



TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile, Hillsboro Beach, Florida 33062

May 6, 2025 | 9:00 AM

BOARD OF ZONING & APPEALS AGENDA

MAYOR DAWN MILLER
VICE MAYOR DAVID A. RAVANESI
COMMISSIONER VINNIE ANDREANO
COMMISSIONER JANE REISER
COMMISSIONER HEATHER BERMAN

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 Commission 9/12/2023

CALL TO ORDER AND ROLL CALL

PLEDGE OF ALLEGIANCE

I. QUASI-JUDICIAL PUBLIC HEARINGS

- A. **Status Update on Property located at 1035 Hillsboro Mile, Hillsboro Beach, FL Relating to Compliance with Section 6-42 (A) of the Town's Code of Ordinance.** "All refuse or recycling containers in use within the Town limits shall be screened from view from State Road A1A on or before November 1, 2021."

The applicant previously sought a variance requesting an extension to comply with the Town's Code requiring dumpsters to be closed from view. The matter was tabled at the 1/7/2025 Board of Zoning & Appeals Hearing, with the condition that the applicant provide updates at the 3/4/2025 and 5/6/2025 meetings.

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.



TOWN OF HILLSBORO BEACH

1210 Hillsboro Mile
Hillsboro Beach, FL 33062

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

Agenda Item Cover Memo

Agenda Item: Status Update on Property located at 1035 Hillsboro Mile, Hillsboro Beach, FL Relating to Compliance with Section 6-42 (A) of the Town's Code of Ordinance. "All refuse or recycling containers in use within the Town limits shall be screened from view from State Road A1A on or before November 1, 2021."

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Submitting Dept: Town Clerk, Sherry Henderson, Town Clerk

Agenda Date: May 6, 2025

1. BACKGROUND/HISTORY

2. CURRENT ACTIVITY

[ALTERNATIVE_ACTION]

2. FINANCIAL IMPACT

3. RECOMMENDATION

ATTACHMENTS:

1. STAFF REPORT - 1035 HM fencing update (5-6-2025 mtg)
2. Rescind Variance Rqst - 1035 HM (rcvd 4-29-2025)
3. Development Application - 1035 HM



1210 Hillsboro Mile
Hillsboro Beach, FL 33062

TOWN OF HILLSBORO BEACH

Phone: (954) 427-4011
Fax: (954) 427-4834

TO: Mayor Miller and the Board of Zoning & Appeals
THROUGH: Mac Serda, Town Manager
FROM: Graham Long, Planning Consultant
DATE: May 6, 2025
SUBJECT: Update on screening of dumpster project at 1035 Hillsboro Mile

Update:

The Property Owner, Hillsboro Mile Tower, Inc. (Applicant), and authorized agent, Peter Yanson, President, had requested approval of a variance from Section 6-42(A) of the Town Code (Code) to allow for an extension of time to comply with the required screening of a dumpster and trash bins on the west side A1A, located at 1035 Hillsboro Mile within the RM-30 multi-family zoning district.

At the January 7, 2025 meeting of the BZA, the Board requested as a condition to table the variance for six months, that the applicant return to the Board at two months and four months to provide a status update. This was the result of the applicant's willingness to examine other possible methods to comply with the screening enclosure requirement.

The parking area on the west side of A1A at 1035 Hillsboro Mile contains a dumpster and trash bins on the north end, adjacent to the seawall. There is sufficient space for the dumpster and trash bins and for a proposed fence enclosure on this section of the parking area, however the applicant has stated that the area needed to be leveled and repaved prior to the installation of a fence enclosure. At the March 4, 2025 meeting of the BZA, the applicant confirmed that the area containing the dumpster has had a concrete slab installed, in preparation for the fence enclosure.

Since the March 4 meeting, the following has been completed:

- The applicant was approved for a revision to the outstanding permit for the dumpster enclosure, reflecting the current plans.
- The fence enclosure was installed according to plans and approved on inspection on April 29.
- The applicant is requesting to withdraw the variance request, as the work is completed.

Due to the completed installation of the dumpster enclosure and the permit approved on inspection, staff are recommending that the Board accept the withdrawal of the variance request.

HILLSBORO MILE TOWER, INC.

**1035 Hillsboro Mile
Hillsboro Beach, Florida 33062**

RECEIVED

APR 29 2025

Board of Zoning Appeals
TOWN OF HILLSBORO BEACH
1210 Hillsboro Mile
Hillsboro Beach, Florida 33062

**RE: Retraction of Variance issued for Hillsboro Tower, Inc., 1035 Hillsboro Mile,
Hillsboro Beach, FL 33062**

To Whom It May Concern,

We would like to retract the variance request that was issued to Hillsboro Mile Tower, Inc.
1035 Hillsboro Mile, Hillsboro Beach, Florida, and more specifically your permit no.
22350612-0, as the project has now been completed and final inspection provided.

Thank you,
Hillsboro Mile Tower, Inc.



Peter Yanson
President – Board of Directors
Hillsboro Mile Tower, Inc.



RECEIVED

DEC 02 2024

TOWN OF HILLSBORO BEACH

1210 HILLSBORO MILE, HILLSBORO BEACH, FL 33062

PHONE (954) 427-4011 • FAX (954) 427-4834

www.townofhillsborobeach.com

DEVELOPMENT APPLICATION

Submittal Date: 12/2/2024

Zoning Board Meeting Date: _____

Property Control # Town Commission Meeting Date: 1/7/2025

PROPERTY OWNER(S)		AUTHORIZED AGENT	
NAME: <u>Hillsboro Mile Town, Inc.</u>		NAME: <u>Irene Kirdahy, President</u>	
ADDRESS: <u>1035 Hillsboro mile</u> <u>Hillsboro Beach, FL 33062</u>		ADDRESS: <u>1035 Hillsboro mile, #2</u> <u>Hillsboro Beach, FL 33062-2167</u>	
PHONE: <u>954-943-8054</u>	CELL: _____	PHONE: _____	CELL: <u>845-987-4418</u>
E-MAIL _____	FAX: _____	E-MAIL <u>irkirda8@aol.com</u>	FAX: <u>954-943-8054</u>

APPLICANT'S CERTIFICATION

(I) Irene Kirdahy (owner), (architect) or (authorized agent) affirm and certify that I understand and will comply with 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.

Irene Kirdahy
Signature

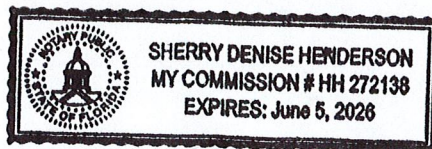
Irene Kirdahy
Print Name

STATE OF FLORIDA, COUNTY OF BROWARD

The foregoing instrument was acknowledged before me on this 2nd day of December 20 24, by Irene Kirdahy as President for Hillsboro Mile Town, Inc.

Personally know ☒ or has produced identification . Type of Identification N/A

Sherry D. Henderson
Notary Signature
Sherry D Henderson
Print Notary Name



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 on 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: 1035 Hillsboro Mile, Hillsboro Bch, FL District: AM30
Proposed Zoning: N/A
Existing Comprehensive Plan Designation: N/A
Proposed Comprehensive Plan Designation: N/A
Existing Land Use: N/A
Proposed Land Use: N/A
Total Site Area: N/A Sq. Ft. _____ Acres
Flood Zone Category: N/A

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. N/A

Describe the type of operation or business proposed; or the proposed construction. N/A

Estimated construction cost: \$6,900 (in Sept. of 2022)

Describe in detail the phasing of the proposed development. see attached statement.
This is due to necessary re-building of West side wall,
paving & then Trash Surround.

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

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. _____

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

Yes ☐ No ☒ If yes, please note date of previous approval. _____

- (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)

INFORMATION SHEET BACKUP FOR VARIANCE REQUEST

During my tenure on the Commission of Hillsboro Beach, we passed an Ordinance requiring exposed Trash Bins be obscured from view. As President of our Co-Op, I immediately contracted Power Fence of Pompano Beach to do the job.

Power Fence drew up the enclosure, gave us the price and we gave them the deposit.

However, it was brought to my attention that we needed to have parking lot redone BEFORE surround could be constructed as **THEY WILL NOT INSTALL, REMOVE FOR PAVING & REINSTALL.**

During this time period, we also contracted with B & M Marine to rebuild the Southern half of our Seawall. The Northern half had been done the previous year. In order complete that task, the private boat lift, owned by Unit #1, had to be removed & returned. That owner, Tony Wine, contracted with B&M to do the move & reinstall.

When they went for permits, the ACOE refused to allow the lift in the same spot. Mr. Wine originally had a permit (believe in late 70's) but if you remove anything (i.e. Balcony railings, etc.) and redo it, it must come up to today's regulations. Mr. Wine sued HMT over this. The case went on for 4 years and he finally lost. However, he has not moved the lift and we now have a suit against him (attny: Jermei Zubkoff of (Esler & Lindie, PA). To date he has only offered to put lift in middle of wall, which Board will not allow.

The steps have to be: Seawall repair, paving of lot, trash surround. I assure you, we want this done!

We cannot apply for permits now as we don't know when the court will get the lift off and the permits could expire again.

Sincerely

Irene Kirdahy, President

Hillsboro Mile Tower

1035 Hillsboro Mile

THIS CHECK IS VOID WITHOUT A MULTI-COLORED BACKGROUND AND AN ARTIFICIAL WATERMARK ON THE BACK - HOLD AT AN ANGLE TO VIEW

Popular Bank Miami Lakes, FL

Hillsboro Mile Tower Inc. (HMTI)
c/o Exclusive Property Management
2945 W. Cypress Creek Road, Suite 201
Fort Lauderdale, FL 33309

Check Number: 10259

PAY One Thousand, Fifty And 00/100 Dollars

DATE
11/25/2024

AMOUNT
****\$1,050.00

TO THE TOWN OF HILLSBORO BEACH
ORDER OF 1210 HILLSBORO MILE
HILLSBORO BEACH, FL 33061

Memo: VARIANCE FEE FOR TRASH SURROUND

Oswald
[Signature]
Authorized Signatures

SIGNATURE HAS A COLORED BACKGROUND • BORDER CONTAINS MICROPRINTING