

RESOLUTION NO. ZR-2020- 019

RESOLUTION APPROVING ZONING APPLICATION SV-2019-01495  
CONTROL NO. 2018-00167  
SUBDIVISION VARIANCE (*STAND ALONE*)  
APPLICATION OF Carey & Rivera Properties LLC  
BY **PLACE Planning & Design**, AGENT  
(GULFSTREAM ROAD APARTMENTS)

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 (ULDC), 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, Zoning Application SV-2019-01495 was presented to the Zoning Commission at a public hearing conducted on June 4, 2020;

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 Zoning Application SV-2019-01495, the application of Carey & Rivera Properties LLC, by PLACE Planning & Design, Agent, for a Subdivision Variance to to allow access from a 30-foot right-of-way, on a parcel of land generally described as shown in 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 June 4, 2020, 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 Caliendo moved for the approval of the Resolution.

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

Sheri Scarborough, Chair	- Yes
Sam Caliendo, Vice Chair	- Yes
Amir Kanel	- Yes
John Kern	- Yes
Marcelle Griffith Burke	- Yes
Alex Brumfield III	- Yes
Mark Beatty	- Absent
Jess Sowards	- Yes

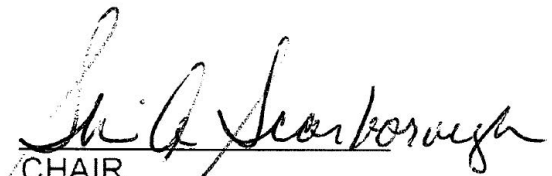
The Chair thereupon declared the resolution was duly passed and adopted on June 4, 2020.

This resolution is effective when filed with the Palm Beach County Zoning Division on June 23, 2020.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BY:   
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA  
BY ITS ZONING COMMISSIONERS

BY:   
CHAIR

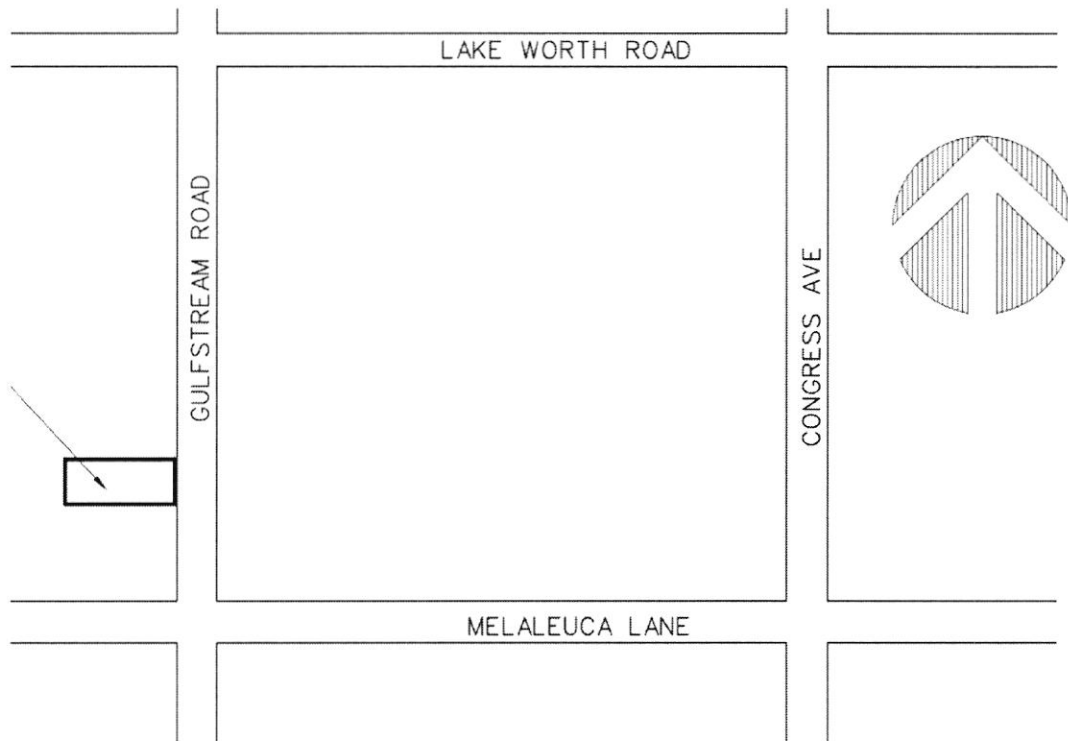
## EXHIBIT A

### LEGAL DESCRIPTION

LOT C, LESS THE NORTH 30 FEET AND LOT D, LESS THE SOUTH 89.86 FEET OF BLOCK 77, OF "PALM BEACH FARMS CO. PLAT NO. 7, SECTION 30, TOWNSHIP 44 SOUTH, RANGE 43 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 72, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA, AND CONTAIN 1.098 ACRES (47828 SQUARE FEET), MORE OR LESS.

EXHIBIT B  
VICINITY SKETCH



**LOCATION MAP**  
NOT TO SCALE

EXHIBIT C  
CONDITIONS OF APPROVAL

**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	40-foot Right-of- Way	30-foot Right-of- Way	10-feet
SITUS ADDRESS:	4571 Gulfstream Rd Lake Worth 33461 4577 Gulfstream Rd Lake Worth 33461 4575 Gulfstream Rd Lake Worth 33461 4569 Gulfstream Rd Lake Worth 33461 4567 Gulfstream Rd Lake Worth 33461 4563 Gulfstream Rd Lake Worth 33461		
OWNER NAME & ADDRESS:	Carey & Rivera Properties Llc 2200 Butts Rd, Ste 300 Boca Raton, FL 33431-7453		
PCN:	00-43-44-30-01-077-0031		
ZONING DISTRICT:	RM		
BCC DISTRICT:	3		
PROJECT MANAGER:	Joanne Keller, Director Land Development		
LAND USE:	HR-8	S/T/R: 30-44-43	
CONTROL #:	2018-00167		
LOT AREA:	1.1 acres +/-		
APPLICANT REQUEST:	to allow access from a 30-foot right-of-way.		