am petitioning for would mean that I can continue to use my house, as it was intended, when it was built in 1925. Furthermore, through the approval of this variance, I will have the opportunity to add value back my property, and as a result, increase property values of the neighborhood as a whole.

Applicant's Statements of Justification:

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#### A. That the special conditions and circumstances exist which are peculiar to the land.

#### Rear/west setback:

According to *today*'s zoning ordinance, single family dwellings have a minimum rear setback of 20'. However, this structure, which sits at the rear of the property, according to the *Palm Beach Property Appraiser (PAPA)* was constructed, along with the main house, in 1925 (Doc 1) which predate all current ordinances. According to (Doc 2), which is the earliest recoded zoning code, and established 21 years *after* the subject property was constructed, states that the minimum rear and side setback guidelines were 2.5'. Therefore, as an existing structure, built approximately 8-10 decades *prior* to current codes, it meets justification (Doc 7). Additionally, special conditions, peculiar to the land, exist which are outlined below:

#### - Existence of an FPL panel

While the city refutes this structure's legality, on its western facade, is a panel installed by FPL (Doc 3-A). I have attached my electric bill (Doc 3-B) as evidence of its operation. If the structure in question was built illegally, then how would a *legal* panel have gotten there? What structure built "without permits", according to the city, could have an FPL meter and cable installed to the local power pole?

#### - Existence of a concrete septic tank

On March 30th 2006, the then owner pulled a legal permit to have his septic tank inspected (Doc 4-A). In the description of the tank, the material clearly states a 750-gallon *concrete* tank. After I purchased the property, I had the septic tanks pumped by Bradford Septic (Doc 4-B). Upon pumping the tanks, the attendants showed that one tank was made of concrete (rear/west structure - Doc 5) and the other of fiberglass (main house - Doc 6). You will find, within the metadata of each photo, it shows the GPS location where they were taken. If the city's logic is true and this structure was built "without permit", then how would the property owner pull a *legal* permit from the city of Greenacres, and the Health Department, for their septic tank to be inspected?

#### Front/east setback:

The city is making an attempt to impose its current zoning ordinances, on my home, in order to make all of the structures conform to their new construction standards. However, the evidence in (Doc 1 - A4) shows the main house, and the front overhang in question, were built when the minimum front setback was 20' (Doc 2). As you can see from the survey in (Doc 7), the house has a front setback of 19'8" therefore the variance needed is for approximately 4". However, due to the structural integrity of the overhang, denying the variance of this minor encroachment would cause the structure to fall.

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PLANNING & ENGINE Page

#### Side/south setback:

The south side of the property has a setback that is approximately 2.5' wide which is inside of the current minimum setback of 7.5'. The structure on the south side of the property is an existing non-conformity since the property was built in 1925 despite the city making a claim that the structure was an "addition". According to (Doc 8), which is the earliest digital recording of the property from PAPA, it shows the structure's existence as early as 1977, negating the city's statement that the structure was added in 2009 "without a permit or an inspection".

In 2006, the then owner of 333 Jackson Ave sold lot 28 (of lots 27 & 28) to Dream Builders Construction Inc (*DBC Inc*) to construct a new house. The city of Greenacres is making an attempt to absolve themselves of culpability by claiming the owner bisected his lots and obtained a property control number and used it to file for building permits.

However, during the entire construction phase of this new house, the city never questioned the legality of this condition nor did they question where the lot line for the new structure sat in relation to the existing. Even though the city used, and continues to use, inspectors to comb neighborhoods and note violations.

In other words, in 2006 DBC Inc went through numerous site visits and inspections, yet at no point did the city file a claim, state a violation, or make note, in any documented form, of an illegal non-conformity to the existing house. Yet, three years *later*, they flagged it for a violation. Now, 15 years later, the city wants me to take responsibility for the actions of that homeowner as well as a lack of their own due diligence.

#### B. That special conditions do not result from the actions of the applicant

#### Rear/west setback:

This structure was built in 1925, and thus, not the actions of myself, the property owner.

#### Front/east setback:

This structure was built in 1925, and thus, not the actions of myself, the property owner.

#### Side/south setback:

According to the city's defense, they claim that this structure is "clearly an add-on" referenced by <u>case number 03-09-1667</u> (Doc 9) in which one of their staffers claimed there was an "addition on south side of house". Yet, as previously mentioned, (Doc 8) shows this portion of the main house existed prior to 1977. So, how would it be possible that this structure existed for, at least, 30 years before the city noticed its existence and flagged it for a violation?

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The city of Greenacres has not maintained any permits for this property, including the main house, other than enclosing a carport and a storage shed. As a result, they are falsely claiming that this structure, along with the rear structure, were built without permits. However, these structures were all built legally, based on the findings of facts, at a time that predate the current code and are now existing conditions to the site, thus, not the results of my actions, the property owner.

C. That granting the variance will not confer on the applicant any special privileges that is denied by this chapter.

#### Rear/west setback:

A special privilege will not be granted because this structure is an existing legal, non-conformity. New construction doesn't allow for multifamily dwellings or expansions thereof for non-conformities, but no new dwellings or expansions are being completed. And what is an existing condition is therefore not a special privilege.

#### Front/east setback:

No special privileges will be given based on the fact that nearly every house on Jackson Ave, and throughout the Original Section, all fall within a 25' minimum *new* construction setback. Additionally, the city has chosen to ignore this minimum setback depending on the property in question. Please refer to (Doc 10 A-B) where in both instances, the city selectively chose not to have the homeowners reduce their setback to 25' or apply for variances. These are only a few instances where the city *grants* special privileges to homeowners of their choosing. But due to an ongoing disagreement between myself and the city, they are requiring that I prove special privileges *aren't* being given to me. In order for me to keep what is an existing condition, commonly enjoyed by many homes throughout the neighborhood (Doc 10 A-D), I have to apply for this variance.

#### Side/south setback:

No special privileges exist on the south side of the property as other homes, within the Original Section of Greenacres, share a narrow side setback condition as well. Example - (Doc 11). The current side setback for the subject property is 3' which meets the setback regulations for when the structure was built, according to (Doc 2), which was 2'6".

D. That literal interpretation of the provisions of the zoning code would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this zoning code.

#### Rear/west setback:

According to the new zoning provisions, I would be denied my rights as they do not allowacres for multi-family or auxiliary dwellings. While auxiliary conditions aren't "common"

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throughout the neighborhood, some properties, in the RL-3 district, do have these structures, including - 352 Jackson Ave, 436 Broward Ave and 525 Fleming Ave. Additionally, as a legal entity, that met the conditions required, per its date of construction, rights should be granted.

#### Front/east setback:

Literal interpretation of the code would deprive me of common rights as dozens of properties within the neighborhood all fall under the minimum 25' setback per the city's new codes. Most of these structures were established prior to the first ordinance issued by Greenacres, in 1947.

#### Side/south setback:

To reiterate, this structure, established prior to current codes would also be deprived of its legal rights as it falls within the minimum setback required. But given its minimum date of construction and the codes of its time, the structure should be granted its due rights as well.

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

#### Rear/west setback:

The request is the minimum variance needed to maintain its existence. This structure is my primary residence. I have made improvements to the floors, kitchen, bathroom tile etc. As such, the cost of those improvements will be lost. Secondly, requesting my house to be torn down will satisfy nothing other than the city's desire to have the structure removed. If that were to take place, it would force me out of my residence and then I would have to seek an alternative housing option.

#### Front/east setback:

This request is the minimum variance needed for the overhang to remain structurally sound. Removing the few inches, in which this structure falls in the setback, will jeopardize the integrity of the overhang since the columns that support the load  $(1'\times 1')$  are near its furthest point. Additionally, tearing off the front overhang, completely, would leave the front door exposed, when entering or exiting, as there would be no shelter from the elements.

#### Side/south setback:

Without this portion of the home, and with the garage converted back to storage, the net square footage of the main house would approximately be 520ft². According to the city of Greenacres Code of Ordinance, 16-341 (1), it states - Single-family dwellings, one thousand (1,000) square feet for a one-bedroom dwelling unit, plus two hundred (200) REENACRES square feet for each additional bedroom (Doc 12).

As the house sits, the house is a one bedroom and is approximately 700ft² which is a *permitted* use size for existing residential conditions, however it is roughly 300ft² *undersized* for today's new construction standards. Since the city is requesting it to be removed, the structure must now meet standards set by the Florida Building Code as well as the city's own code of ordinances. So, by tearing off 180ft² (the size of the southern portion) it would mean that the house further reduces itself from the *minimum* requirements the city has set for a one-bedroom.

F. No nonconforming use of neighboring lands, structures or buildings in other districts and no permitted use of land, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

#### 1. shall not be contrary to the public interest

#### Rear/west setback:

The rear setback is not contrary to public interest, because the structure was built, legally, in 1925 according to the Palm Beach County Appraiser's office. Any attempt, by the city, to make a claim that the structure was built "without a permit" is unsubstantiated and has no merit. This structure is not contrary to public interest as there are other homes in the neighborhood that, too, have mother-in-law quarters on their site, including 352 Jackson Ave, 436 Broward Ave and 525 Fleming Ave to name a few. Additionally, these lots, as well, measure 50' x 130' with some of the examples being constructed as late as 1984 (Doc 13).

#### Front/east setback:

The front setback which is under the current 25' setback is common throughout the original section of Greenacres. No special privileges will be given since most homes fall in the same category. 322 Jackson Ave with a setback of 19.98', 345 Jackson Ave with a setback of 14' and 132 Jackson with a setback of 12'10" are a few examples. (Doc 10 A-D)

#### Side/south setback:

According to the city staff's report, the adjacent public's interest would be a detriment due to this setback. Their defense is it would encourage other homeowners to perform work without a permit or review. However, nothing the then property owner did was without a permit based on the findings of facts. As previously mentioned, the city has no documented permits of construction for my home, yet PAPA very clearly states all structures on the lot were built in 1925, so how can they make a claim that the then homeowner was responsible for constructing one or doing so without a permit?

Additionally, in order to obtain a property control number and use it to build a house, it means that the owner must've legally submitted their information for county approval.

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Following obtaining this information, the property was sold to a third party, recorded into the city and county tax record and permits were applied for to construct a home.

Site visits, property inspections, sign-offs for local and city codes of compliance were all completed as well as other city and county regulated measures to erect what is now 329 Jackson Ave. Yet, the city continues to absolve themselves of any culpability and place blame, solely, on the then homeowner for illegally obtaining a property control number and constructing an unpermitted "addition" that had been there for a minimum of three decades prior.

The city's lack of record keeping and continued deflection of their involvement only serves to prop-up their position that this structure must be torn down. And any acknowledgement of negligence would be a detriment to their argument.

2. May be authorized if, where owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary and undue hardship

#### West/rear setback:

This property is my FL homestead and this particular structure is my home. The literal interpretation of today's code would require that I tear my house down, even though the main house is currently uninhabitable. The request is unnecessary because the structure is legal and the results would force me into seeking an alternative living situation.

#### Front/east setback:

The request to remove the front porch would, unquestionably, be unnecessary. It is an integral piece of the home, providing shelter from the elements, hence, the desire to keep it in its current state. It is short of the setback requirements of 1947, but removing the minor encroachment necessary to meet that setback would cause the structure to fall. Not to mention, other homes in the neighborhood are also given the privilege of a less-than-25'-setback. An undue hardship would result in having to tear down the home's history, character and shelter.

#### Side/south setback:

An unnecessary hardship would occur because the city is asking to remove a piece of the home's footprint for the sake of pursuing an unjustifiable claim which was made, in error, back in 2009.

G. Financial hardship is not to be considered alone as sufficient evidence of a hardship.

In addition to the numerous reasons I've listed above for why I should be granted these variances, the last year has been extraordinarily difficult on myself and myoferity difficult on my myoferity difficult on myself and myoferity difficult on myself and myoferity difficult on myself and myoferity difficult on my myoferity difficult on myself and myoferity difficult on myself and myoferity difficult on myself and myoferity difficult on my myoferity difficult on myoferity difficult on myoferity difficul



ongoing disagreement between myself and the city of Greenacres hasn't made things any better.

I purchased this property on Feb 27th of 2020, the week prior to the COVID-19 outbreak, with a vision of a much larger plan that I shared with the director of planning. During that time, we seemed to have found some common ground and were looking at moving things along. However, within a few weeks of our conversation, my business had suffered substantially and I could no longer afford the major renovation that I envisioned for my home. A year later and my financial situation has improved, but not to the extent my business needs in order to reach my goal with the property. So, while financial hardship isn't my only reason for a desired variance to be granted, it is a contributing factor to the challenges I face.

#### Final Statement:

In closing, I hope that this document outlined the frustration I've faced when presenting my case to the city. I have struggled to receive consistent application of how the city interprets their code. In one case they allow permits for the main house to justify its legality, yet deny the rear structure's legality despite a legal FPL panel installed and a permitted septic tank.

I have also faced inconsistencies in their ruling and blatant singling-out when making an effort to move the process along. I.e., giving out permits to structures that don't meet their setbacks, yet requiring that I file for a variance under the same conditions such as in 322 and 345 Jackson.

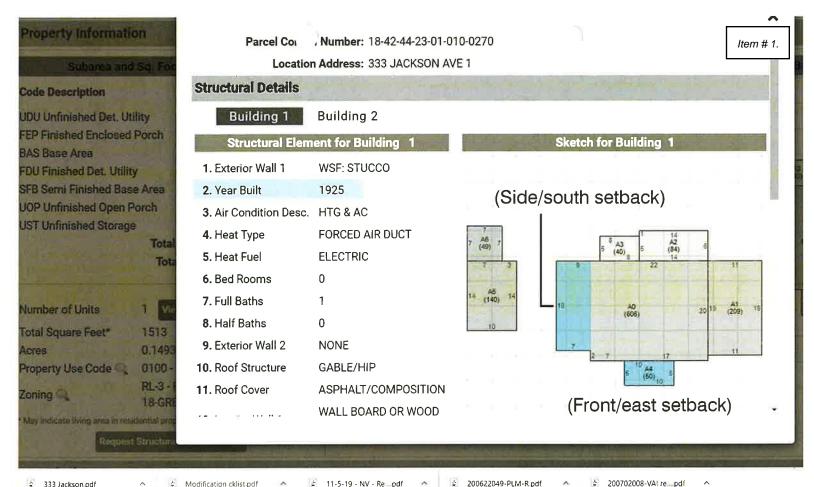
I am not asking for favors, nor a hand-out. What I'm requesting is a fair ruling based on the findings of facts and for rights commonly enjoyed throughout the neighborhood, as well as my own legal rights, to be applied impartially, equally and consistently.

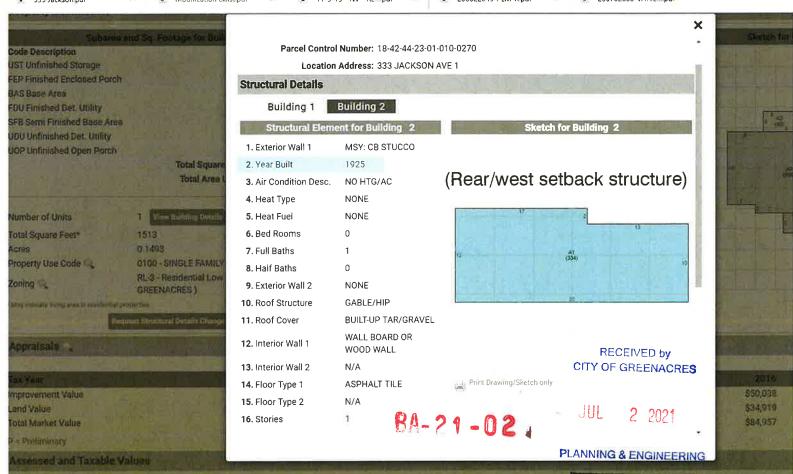
It is my hope that with the evidence outlined above that I'm granted my variances requested so I may continue to improve my home, as I should rightfully be allowed to, and to make the neighborhood better through its renovation.

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JUL 2 202

BA-21-02 1 ,





ORDINANCE NO. 10 BULL OING

An Ordinance of the Town of Greenacres City, Palm Beach County, Florida, relating to and restricting the erection, construction, alteration, location, maintenance of lands and buildings, restriction and use of buildings, structures, lands for trade, industry, residence and other purposes; designating and establishing sidewalk and parkway strips; repealing all Ordinances in conflict herewith; and prescribing penalties for violation of this Ordinance.

Be it ordained by the Town Council of the Town of Greenacres City, Florida:

SECTION I - Setbacks Established.

That the minimum front setback of buildings erected hereafter, and including any porch, overhang or projection, from the front lot line, shall be 20 feet. No building having a floor area of less than 480 square feet shall be erected within 75 feet of the front lot line. No building shall be erected within  $2\frac{1}{2}$  feet of the side and back lot lines of the property, excepting that no building shall be erected within 5 feet of a side line when said side line is adjacent to a street. There is expressly omitted from these restrictions any building used for commercial purposes. SECTION II - Sidewalk and Parkway Strips Established.

That there is hereby established and designated a side-walk strip adjacent to the front line of all property within the limits of this Town. Said sidewalk strip shall be immediately adjacent to the property line and shall be 4 ft. in width extending from the property line toward the street line. There is hereby established a parkway strip, said parkway strip being immediately adjacent to and parallel to the said sidewalk strip and extending 6 feet in width from the sidewalk strip to the curb of the street line. The sidewalk strips and parkway strips as aforesaid shall be maintained by the adjacent property owners and must always be kept free and clear of trees and any other obstructions.

All easements or right of ways shell he kent free and

SECTION XI

All Ordinances and all other part or parts of Ordinances in conflict with this Ordinance are hereby repealed.

SECTION XII - Violation and Penalty

Any person, firm or corporation who shall violate or fail to comply with any of the provisions of this Ordinance shall be punished by a fine not exceeding \$500, or imprisonment for a term not exceeding 60 days, or both. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION XIII

Any contractor or other builder violating any part of this Ordinance or starting to build without a permit becomes separately liable and is subject to a fine not exceeding \$100.00, nor less than 25 or 90 days confinement, or both, for each violation.

SECTION XIV

This Ordinance shall take effect upon its passage and adoption pursuant to law. Jul. 28 1947

COUNCILMEN:

Paul Philos Robert HBoys W. W. Dulay

Carl Rasor

MAYOR

William W Bryane (acting clerk)

BA-21-02

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**Electric Bill Statement** 

For: May 5, 2021 to Jun 4, 2021 (30 days)

Statement Date: Jun 4, 2021 Account Number: 52416-09345

Service Address:

333 1/2 JACKSON AVE GREENACRES, FL 33463

Hello Jason B Abrams, Here's what you owe for this billing period.

#### **CURRENT BILL**

**\$29.53** 

TOTAL AMOUNT YOU OWE

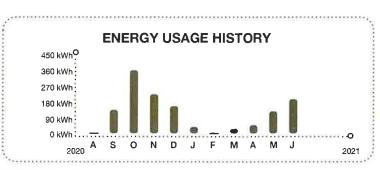
Jun 25, 2021 NEW CHARGES DUE BY Receive predictable bills all year. Enroll in FPL Budget Billing<sup>®</sup>. FPL.com/BB

## BILL SUMMARY

Total amount you owe	\$29.53
Total new charges	32.50
Balance before new charges	-2.97
Additional Activity	-2.97
Payments received	-24.50
Amount of your last bill	24.50

(See page 2 for bill details.)

FPL filed a request with the Public Service Commission for a new four-year rate plan, beginning in 2022, to support continued investments in clean energy, the grid and technology. Visit: FPL.com/Answers



#### **KEEP IN MIND**

 Payments received after June 25, 2021 are considered late; a late payment charge, the greater of \$5.00 or 1.5% of your past due balance will apply. Your account may also be billed a deposit adjustment.

BA-21-021

Customer Service: Outside Florida: (561) 697-8000 1-800-226-3545 Report Power Outages: Hearing/Speech Impaired: 1-800-40UTAGE (468-8243)

711 (Relay Service)



/ 27

297 4203524160934583592000000

JASON B ABRAMS 7178 GOLF COLONY CT APT 104 LAKE WORTH FL 33467-8811 The amount enclosed includes
RECOMPTING Jonation:
CITY OF GRAP A Charge:

JUL 2 2021

FPL GENERAL MAIL FACILITY MIAMI FL 33188-0001

Make check payable to FPL

this coupon to:

in U.S. funds and mail along with

**PLANNING & ENGINEERING** 



AGENT: DAVID BLACK (DOLPHIN POOLS & SPAS)

# STATE OF FLORIDA DEPARTMENT OF HEALTH ONSITE SEWAGE TREATMENT AND DISPOSAL SYSTEM CONSTRUCTION INSPECTION AND FINAL APPROVAL

PERMIT #: 50-SW-1 0295

DOCUMENT #: F1702372

DATE PAID: 03/30/2006

FEE PAID: 190.00

RECEIPT #: S060330017

APPLICANT: Raymond Loukinen

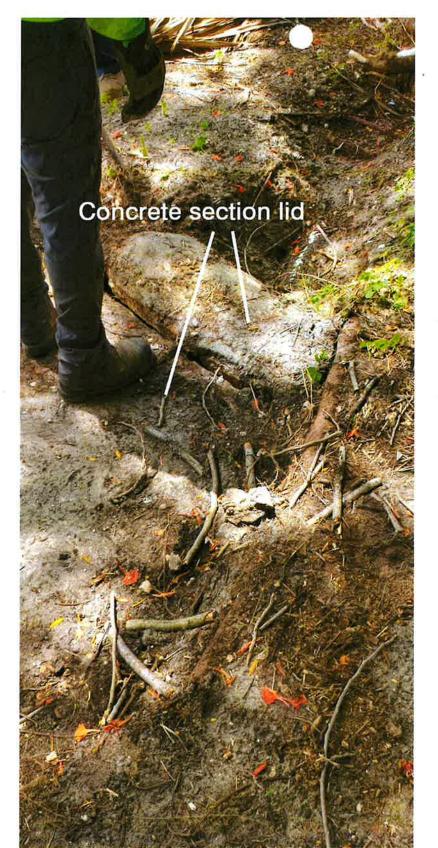
PROP	PROPERTY ADDRESS: 333 Jackson Ave Lake Worth, FL 33463				
LOT:	LOT: <u>27/2</u> BLOCK: <u>10</u>				
SUBD	IVISION:	GREENACRES PLAT #2 ID#: 1842	44230101002	70	
-		CHECKED [X] ITEMS ARE NOT IN COMPLIANCE	WITH STATUT	E OR F	RULE AND MUST BE CORRECTED.
		[]			<u> </u>
		INSTALLATION		SETBA	
[ ]		TANK SIZE [1] 750.00 [2]	- [ ]	[27]	SURFACE WATER FT
[ ]		TANK MATERIAL CONCRETE	_ [ ]	[28]	DITCHES
[ ]	[03]	OUTLET DEVICE	_ [ ]	[29]	PRIVATE WELLSFT
[ ]	[04]	MULTI-CHAMBERED [ Y / N ]	[ ]	[30]	PUBLIC WELLSFT
[ ]	[05]	OUTLET FILTER	. [ ]	[31]	IRRIGATION WELLSFT
[ ]	[06]	LEGEND 1. Unknown 2.	[ ]	[32]	POTABLE WATER FT
[ ]	[07]	WATERTIGHT	[ ]	[33]	BUILDING FOUNDATIONS FT
[ ]	[08]	LEVEL	[ ]	[34]	PROPERTY LINES FT
[ ]	[09]	DEPTH TO LID	[ X ]	[35]	OTHER SPOIL MATERIAL FT
	DRAIN	FIELD INSTALLATION		FILLE	D / MOUND SYSTEM
[ ]	[10]	AREA [1] 200 [2] 0 SQFT	[ ]	[36]	DRAINFIELD COVER
[ ]	[11]	DISTRIBUTION BOXHEADER	[ ]	[37]	SHOULDERS
[ ]	[12]	NUMBER OF DRAINLINES 1. 4.00 2.	[ ]	[38]	SLOPES
[ ]	[13]	DRAINLINE SEPARATION	[ ]	[39]	STABILIZATION
[ ]	[14]	DRAINLINE SLOPE			<del></del>
[ ]	[15]	DEPTH OF COVER		ADDIT	IONAL INFORMATION
[ ]	[16]	ELEVATION [ ABOVE / BELOW ] BM 0.00	[ ]	[40]	UNOBSTRUCTED AREA BA-21-0
[ ]	[17]	SYSTEM LOCATION	[ ]	[41]	STORMWATER RUNOFF
[ ]	[18]	DOSING PUMPS	[ ]	[42]	ALARMS
[ ]	[19]	AGGREGATE SIZE	[ ]	[43]	MAINTENANCE AGREEMENT
[ ]	[20]	AGGREGATE EXCESSIVE FINES	[ ]	[44]	BUILDING AREA
[ ]	[21]	AGGREGATE DEPTH	[ ]	[45]	LOCATION CONFORMS WITH SITE PLAN
	דדים	/ EXCAVATION MATERIAL RECEIVED b	[ ]	[46]	FINAL SITE GRADING
[ ]		FILL AMOUNT CITY OF GREENA		[47]	CONTRACTOR Richard K Gillikin (Honeywago
1		FILL TEXTURE	[ ]	[48]	OTHER INFILTRATOR EQ36 (Single Chambe
[ ]		EYCAVATION DEDTU		ARAND	ONMENT
ī		AREA REPLACED JUL 2 202	1 1	[49]	TANK PUMPED 03/01/2006
[		REPLACEMENT MATERIAL	[ ]	[50]	TANK CRUSHED & FILLED
177 7	ments:	PLANNING & ENGINE	ERING	[50]	
CONT	STRUCTION	[ APPROVED / DIGIPPROVED 1:			Palm Beach CHD DATE: 05/19/2006
COM	SIRUCTION	DISAPPROVED 1: Legacy Legacy L	egacy		<del></del>
FINA	AL SYSTEM	[ APPROVED / DISAPPROVED ]: Legacy Legacy I			Palm Beach CHD DATE: 05/19/2006
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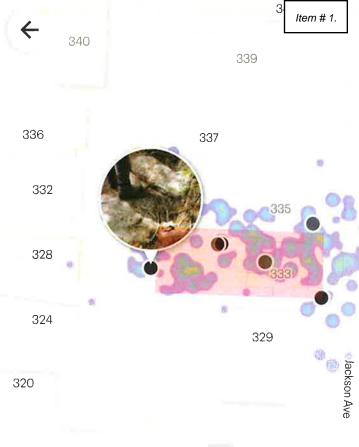
# BRADFORD SEPTIC TANK CO. P.O. Box 14975 North Palm Beach, Florida 33408

Item # 1.

561-848-2928

Customer JASO Abna	Phone 317	-348-4864			
Address 333 Tackson Rue					
		1000			
Reason for call		1925			
DATE 7 4 2020	OPERATOR ( )	TYLONE			
WORK PERFORMED		\$ AMOUNT			
PUMP SEPTIC TANK	1900 5ECTION	345.00			
CLEAR INLET BAFFLE  CLEAR OUTLET FILTER	ICTANK TO F.G.				
MACHINE LINE - HOUSE TO SEPT	(fiberglass)	The state of the s			
D PUMP GREASE TRAP					
OTHER RECEIV  SERVICE CALL  CITY OF GRE	/ED by EENACRES				
JUL 2	2021 TOTAL \$ 2	45.00			
FINDINGS / COMMENTS PLANNING & ET	NGINEERING	()			
CREDIT CARD MO	CASH CHECK	CHECK#			
NUMBER #	MEX / DISC	EXP DATE			
CUSTOMER SIGNATURE X  EXP DATE  EXP DATE					
TERMS: NET CASH If not paid by the Toth So Oo or ANNUAL Of the	Ale	A-21-02 FINANCE CHARGE OF			





July 8, 2020

#### Greenacres

DETAILS

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**samsung SM-N975U1** f/2.4 1/199 4.30mm ISO50

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BA-21-02

Doc 5



- Actions



July 8, 2020

#### Greenacres

DETAILS



**20200708\_142429.jpg** 9.IMP 4032 x 2268 4.3 MB



samsung SM-N975U1 f/2.4 1/137 4.30mm ISO50

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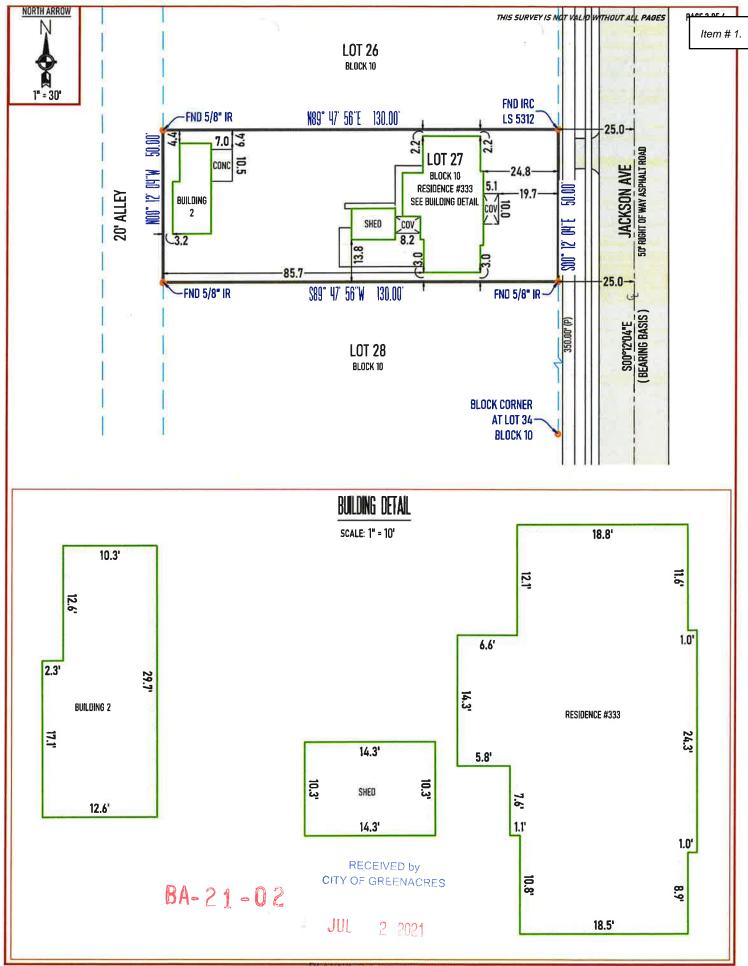
2 2021

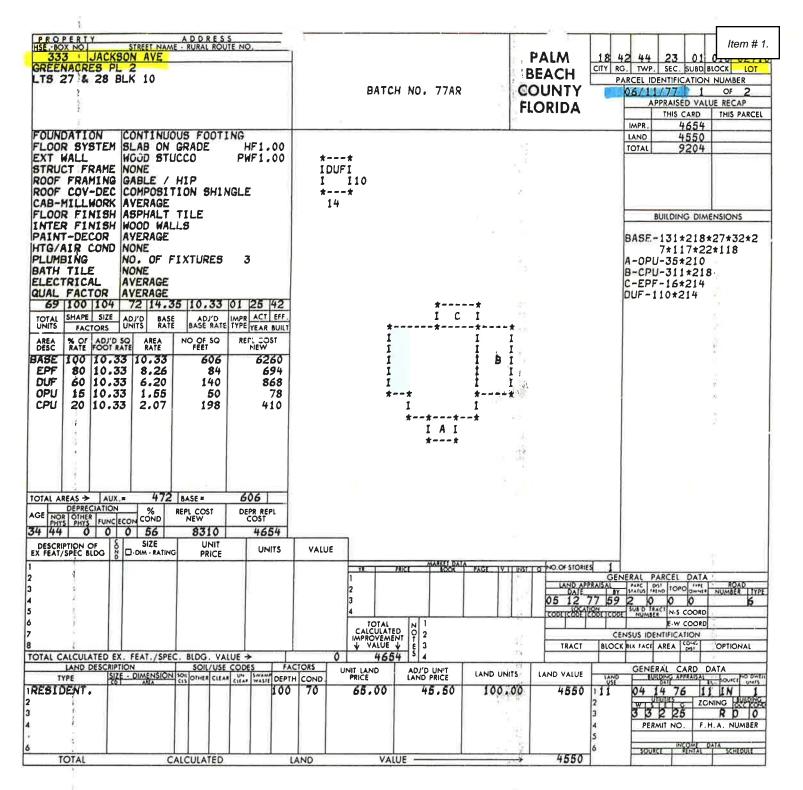
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BA-21-02

Doc 6

Page 32





BA-21-02



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GARAGE TURN TNTO BERROOM
APD TON ON SOUTH SIDE OF MOU. SHED TURNED INTO LIVING SPACE UTILY SHED WOOT PERMILE

90 DATS TO GET PERMY. TS

This docurent has been edited for space, but all contents of this report are shown it its entirety

BA-21-02 RECEIVED by CITY OF GREENACRES

Item # 1.

# CASE-3-09-1667 **333 JACKSON AVENUE**

JUL 2 2021

PLANNING & ENGINEERING



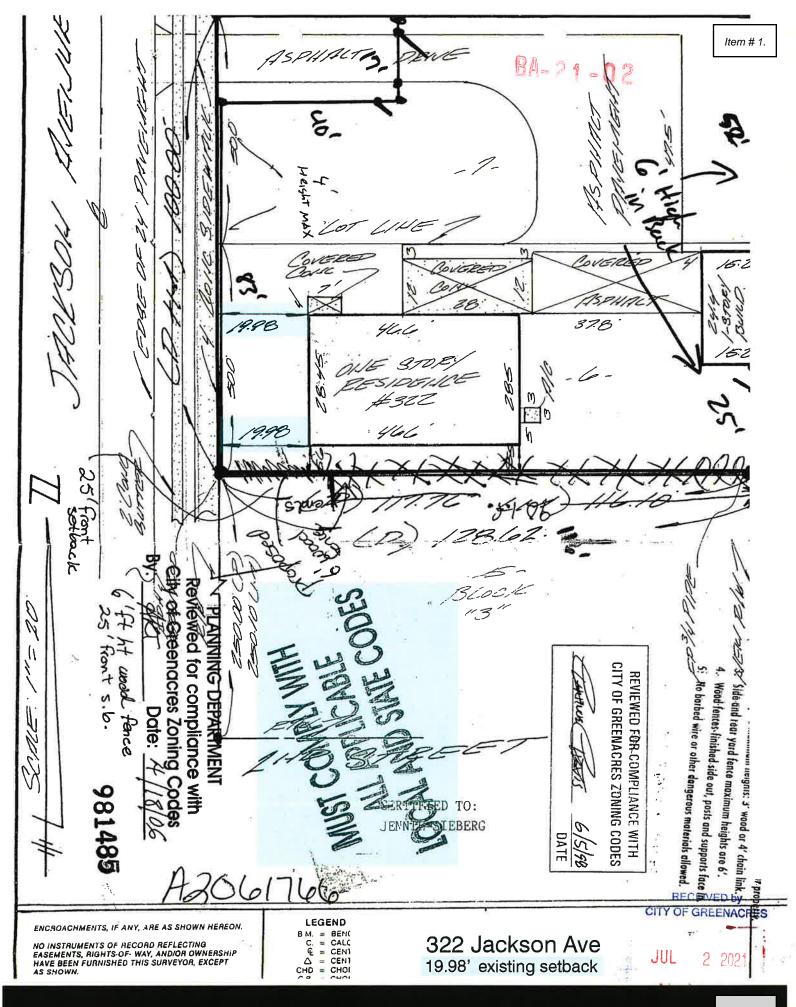


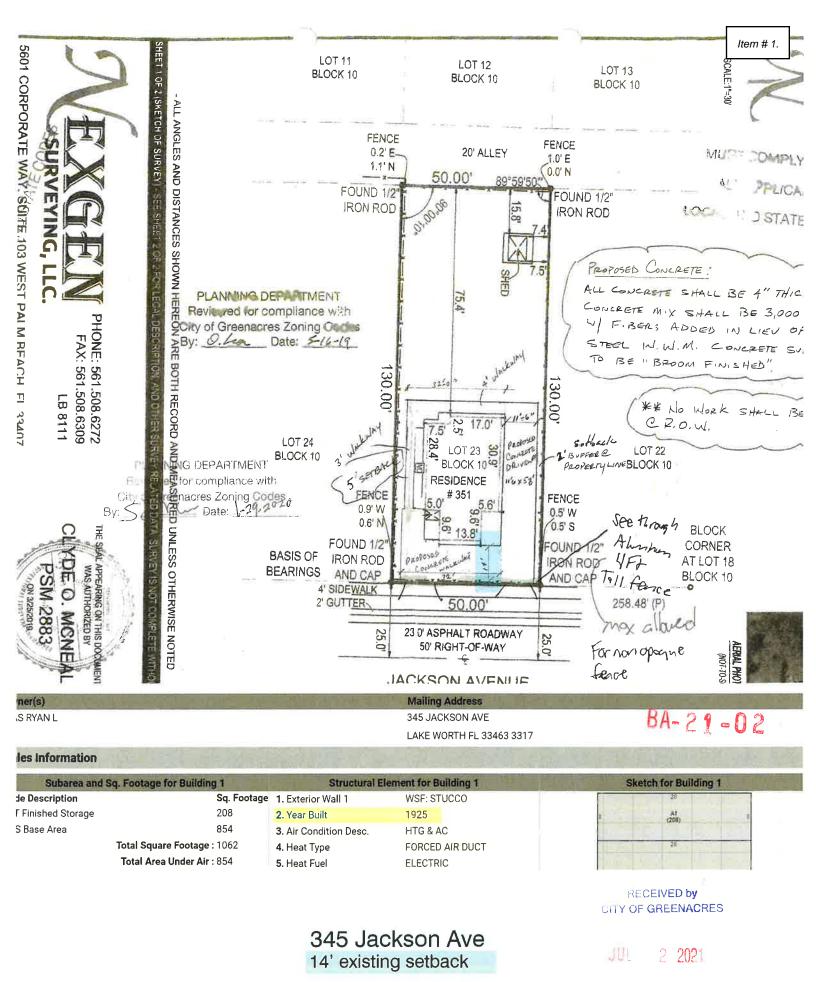












Doc 10-B

Page 37



#### 109 Jackson Ave 25' new construction setback

Owner Name: SHARMIN SHAKILA & Parcel Control Number: 18-42-44-23-01-012-0290 Location Address: 109 JACKSON AVE

Structural Details

Building 1

1. Exterior Wall 1 MSY: CB STUCCO 2 Year Bunt

2020







120 Jackson Ave

19'5" existing setback

Owner Name: SIEBERG RICHARD J Parcel Control Number: 18-42-44-23-01-001-0060 Location Address: 120 JACKSON AVE

#### Structural Details

#### Building 1

Structural Clamput for Pulifying 1 1. Exterior Wall 1 WSF: WOOD SIDING

1925 2. Year Built

3. Air Condition Desc. NO HTG/AC









## 132 Jackson Ave

19'8" existing setback

BA-21-02

Owner Name: MONTERO DANIEL & Parcel Control Number: 18-42-44-23-01-001-0100 Location Address: 132 JACKSON AVE

Structural Details

Building 1

1. Exterior Wall 1. 2. Year Built

WSF STUCCO









132 Jackson Ave

CITY OF GREENACRES

Parcel Control Number: 18-42-44-23-01-011-0290 Location Address: 255 JACKSON NVE

Owner Name: CLAPOS ROJAS LENGI

2. Year Built

1. Exterior Wall 1 WSF. STUCCO

JUL 2 2021



240 Walker Ave





333 Jackson Ave - subject property 19'8" existing setback

Parcel Control Number: 18-42-44-23-01-010-0270 Location Address: 333 JACKSON AVE 1

Building 1 Building 2 RECEIVED by
Structural Element for Building 1

Extener Wall 1 WSF STUCCO

2 Year Build 1925

BA-21-02

JUL 2 2021

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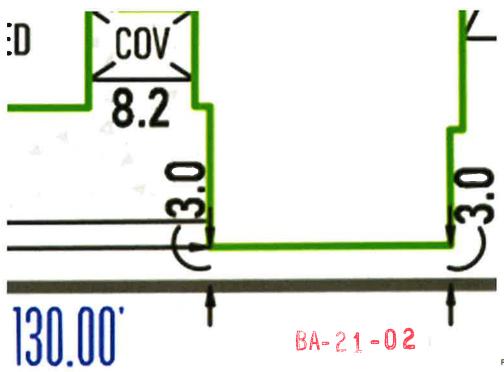




# 201 Jennings Ave 2'7" existing setback (side)

201 JENNINGS AVE GREENACRES 18-42-44-23-01-047-0340

Structural Element for Building				
ootage	1. Exterior Wall 1	WSF STUCCO		
	2. Year Built	1926		
	3. Air Condition Desc.	HTG & AC		
	4. Heat Type	FORCED AIR DUCT		
	5. Heat Fuel	NONE		



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2 2021 JUL

PLANNING & ENGINE ERING

333 Jackson Ave - subject property 3' existing setback (side)

Parcel Control Number: 18-42-44-23-01-010-0270 Location Address: 333 JACKSON AVE 1

Structural Details

Building 2

1. Exterior Wall 1 WSF STUCCO

2. Year Built 1925

Page 40 Doc 11

(a)

a.

(b)

#### Sec. 16-340. - Height restrictions.

height of all structures in the residential medium density (RM) district shall be thirty-five (35) feet.

(Code 1966, § 32-22(j); Ord. No. 99-41, § 1, 9-21-99)

#### • Sec. 16-341. - Minimum living area.

The minimum required living area requirements in the residential medium density (RM) district shall be:

Single-family dwellings, one thousand (1,000) square feet for a one-

bedroom dwelling unit, plus two hundred (200) square feet for each additional bedroom.

All other permitted residential types:

Efficiency, six hundred eighty (680) square feet.

One-bedroom, seven hundred (700) square feet.

Two-bedroom, nine hundred (900) square feet.

d. Three-bedroom, one thousand one hundred (1,100) square feet.

The provisions contained in subsection (a) above shall only apply to the construction of new units and shall not apply to existing dwellings undergoing alterations or that are altered in the future.

(Code 1966, § 32-22(k); Ord. No. 95-02, § 3, 2-21-95; Ord. No. 99-41, § 1, 9-21-99)

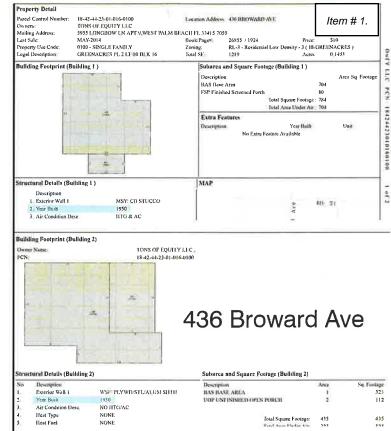
## Sec. 16-342. - Sign regulations.

The regulations regarding signs in the residential medium density district are in article VI, div. 4, sign standards.

BA-21-02 | RECEIVED by CITY OF GREENACRES

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#### **Property Detail**

Parcel Control Number: 18-42-44-23-01-003-0140

Owners:

PEREZ LURDES R , PEREZ SERAFIN A 352 JACKSON AVE, GREENACRES FL 33463 3318

Mailing Address: Last Sale: NOV-1991

Property Use Code: 0100 - SINGLE FAMILY

GREENACRES PL 2 LT 14 (LESS E 5 FT Legal Description:

RD R/W) BLK 3

Location Address: 352 JACKSON AVE

Book/Page#: Zoning: Total SF:

07195 / 1390

Price:

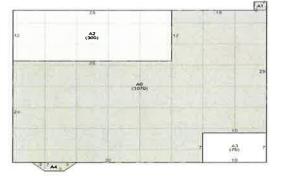
\$100

1959

RL-3 - Residential Low Density - 3 (18-GREENACRES)

0.1413

#### Building Footprint (Building 1)



#### Structural Details (Building 1)

Description

MSY: CB STUCCO 1. Exterior Wall 1

2 Year Built

#### **Building Footprint (Building 2)**

Owner Name: PCN:

PEREZ LURDES R ,PEREZ SERAFIN A & .

18-42-44-23-01-003-0140



## 352 Jackson Ave

Bt- 1-021

#### Structural Details (Building 2)

3.

No Description Exterior Wall 1 WSF: WOOD SIDING 1. 2.

Year Built 1981 NO HTG/AC

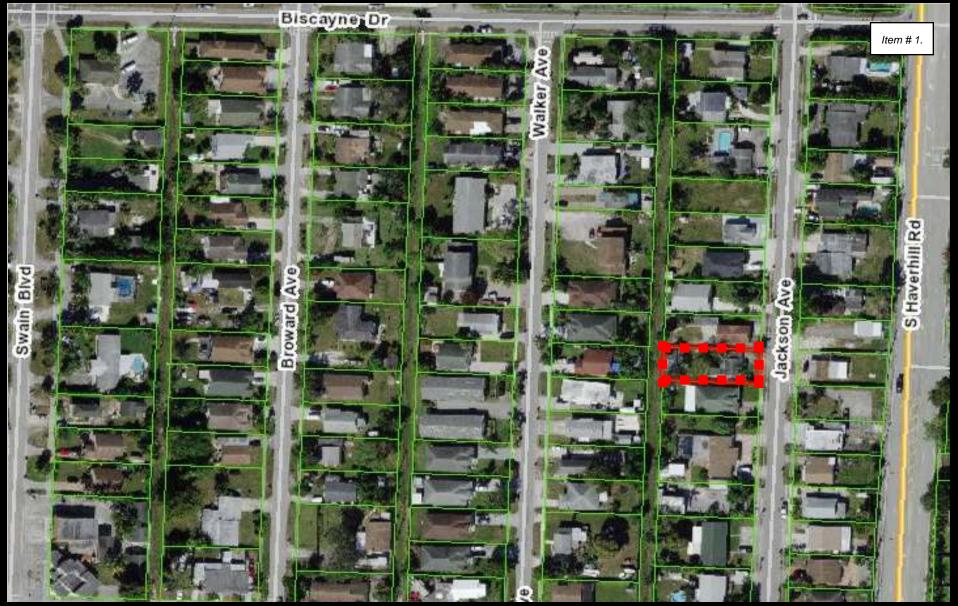
Air Condition Desc. NONE Heat Type

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BA-21-02

PLANNING & File





333 Jackson Avenue BA-21-02

Prepared By: Planning and Engineering Department City of Greenacres 5800 Melaleuca Lane Greenacres, FL 33463





EMAIL: ORDERS@TITANPSM.COM

WWW.TITANPSM.COM SUPPORT@TITANPSM.COM 369 NE BAKER RD, STUART, FL 34994

## LEGAL DESCRIPTION:

( LEGAL DESCRIPTION IS PROVIDED BY THE CLIENT )

**LOT 27 BLOCK 10 OF GREENACRES PLAT 2** ACCORDING TO THE PLAT THEREOF, AS **RECORDED IN PLAT BOOK 13 PAGE 3 OF THE** PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

> RECEIVED by CITY OF GREENACRES

> > 2 **2021**

**PLANNING & ENGINEERING** 

**SURVEY NOTES:** -NOTABLE ENCROACHMENTS WERE NOT OBSERVED.

#### SURVEY EXCEPTIONS:

- -THIS BOUNDARY SURVEY HAS BEEN PREPARED FOR THE PURPOSE OF JASON ABRAMS TO FULFILL A MORTGAGE TRANSACTION . IT IS VALID FOR ONLY THIS
- -NO SEARCH OF THE PUBLIC RECORDS HAS BEEN CONDUCTED BY THIS OFFICE. - GRAPHIC REPRESENTATIONS MAY BE EXAGGERATED TO DEPICT FEATURES, DIMENSIONS PREVAIL OVER SCALE
- -UNLESS SPECIFIED ALL FOUND CONTROL HAD NO IDENTIFICATION
- -UNLESS SPECIFIED ALL MEASUREMENTS ARE IN US SURVEY DECIMAL FEET -PARTYWALLS WHERE SHOWN ARE 0.7" CONCRETE BLOCK AND ARE CENTERED PLUS OR MINUS TO EACH ADJOINER.
- -ANY FENCES SHOWN HEREON ARE ILLUSTRATIVE OF THEIR GENERAL POSITION. FENCE TIES SHOWN ARE TO GENERAL CENTERLINE OF FENCE ON THE FIELDWORK DATE SHOWN ON THE SURVEY
- -ALL BOUNDARY AND CONTROL DIMENSIONS SHOWN ARE FIELD MEASURED AND CORRESPOND TO RECORD INFORMATION UNLESS SPECIFICALLY NOTED.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY ANYONE OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT. -THIS SURVEY IS NOT VALID WITHOUT THE RAISED SEAL OR DIGITAL SIGNATURE

## OF THE SIGNING SURVEYOR

**BEARING BASIS:** THE CENTERLINE BEARINGS ARE BASED ON \_\_\_ JACKSON AVE . WHICH BEARS S 00° 12' 04" E

AND ALL OTHER BEARINGS SHOWN HEREON ARE RELATIVE THERETO.

CERTIFICATION STATEMENT

SURVEY EFFECTIVE DATE: 6/28/2021



I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY MEETS THE STANDARDS OF PRACTICE FOR SURVEYS, AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN CHAPTER 5J-17.051 OF THE FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.07 FLORIDA STATUTES

PAGE 2 OF 4

333 JACKSON AVE, GREENACRES, FL 33463

FLOOD ZONE: | MAP#: 12099C0776F | ET: 10/05/2017 | ELEV: "

THE ADDRESS WAS VERIFIED ON THE BROWND BY FIELDWORK CONDUCTED ON "2021-06-25 COUNTY: PALM BEACH COUNTY GROSS LAND AREA: 0.15 ACRES DRAWN BY-ALEX

PARCEL ID: 18-42-44-23-01-010-0270

AERIAL PHOTOGRAPHY (NOT TO SCALE)



GROUND PHOTOGRAPHY (FRONT ENTRY)



Comparing abbreviations	CALCULATE OF	District Annual Property of the Party of the		The second second second second	
UB - UTILITY BOX DE - DVERHANG / RODE EASEMENT UR - UTILITY RISER PR - DEBOTES PRIVATE (PR-DE) EDW - EDGE OF WATER SIRC - SET 5/8" IRON ROD TOB - TOP OF BANK B CAP "TITAN" IBB8302 - BUILDING CL/S - COVERED & SCREENED SIND - SET NAIL AND DISC - FUNCE CONTRED CLY - COVERED VG - VALLEY BUITTER BE - BUFFER EASEMENT FLC - FUNCE CORNER BE ROAD / URAINAGE FC - FENCE CORNER FROM PROMINER FLC - FUNCE CORNER FOR FAMILY BUILDING EASEMENT DINL* - ONLINE*  ME - MAINTENANCE WED - WATER EQUIPMENT - TRANSFORMER - CATCH BASISIN / DRAINAGE GRATE	& - AND SE - SIDEWALK EASEMENT UB - UTILITY BOX DE - DVERHANG / RODF EASEMENT			<u>/IATIONS</u>	LEGEND:
EASEMENT IEE - INGRESS / EGRESS	UB UR EOW TOB C/S SCRN COV BE RDE	- UTILITY BOX - UTILITY RISER - EIGE OF WATER - TOP OF BANK - COVERED & SCREENED - SCREENED - SURTED - BUFFER EASEMENT ROAD / DRAINAGE EASEMENT	OE PR- SIRC SND VG FLC FC ONL±	- OVERHAMS / ROOF EASEMENT - DENOTES PRIVATE (PR-DE) - SET 5/8" IRON ROO - & CAP "TIMA" LB8302 - SET NAIL AND BISC - "ITTAN" LB8302 - VALLEY BUTTER - FLUSH CURB - PENCE CORNER - ONLINE #	-PROPERTY BOUNDARY -PLATTED LOT LINE -BUILDING -BORG WATER -EASEMENT BOUNDARY -FENCE -NUMBER -CONTENLINE -CATCH BASIN / DRAINAGE GRATE -FIRE HYDRANT -FIRE HYDRANT -OVERHEAD -ANNOLE

-BRICK / PAVER SURFACE

-CONCRETE SURFACE

-WOOD SURFACE

COMMENT:

REVISION:

