

RESOLUTION NO. ZR-2023-021

RESOLUTION DENYING LAND DEVELOPMENT APPLICATION SV-2022-01887
CONTROL NO. 2022-00108
SUBDIVISION VARIANCE (*STAND ALONE*) DENIAL
APPLICATION OF True Deliverance Church of God Inc
BY H & L PLANNING & DEVELOPMENT, AGENT
(TRUE DELIVERANCE CHURCH OF GOD)

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, Land Development Application SV-2022-01887, the Application of True Deliverance Church of God Inc, by H & L Planning & Development, Agent, for a Subdivision Variance to allow access from an 80-foot access easement on 2.65 acres was presented to the Zoning Commission at a public hearing conducted on July 6, 2023;

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, 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-2022-01887, the Application of True Deliverance Church of God Inc, by H & L Planning & Development, Agent, for a Subdivision Variance to allow access from an 80-foot access easement on 2.65 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 D, attached hereto and made a part hereof, was **denied with prejudice** on July 6, 2023.

Commissioner Kern moved for the approval of the Resolution.

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

Jess Sowards, Chair	- Aye
Cheri Pavlik, Vice Chair	- Aye
John Kern	- Aye
Michael Kelley	- Aye
Glen Gromann	- Absent
Sheri Scarborough	- Aye
Lisa Reves	- Aye

Alex Brumfield III
Mark Beatty

- Aye
- Nay

The Chair thereupon declared the resolution was duly passed and adopted on July 6, 2023.

This resolution is effective when filed with the Palm Beach County Zoning Division on July 6, 2023.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 

COUNTY ATTORNEY

BY: 

CHAIR

EXHIBIT A

LEGAL DESCRIPTION

AKA TRACT # E-3441

THE NORTH 429.46 FEET OF THE SOUTH 3137.00 FEET LESS THE EAST 5027.00 FEET OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT TO INDIAN TRAIL WATER CONTROL DISTRICT FOR ROAD AND DRAINAGE PURPOSES OVER THE WEST 40 FEET AND THE SOUTH 40 FEET.

CONTAINING 115,456 SQUARE FEET OR 2.65 ACRES MORE OR LESS

EXHIBIT B
VICINITY SKETCH

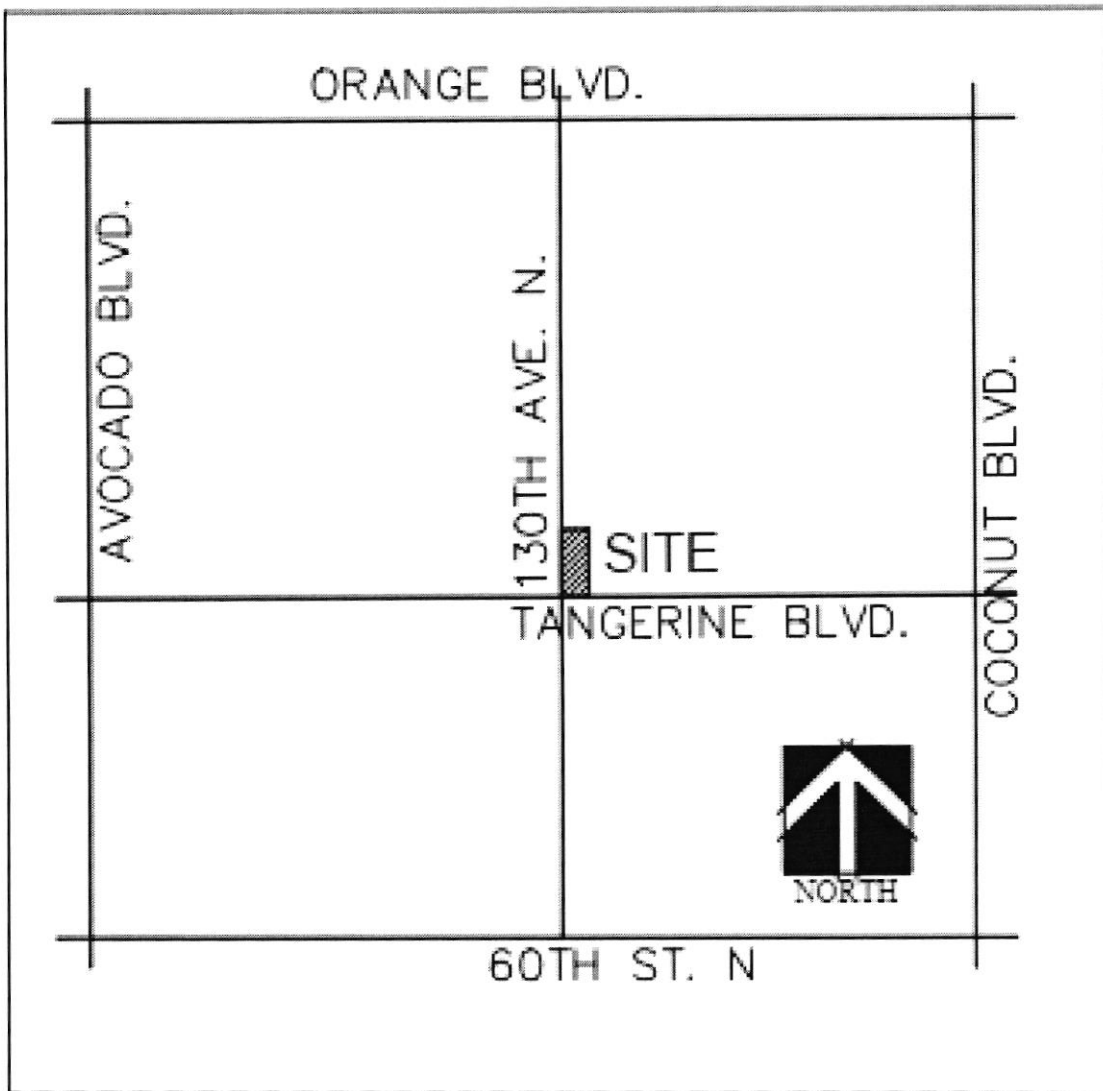


EXHIBIT D

REQUEST

SUBDIVISION VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
11.E.2.A.2 Minimum Legal Access	80-foot minimum right-of-way(ROW) with 24-feet of pavement	80-foot Easement with 24-feet of pavement	80-foot ROW

SITUS ADDRESS:	12985 Tangerine Blvd West Palm Beach 33412		
OWNER NAME & ADDRESS:	True Deliverance Church Of God Inc Po Box 621 Loxahatchee, FL 33470-0621		
PCN:	00-41-42-34-00-000-3750		
ZONING DISTRICT:	Agricultural Residential		
BCC DISTRICT:	6		
PROJECT MANAGER:	Werner Vaughan, Professional Engineer		
LAND USE:	RR-2.5	S/T/R: 34-42-41	
CONTROL #:	2022-00108		
LOT AREA:	2.65 acres +/-		
APPLICANT REQUEST:	to allow access from an 80-foot access easement on 2.65 acres.		