

RESOLUTION NO. ZR-2025-001

RESOLUTION DENYING LAND DEVELOPMENT APPLICATION SV-2024-01281
CONTROL NO. 1995-40123
SUBDIVISION VARIANCE (*STAND ALONE*)
APPLICATION OF Gregory Delange
BY Wallace Surveying, Inc., AGENT
(FLAMINGO SUBDIVISION)

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-2024-01281 was presented to the Zoning Commission at a public hearing conducted on January 9, 2025;

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 finds that the Land Development Application does not meet all the Standards contained in Article 2.B (Public Hearing Processes) for a Subdivision Variance, and finds that it fails to meet Article 2.B.7.E.6.a and Article 2.B.7.E.6.b;

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:

1. The foregoing recitals are true and correct and are incorporated herein.
2. Land Development Application SV-2024-01281, the Application of Gregory Delange, by Wallace Surveying, Inc., Agent, for a Type II Variance to allow access from the existing 25-foot Right-of-Way with no curb and gutter, and no sidewalk on 1.98 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, and as described in the Variance request in EXHIBIT C, attached hereto and made a part hereof, was **denied with prejudice** on January 9, 2025

Commissioner Vinikoor moved for the denial of the Resolution.

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

Cheri Pavlik, Chair	- Aye
John Kern, Vice Chair	- Aye
Michael Kelley	- Aye
Sam Caliendo	- Nay
Lori Vinikoor	- Aye
William Reicherter	- Aye
Alex Brumfield III	- Aye
Susan Kennedy	- Aye
James Williams	- Nay

The Chair thereupon declared the resolution was duly passed and adopted on January 9, 2025.

This resolution is effective when filed with the Palm Beach County Zoning Division on 02-06-2025.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS


BY: 
CHAIR

EXHIBIT A
LEGAL DESCRIPTION

DESCRIPTION:

THE NORTH 150 FEET OF THE SOUTH 600 FEET OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 41 SOUTH, RANGE 43 EAST, PALM BEACH COUNTY, FLORIDA. LYING WEST OF THE CENTERLINE OF THE INTRACOASTAL WATERWAY OF THE FLORIDA INLAND NAVIGATION DISTRICT. EXCEPT THE WEST 25 FEET THEREOF FOR ROAD RIGHT OF WAY PURPOSES.

CONTAINING 1.98 ACRES MORE OR LESS.

EXHIBIT B

VICINITY SKETCH

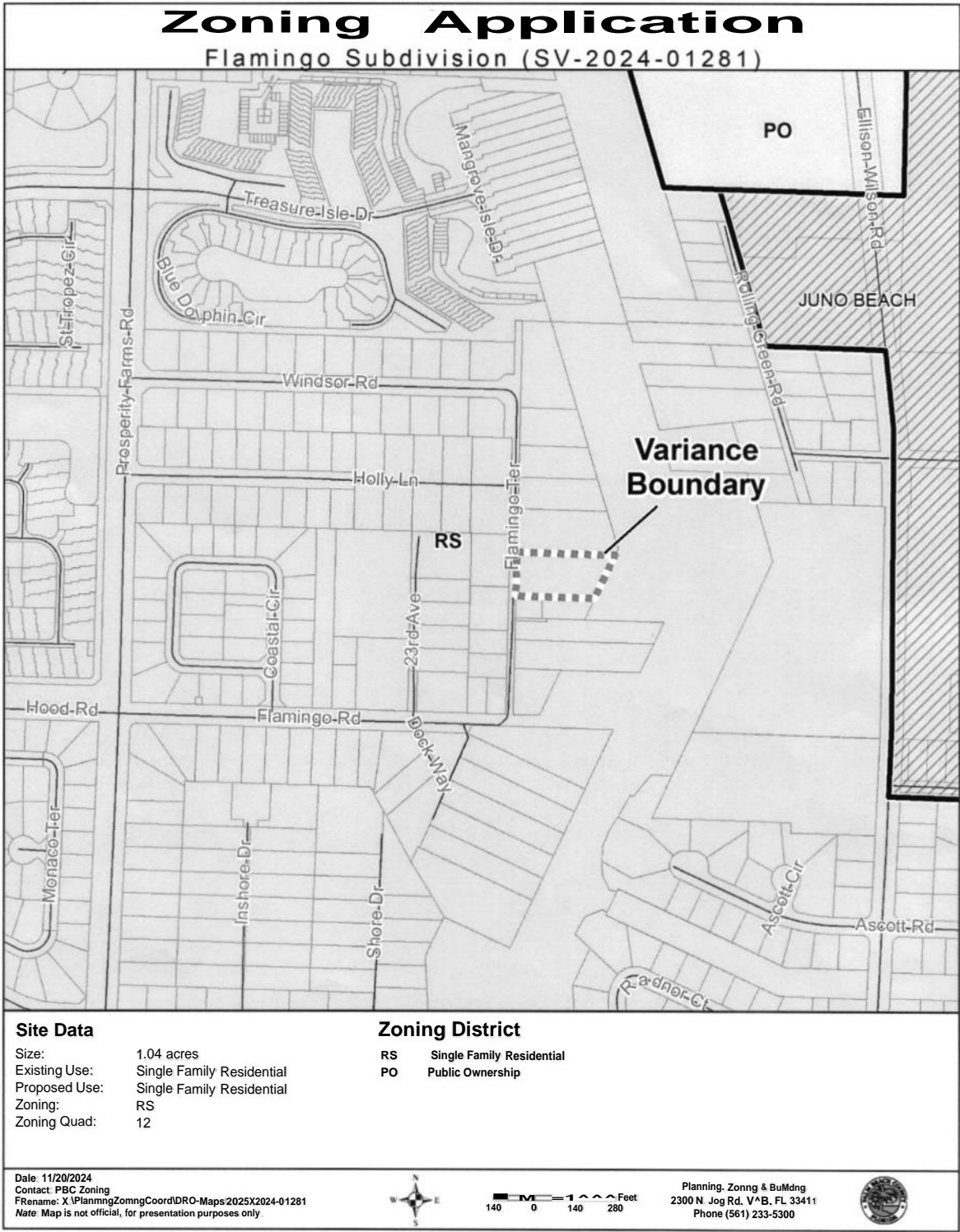


EXHIBIT C
REQUEST

SUBDIVISION VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
11.E.2.A.2 Chart of Minor Streets	40-foot right-of-way (ROW) with 20-foot pavement width, curb & gutter and a 5-foot sidewalk	25-foot ROW, with 18-foot pavement width, no curb & gutter and no 5' sidewalk	15-foot ROW, 2-foot pavement, no curb & gutter and no 5-foot sidewalk

SITUS ADDRESS:	13102 Flamingo Ter Palm Beach Gardens 33410	
OWNER NAME & ADDRESS:	Gregory Delange 2865 Pga Blvd Palm Beach Gardens, FL 33410-2910	
PCN:	00-43-41-29-00-000-5450	
ZONING DISTRICT:	RS	
BCC DISTRICT:	1	
LAND USE:	LR-2	S/T/R: 29-41-43
CONTROL #:	1995-40123	
LOT AREA:	1.98 acres +/-	
REQUEST:	to allow access from the existing 25-foot Right-of-Way with no curb and gutter, and no sidewalk on 1.98 acres	