

RESOLUTION NO. PZAB R2022-01

A RESOLUTION OF THE PLANNING, ZONING AND ADJUSTMENT BOARD OF WELLINGTON, FLORIDA, GRANTING A VARIANCE (PETITION 2022-0001-VAR) FROM TABLE 6.3-1, GENERAL PROPERTY DEVELOPMENT REGULATIONS, OF WELLINGTON'S LAND DEVELOPMENT REGULATIONS (LDR) FOR REDUCED FRONT AND SIDE SETBACKS TO ACCOMMODATE AN AIRPLANE HANGAR FOR CERTAIN PROPERTY LOCATED AT 2420 GREENBRIAR BOULEVARD WITHIN THE AEROCUB SUBDIVISION, AS MORE SPECIFICALLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Table 6.3-1, General Property Development Regulations of the Land Development Regulations (LDR) requires a minimum 50-foot front setback and 15-foot side interior setback for airplane hangars within the Aero Club Subdivision; and

WHEREAS, a Variance is a deviation from bulk regulations of the LDR to allow the development of a property where such variance will not negatively impact public interest, would allow the property owner to develop the property in the same manner as other similar properties, and where existing conditions peculiar to the property are not the result of the actions of the applicant, and a literal enforcement of the regulations would result in an undue hardship to the property owner; and

WHEREAS, the Planning, Zoning and Adjustment Board shall determine if an application for a variance meets the intent of the LDR and those applicable standards listed in the Development Review Manual to be considered for approval; and

WHEREAS, the notice and hearing requirements as provided in Article 5 of the LDR, as adopted by Wellington, have been satisfied; and

WHEREAS, at a regular meeting of the Planning, Zoning and Adjustment Board on May 11, 2022, a public hearing was held to hear testimony, review the staff report findings and receive evidence related to the request to grant a variance for the reduced front and side interior setback to accommodate an airplane hangar at 2420 Greenbriar Boulevard; and

WHEREAS, a quorum of the Planning, Zoning and Adjustment Board was present at the public hearing held on May 11, 2022.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING, ZONING AND ADJUSTMENT BOARD OF WELLINGTON, FLORIDA, AS FOLLOWS:

SECTION 1. After consideration of all testimony, exhibits, and review of the staff report findings, the Planning, Zoning and Adjustment Board determines the standards for granting a variance, as set forth in Section 5.3.8 of Wellington's LDR and the Development Review Manual have been satisfied and hereby grants the requested variance for the real property, as described in Exhibit A and subject to the following Conditions of Approval:

1. The minimum setback for the proposed airplane hangar at 2420 Greenbriar Boulevard shall be as follows:

- a. Front setback - 20 feet
- b. Side interior - 10 feet

2. This approval is for the airplane hangar only. All other buildings/structures shall meet the setback requirements within the LDR and are not part of this approval.

SECTION 2: Should any section, paragraph, sentence, clause, or phrase of this Resolution conflict with any section, paragraph, clause or phrase of any prior Ordinance, Resolution, or municipal Code provision, then in that event the provisions of this Resolution shall prevail to the extent of such conflict.

SECTION 3: Should any section paragraph, sentence, clause, or phrase of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Resolution as a whole or any portion or part thereof, other than the part to be declared invalid.

SECTION 4: This Resolution shall become effective immediately upon approval.

IN WITNESS WHEREOF,

The Planning, Zoning and Adjustment Board Chairman has executed this Resolution granting a variance for Petition Number 2022-0001-VAR on this 11th day of May, 2022.

Elizabeth Mariaca, Chairman

WITNESS:

Cory Lyn Cramer, Planning and Zoning Manager

**APPROVED AS TO LEGAL FORM
AND LEGAL SUFFICIENCY**

Laurie Cohen, Board Attorney

Exhibit A

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97
98 Lot 10, Block 19, Wellington Aero Club of the Landings at Wellington – P.U.D, according to
99 the plat thereof, as recorded in Plat Book 38, Page 159, Public Records, Palm Beach
100 County, Florida
101
102 Said parcel being 42,253.2 +/- square feet of 0.97 +/- acres, more or less.