

RESOLUTION NO. ZR-2024-002

RESOLUTION APPROVING LAND DEVELOPMENT APPLICATION SV-2022-01890
CONTROL NO. 2001-50052
SUBDIVISION VARIANCE (STAND ALONE)
APPLICATION OF GLMC Group LLC
BY Dunay, Miskel and Backman, LLP, AGENT
(GLMC WAREHOUSE)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (Ordinance 2003-067, as amended) is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Land Development Application SV-2022-01890, the application of GLMC Warehouse, LLC, by Dunay, Miskel and Backman, LLP, Agent, for a Subdivision Variance to allow access from the existing 40-foot access easement on 0.71 acres, was presented to the Zoning Commission at a public hearing conducted on January 11, 2024;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Subdivision Variance;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that Land Development Application SV-2022-01890, the application of GLMC Group LLC, by Dunay, Miskel and Backman, LLP, Agent, for a Subdivision Variance to allow access from the existing 40-foot easement on 0.71 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on January 11, 2024, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Reves moved for the approval of the Resolution.

The motion was seconded by Commissioner Brumfield and, upon being put to a vote, the vote was as follows:

Jess Sowards, Chair	- Aye
Cheri Pavlik, Vice Chair	- Absent
John Kern	- Aye
Michael Kelley	- Absent
Glen Gromann	- Absent
Sheri Scarborough	- Aye
Lisa Reves	- Nay
Alex Brumfield III	- Aye
Mark Beatty	- Nay

The Chair thereupon declared the resolution was duly passed and adopted on January 11, 2024.

This resolution is effective when filed with the Palm Beach County Zoning Division on January 11, 2024.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 
CHAIR

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OF LAND BEING SITUATE AND LYING IN PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT PART OF SECTION 8, TOWNSHIP 45 SOUTH, RANGE 43 EAST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 8; THENCE SOUTH 2 DEGREES 41 MINUTES 15 SECONDS WEST, ALONG THE QUARTER SECTION LINE, A DISTANCE OF 190.09 FEET TO THE ACTUAL POINT OF BEGINNING OF THE TRACT OF LAND TO BE DESCRIBED; THENCE CONTINUING SOUTH 2 DEGREES 41 MINUTES 15 SECONDS WEST A DISTANCE OF 150 FEET; THENCE SOUTH 87 DEGREES 18 MINUTES 45 SECONDS EAST, A DISTANCE OF 193.11 FEET; THENCE NORTH 12 DEGREES 20 MINUTES 00 SECONDS EAST, A DISTANCE OF 152.15 FEET; THENCE NORTH 87 DEGREES 18 MINUTES 45 SECONDS WEST, A DISTANCE OF 218.47 FEET TO THE POINT OF BEGINNING.

CONTAINS 30,720 SQUARE FEET OR 0.705 ACRES MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

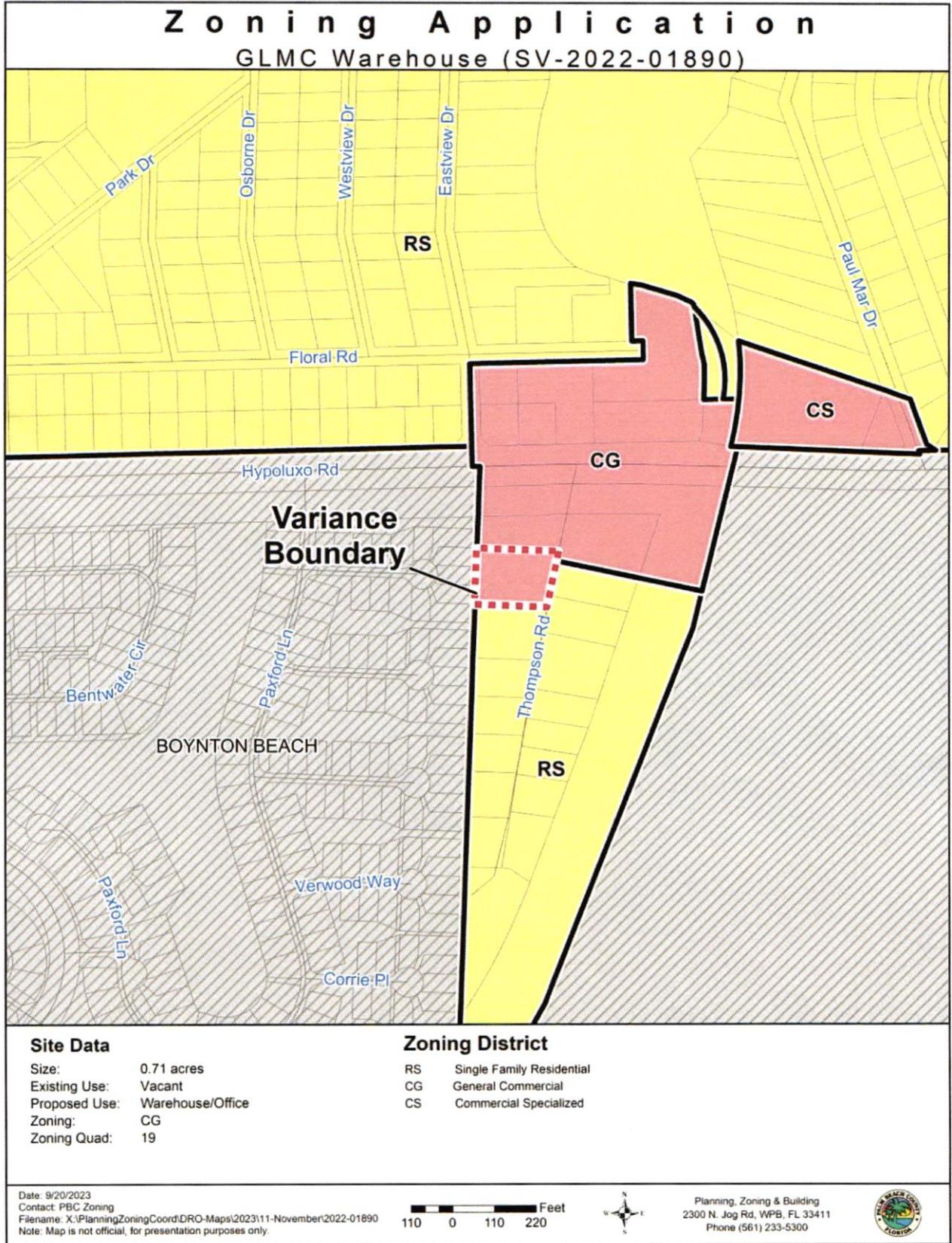


EXHIBIT C

CONDITIONS OF APPROVAL

Subdivision Variance - Standalone

ENGINEERING

1. Prior to the submittal for Final Approval by the Development Review Officer, the approved Variance and Resolution Number shall be shown on the Final Site Plan. (DRO: ENGINEERING - Engineering)
2. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Final Site Plan to the Building Division. (BLDGPM: BUILDING DIVISION - Engineering)
3. Prior to the issuance of the Certificate of Occupancy, the Property Owner shall improve Thompson Road from Hypoluxo Road to the proposed driveway connection and transition to the existing roadway section to be consistent with Palm Beach County standards for a non-plan collector/local commercial roadway, or as approved by the County Engineer. This construction shall be concurrent with the paving and drainage improvements for the site. Any and all costs associated with the construction shall be paid by the Property Owner. These costs shall include, but are not limited to, utility relocations and acquisition of any additional required right-of-way. (CO: MONITORING - Engineering)
4. Project trips will be limited to the equivalent number of trips generated by 1,500 square feet of small office (ITE 712) and 8,000 square feet of warehouse (ITE 150) uses. (ONGOING: ENGINEERING - Engineering)
5. Vehicular access to the site is limited to a maximum two-axle single unit truck (SU-30). (ONGOING: ENGINEERING - Engineering)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the approval to be presented to the Zoning Commission for review under the compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)
2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:
 - a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or
 - b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or
 - c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or
 - d. Referral to Code Enforcement; and/or
 - e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning) (ONGOING: ZONING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

SUBDIVISION VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
11.E.2.A.2 Minimum Legal Access	80-foot right-of- way (ROW) Non- Plan Collector	40-foot private Ingress/Egress easement	40 feet in width and access from an easement from local road
SITUS ADDRESS:	Vacant		
OWNER NAME & ADDRESS:	GLMC Group LLC 6164 Shadow Tree Ln Lake Worth, FL 33463-8234		
PCN:	00-43-45-08-00-002-0120	S/T/R: 08-45-43	
BCC DISTRICT:	2		
PROJECT MANAGER:	Werner Vaughan, Professional Engineer		
ZONING DISTRICT:	CG		
LAND USE:	CH/5		
CONTROL #:	2001-50052		
LOT AREA:	0.71 acres +/-		
APPLICANT REQUEST:	to allow access from the existing 40-foot easement on 0.71 acres.		