



TOWN OF HILLSBORO BEACH
1210 Hillsboro Mile, Hillsboro Beach, Florida 33062
October 1, 2024 | 9:00 AM

BOARD OF ZONING & APPEALS AGENDA

MAYOR DAWN MILLER
VICE MAYOR BARBARA BALDASARRE
COMMISSIONER JANE REISER
COMMISSIONER DAVID A. RAVANESI
COMMISSIONER VINNIE ANDREANO

TOWN MANAGER MAC SERDA, ICMA-CM
TOWN ATTORNEY DONALD J.DOODY, ESQ
TOWN CLERK SHERRY D.HENDERSON, CMC

Please refer to the end of the Agenda for the RULES OF DECORUM (RES 2023-36) adopted by the Town Commisison 9/12/2023

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

I. QUASI-JUDICIAL PUBLIC HEARINGS

A. VARIANCE REQUEST for property located at 1085 Hillsboro Mile, Hillsboro Beach, FL 33062
(Item Tabled 7/9/2024, postpone to 12/3/2024)

Property Owner: Land Banc Trust

Request: The Authorized Agent, Morris Flancbaum is seeking a variance from the Town's Land Development Code (Chapter 12)

Staff: Graham Long, Development Planner, CG&A Solutions

Address: 1085 Hillsboro Mile, Hillsboro Beach, FL 33062

The Authorized Agent for 1085 Hillsboro Mile, Hillsboro Beach, Florida 33062, is seeking a variance to be permitted to construct a subterranean garage. The Variance is to Section 12-124 of the Town’s Code of Ordinance as stated below:

“Sec. 12-124. - Yard regulations.

A. Front yard. On the east and west sides of State Highway A1A there shall be an open yard having a depth of not less than 85 feet from the center line of the State Highway A1A.”

All interested parties are sworn in by Town Attorney.

- Staff Presentation
- Commission Discussion
- Public Hearing Opened
- Public Comments
- Public Hearing Closed
- Commission Discussion
- Commission Motion & Second
- Commission Vote

II. ADJOURNMENT

RULES OF DECORUM

- The goal of Commission Meetings and Public Hearings is to accomplish the public's business in an environment that encourages fair discussion and exchange of ideas.
- Everyone will have three (3) minutes when recognized for public comment, participants should step forward to the podium and state their name & address for the record.
- All comments shall be directed to the commission or board as a body, through its presiding officer. Comments shall not be addressed to a single member of the commission or board, or to Town staff including the attorney, the manager, or the clerk, unless a majority of the members present on the commission or board shall so agree.
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input.
- Anger, rudeness, ridicule, personal attacks, profane language, and lack of respect for others is unacceptable behavior. Demonstrations to support or oppose a speaker or idea, such as clapping, cheering, booing, hissing, or the use of intimidating body language are not permitted.
- If a person refuses to abide by these rules of civility and decorum, a commissioner may request a motion to temporarily recess.
- Continued disruptions by any person may result in the request of the person to depart the meeting.

[Resolution No. 2023-36, adopted 9-12-2023](#)

PLEASE TAKE NOTICE AND BE ADVISED that if any interested person desires to appeal any decision made by the Town Commission, Special Master or any other Boards or Commissions of the Town with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting. **IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA) THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE.** Please contact Sherry D. Henderson, IIMC-CMC, Town Clerk (954) 427-4011 Town Hall - 1210 Hillsboro Mile, Hillsboro Beach, Florida 33062.



1210 Hillsboro Mile
Hillsboro Beach, FL 33062

TOWN OF HILLSBORO BEACH

Phone: (954) 427-4011
www.townofhillsborobeach.com

Agenda Item Cover Memo

Agenda Item: 1085 Hillsboro Mile, Hillsboro Beach, FL 33062
Variance Request

Submitting Dept: Town Clerk

Agenda Date: October 1, 2024

1. BACKGROUND / HISTORY

Property Owner, Mr. Morris Flancbaum previously came before the Board seeking a variance on July 9, 2024. This matter was tabled for Sept 10th meeting date.

2. CURRENT ACTIVITY

Mr. Morris Flancbaum has requested a postponement for both the variance request and request for an extension of Site Plan Approval and an amendment to the Final Site Plan, to allow additional time to work with town staff to present the best option(s). Mr. Flancbaum requests this matter be presented at the December 3, 2024 meeting to be considered for approval.

3. FINANCIAL IMPACT

none

4. RECOMMENDATION

Postpone the meeting until 12/3/2024.

1085 HM VARIANCE



TOWN OF HILLSBORO BEACH
1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062
PHONE (954) 427-4011 • FAX (954) 427-4834
www.townofhillsborobeach.com

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JUN 07 2024

DEVELOPMENT APPLICATION

Submittal Date: 6/7/24

Zoning Board Meeting Date: _____

Property Control # _____

Town Commission Meeting Date: 7/9/24

PROPERTY OWNER(S)		AUTHORIZED AGENT	
NAME: <u>Land Banc Trust</u>		NAME: <u>Morris Flancaum</u>	
ADDRESS: <u>1085 Hillsboro Mile</u>		ADDRESS: <u>1085 Hillsboro Mile</u>	
PHONE: <u>561-245-8242</u>	CELL: <u>732-330-5000</u>	PHONE: <u>732-330-5000</u>	CELL: <u>"</u>
E-MAIL: <u>haideemboca@gmail.com</u>	FAX: _____	E-MAIL: <u>haideemboca@gmail.com</u>	FAX: _____

APPLICANT'S CERTIFICATION

(I) Morris Flancaum (owner), (architect) or (authorized agent) affirm and certify that I understand and will comply will all provisions and regulations of the Town of Hillsboro Beach Florida. I certify that all drawings and specifications for buildings or structures costing \$5,000 or over for commercial buildings or \$10,000 for residential building must be drawn or verified by a state registered architect or engineer and his seal of office imprinted thereon. Additionally, I certify that the drawings that the drawings and specifications show full compliance and do fully comply with the Zoning Code. I understand that if any drawings or specifications are not in full compliance, the application will be rejected. If approved by the Town, the aforementioned real property described herein will be considered, in every respect, to be a part of the Town of Hillsboro Beach and will be subjected to all applicable laws, regulations, taxes and police powers of the Town including the Comprehensive Plan and Zoning Code. I further certify that all statements and diagrams submitted herewith are true and accurate to the best of my knowledge and belief. Further, I understand that this Application and attachments become part of the Official Records of the Town of Hillsboro Beach, Florida, and are not returnable.

Signature


Morris Flancaum
Print Name

STATE OF FLORIDA, COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on this 6 day of June, 2024, by Morris Flancaum as owner for 1085 Hillsboro Mile

Personally know or has produced identification _____. Type of Identification _____

Diana Bless
Notary Signature
Diana Bless
Print Notary Name

 **DIANA BLESS**
Notary Public
State of Florida
Comm# HH426289
Expires 7/26/2027

CHECK BELOW WHERE APPLICABLE

	FINAL PLAT - \$1,000.00		REZONING - \$3,500.00
	LAND USE PLAN AMENDMENT - \$3,500.00		SITE PLAN REVIEW - \$2,000.00
	PRELIMINARY PLAT - \$1,000.00	✓	VARIANCE - \$1,050.00

Hillsboro Beach Town Code Sec. 12.1.3d provides for the collection of service charges or fees, consultant review fees, etc. for the administrative processing and review of applications for development permits submitted to the Town for review and approval. The owner, architect or other authorized agents are urged to attend the Zoning Board of Appeals and Town Commission meetings. Each applicant must familiarize himself with the criteria and procedures. **If all required information is not presented with this application by the submittal date, the project will not be placed on the agenda for review and consideration.** PLEASE NOTE: THE FEES LISTED ABOVE ARE **ADMINISTRATIVE FEES ONLY**. YOU WILL BE BILLED BY THE TOWN OF HILLSBORO BEACH FOR ANY AND ALL ADDITIONAL EXPENSES WHICH WILL BE INCURRED BY THE TOWN THROUGH THE SERVICES OF THE TOWN ENGINEER/PLANNER, LEGAL ADVERTISING, REBUTTALS, CONSULTATION AS WELL AS POSTAGE FOR MAILINGS AND COURIER SERVICES RELATED TO YOUR PROJECT.

Items Required for Submittal: Must be submitted **30 days prior** to the Town Commission Meeting date.

1. This application and all applicable fees
2. Narrative letter describing the request
3. Letters from each adjoining property owners (with approvals, if possible) – Variance Application only
4. Approval letter from the Association and minutes (when applicable)
5. Agent’s authorization letter (when applicable)
6. 1 electronic copy and 2 signed and sealed – Plans are to be standard architectural size
7. 1 set of plans for the City of Deerfield Fire Inspector / Plans Examiner (when applicable)

Code References: (All sections are available for viewing and printing n the website)

- Chapter 12 – Division 1. General Provisions
- Chapter 12 – Division 2. Development Review Requirements
- Chapter 12 – Division 3. Platting and Subdivision Regulations
- Chapter 12 – Division 4. Site Plan Procedures & Requirements
- Chapter 12 – Division 5. Zoning

GENERAL DATA

Project Location: 1085 Hillsboro Mile District: _____

Proposed Zoning: RS-2

Existing Comprehensive Plan Designation: Single Family Residence

Proposed Comprehensive Plan Designation: Single Family Residence

Existing Land Use: Single Family Residence

Proposed Land Use: Single Family Residence

Total Site Area: 69,499 Sq. Ft. 1.6 Acres

Flood Zone Category: VE, X

Is site currently serviced by public water? Yes No

Is site currently serviced by public sewer? Yes No

Describe briefly the nature of any improvements presently located on the subject property. 5-Bedroom home with pool, garage, generator and LP tanks.

Describe the type of operation or business proposed; or the proposed construction. 1- Removal of existing driveway, 2- Construct walls of subterranean garage

Estimated construction cost: \$ 825,000⁰⁰

Describe in detail the phasing of the proposed development. Addition of an underground garage that will be a mere 663 square feet forward of the setback line to accommodate adequate parking needs; and mitigate public safety issues and inconveniences to neighbors. This small area will not be visible since it will be basement level.

State the reasons or basis for the Approval request, and explain why this request is consistent with good planning and zoning practice, will not be contrary to the Town's Comprehensive Plan, and will not be detrimental to the promotion of public appearance, comfort, convenience, general welfare, good order, health, morals, prosperity, and safety of the Town. Additionally, all standards set forth in the Town Code of Ordinances must be addressed. (Attach a separate Justification Statement if insufficient space.)

see attached justification statement

Has any previous Application been filed within the last year in connection with the subject property?

Yes No If yes, briefly describe the nature of the Application. Addition to the rear of the home (not started or completed) and artificial turf to the rear.

Has a site plan been previously approved by the Town Commission for this property?

Yes No If yes, please note date of previous approval. 8/8/23

- (A) Every general contractor or other person being issued a building permit, shall deposit with the Town Clerk a bond in the amount of \$500 per each \$100,000 with a minimum of \$1,000 for any complete new building or an addition to existing building. The bond shall be in the form of a cashier's check.
- (B) By the deposit of the funds the contractor authorizes the Town of Hillsboro Beach, through its proper officials, to expend all or any portion of the bond to effect cleanup, during and after construction, if not satisfactorily performed by the contractor or person. Subsequent to the satisfactory cleanup of the vicinity of the construction, unused funds in whole or in part will be refunded to the contractor or person.
- (C) (1) It shall be the duty of the general contractor or other person receiving the permit to see that the premises and adjoining public areas shall be policed at all times during and after construction to prevent debris from being discarded on adjoining properties.
(2) The DRO or the DRO's designate shall certify in writing to the Town Commission his or her determination and recommendation. The building plans and specifications shall be approved by the Town Commission prior to the issuance of a building permit. (1976 Code, CH. 12, Div. 5, Art. XV § 9)

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**DEVELOPMENT APPLICATION
Land Banc Trust
1085 Hillsboro Mile**

JUSTIFICATION STATEMENT

The current parking is inadequate for the quantity of vehicles needed for a 5-bedroom home along with the various vendors required to maintain the property. Ocean front homes require constant maintenance and cleaning resulting in several vendors being on site daily including pool maintenance, landscaping, general property maintenance, staff, etc. The additional parking will eliminate congestion in the streets caused by a backup in available parking. It will also increase the safety in which vehicles can enter and leave as there will be ample room for them to maneuver and not have to back out of the drive while exiting.

Currently we must consistently use our neighbor's property to accommodate parking for our vendors or staff as needed and although they've been kind to allow us, it is a big inconvenience and liability.

Unfortunately, we purchased the property with the existing configuration, and it does not allow for sufficient parking. We note there is a subterranean garage being constructed at 987 Hillsboro Mile. That structure is below the street level. Ours is significantly higher and completely out of flooding and harm's way at a 6.5' NAVD. The 987 addressed garage is only 31' from the garage to edge of pavement and ours will exceed that greatly at 50' 7.25" to edge of pavement from garage door. Also, there is a garage constructed at 1075 Hillsboro Mile that is only 29' from the edge of pavement.

987 Hillsboro Mile:

Garage is only 31' from edge of pavement and has a subterranean garage.



1075 Hillsboro Mile:
Garage is only 29' from edge of pavement.



**DEVELOPMENT APPLICATION
Land Banc Trust
1085 Hillsboro Mile**

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NARRATIVE LETTER DESCRIBING THE REQUEST

The project entails the construction of a subterranean garage to eliminate congestion and safety concerns due to the unsuitable parking space and configuration.

The current parking configuration is inadequate and unsafe for the quantity of vehicles needed for a 5- bedroom home along with the various vendors required to maintain the property: pool maintenance, landscaping, general property maintenance, staff, etc.

Judith Thiel

1087 Hillsboro Mile
Hillsboro Beach, FL 33062

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May 1, 2024

Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062

RE: Land Banc Trust, 1085 Hillsboro Mile

Dear Town Staff:

I am aware that my neighbor desires to construct a new driveway designed by Affiniti Architects. This project, requiring variance approval, consists of two driveways, one of which will be under a parking area above to allow for ample parking.

Please allow this letter to serve as approval of my neighbor's requested upgrade.

Thank you.

Sincerely,

ERNIE / CFO
Ernie

Judith Thiel

May - 22 - 24

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JUN 07 2024

1223

LAND BANC TRUST
2200 NW CORPORATE BLVD STE 317
BOCA RATON, FL 33431

CHASE 
JPMorgan Chase Bank, N.A.
www.Chase.com
55-233/212

5/1/2024

PAY TO THE ORDER OF Town of Hillsboro Beach

\$ **1,050.00

One Thousand Fifty and 00/100*****

DOLLARS

Town of Hillsboro Beach
1210 Hillsboro Mile
Hillsboro Beach, FL 33062



AUTHORIZED SIGNATURE

MEMO

variance application fee



Security features. Details on back