

**Village of Royal Palm Beach  
Village Council  
Agenda Item Summary**

**Agenda Item:**

**PUBLIC HEARING TO CONSIDER VARIANCE APPLICATION 22-8 (VAR) AND APPROVAL OF VARIANCE ORDER VC-22-06, AN APPLICATION BY R P LOGISTICS, LLC, TO ALLOW A WAREHOUSE BUILDING WITH A BUILDING HEIGHT OF 37 FEET 9 INCHES AND A PARAPET WALL HEIGHT OF 8 FEET ABOVE THE BUILDING HEIGHT, WHERE VILLAGE CODE SECTIONS 26-92(4)(D) AND 26-22 REQUIRES A MAXIMUM BUILDING HEIGHT OF 32 FEET AND A MAXIMUM PARAPET WALL HEIGHT OF 5 FEET ABOVE THE PROPOSED BUILDING HEIGHT, A VARIANCE OF 5 FEET 9 INCHES FOR THE BUILDING HEIGHT AND 3 FOR PARAPET HEIGHT, FOR A PROPERTY LOCATED AT 1131, 1141, 1151, AND 1161 NORTH STATE ROAD 7 WITHIN THE ALDI PARK PID ; BY APPLICANT STEVEN E. MCCRANEY.**

**Issue:**

The Applicant is requesting a variance from the Village’s Code of Ordinances Section 26-92(4)(b) that allows a maximum building height of 32 feet. The Definition of Building Height, per Section 26-22, allows parapet walls to extend above the maximum allowable building height, for the applicable zoning district, for flat roofs by five feet. The Applicant is proposing a building height of 37 feet 9 inches, measured to the top of the roof decking, and a maximum parapet wall height of 8 feet above the proposed building height. Therefore, the application requests a variance of 5 feet 9 inches for building height and 3 feet for the parapet height. Please refer to **Attachment A** for illustrations of the Architectural Plan. The variance request is being made in conjunction with a Site Plan Approval and Architectural Approval to construct a 128,500 sq. ft. Office-Warehouse combination building with associated parking and landscaping on a vacant 7.9± acre site located on the southwest corner of Aldi Way at 1131, 1141,1151, and 1161 North State Road 7 situated in the Regal Industrial Park.

The Applicant contends that *“more and more warehouse space is needed the clear height within warehouses which is the height to which goods and inventory can be stored becomes more important. Whereas, 5 years ago a clear height of 25 feet within the building (which a 32 foot high building would permit) was considered adequate, that is no longer the case today as industrial tenants are almost always seeking clear heights of 32 feet and many are now seeking clear heights of 36 and even 40 feet so they can store more goods and inventory within their space. It takes a 37 foot 9 inch high building to*

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*create 32 feet of clear height within the building which is why the Applicant is seeking the variance to construct its building to 37 feet 9 inches in height.*

The justification statement also explains that “[t]he variance of the parapet wall is not only aesthetically pleasing but it also allows the elevation of the building to comply with the provision in Section 2 - 75 - 28(d)(7) which encourages a variety in detail to prevent monotony of design in single building projects such as this one.”

Village Code Sec. 26-32 (f) (6) allows the Village Council to grant variances when:

- Special conditions and circumstances exist which are peculiar to the land, structure or building involved, and which are not applicable to other lands, structures or buildings subject to similar requirements;
- The special conditions and circumstances do not result from the actions of the applicant;
- Granting the variance request will not confer on the applicant any special privileges that are denied by this Code to other lands, buildings or structures similarly situated;
- A literal interpretation of the provisions in this Code would deprive the applicant of rights commonly enjoyed by other properties similarly situated under the terms of this Code and would work unnecessary and undue hardship on the applicant;
- The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- The grant of the variance will be in harmony with the general intent and purpose of this division; and
- Such variance will not be injurious to the area involved or otherwise be detrimental to the public welfare.

Village Staff generally agrees with the Applicant that the proposed design meets the intent of the requirement to its furthest extent possible without negatively impacting the existing development and that the granting of this variance will not confer on the Applicant any special privileges and the variance request is the minimum variance that makes possible the reasonable use of the land. Therefore, Staff is recommending approval of this Application.

The Planning and Zoning Commission considered the application on May 24, 2022, and recommended approval by a vote of 5-0.

**Recommended Action:**

Staff is recommending Approval of Application 22-8 (VAR) and Variance Order VC-22-06.

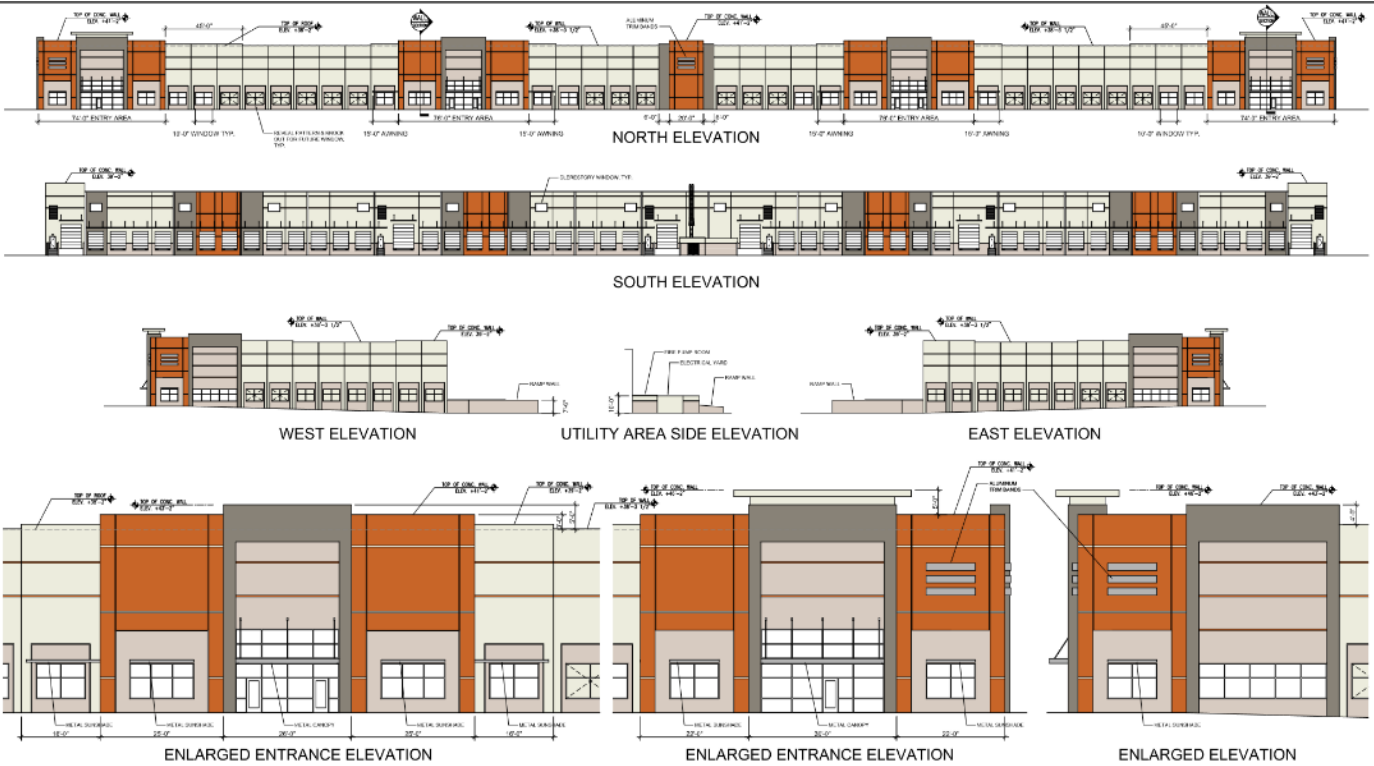
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**Attachment A**  
**Aldi Way Warehouse**  
**Application No. 22-8 (VAR)**

Directly below are illustrations of the architectural elevations.



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**ORDER OF THE VILLAGE COUNCIL  
VILLAGE OF ROYAL PALM BEACH  
Chapter 26. Zoning**

**CASE NO. VC-22-06**  
**IN RE: Application No. 22-8 (VAR)**  
**1131, 1141, 1151 and 1161 N. State Road 7**

**Legal Description:**  
Attached as Exhibit "A"

**ORDER APPROVING APPLICATION**

This cause came to be heard upon the above application and the Royal Palm Beach Village Council having considered the evidence presented by the applicant and other interested persons at a hearing called and properly noticed, and the Royal Palm Beach Village Council being otherwise advised.

**THEREUPON**, the Village Council of the Village of Royal Palm Beach finds as follows:

1. The property which is the subject of said application is classified and zoned within the Limited Industrial (IL) District by the Zoning Code of the Village of Royal Palm Beach and the zoning map made a part thereof by reference.
2. The applicant is seeking a **Variance** from Royal Palm Beach Code of Ordinances at the following section: Sections 26-92 (4) (b) and 26-22 in order to allow for a building height of 37 feet 9 inches, measured to the top of the roof decking, and a maximum parapet wall height of 8 feet above the proposed building height; a variance of 5 feet 9 inches for building height and 3 feet for the parapet height.
3. Under the provisions of Sec. 26-32(f)(6) of the Village Code of Ordinances, the Village Council has the right, power and authority to act upon the application herein made.
4. In the judgment of the Village Council, the public welfare will best be served by **APPROVING** the application as set forth on the application documents.

5. **IT IS THEREUPON CONSIDERED, ORDERED AND ADJUDGED** by the Royal Palm Beach Village Council as follows:

The application for **Variance, VC-22-06**, with reference to the above-referenced property in the Village of Royal Palm Beach, Florida to permit a variance to Sections 26-92 (4) (b) and 26-22 in order to allow for a building height of 37 feet 9 inches, measured to the top of the roof decking, and a maximum parapet wall height of 8 feet above the proposed building height; a variance of 5 feet 9 inches for building height and 3 feet for the parapet height, is hereby **Approved** in accordance with the Village Code of Ordinances for the following reasons:

**The applicant meets the following standards set forth in Section 26-32 (f)**

**(6). of the Village Code of Ordinances:**

1. Special conditions and circumstances exist;
2. Special circumstances are not the result of actions of the applicant;
3. No special privilege is conferred;
4. Literal interpretation would constitute an unnecessary and undue hardship;
5. This is minimum variance for reasonable use of land;
6. Is in harmony with the intent and purpose of this division; and:
7. Will not be injurious to area or detrimental to the public welfare.

**Done and ordered this 16<sup>th</sup> day of June, 2022.**

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Mayor Fred Pinto  
Village of Royal Palm Beach

Attest:

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Diane DiSanto, Village Clerk

**Exhibit A**  
**Legal Description**  
**Application No. 22-8 (VAR)**  
**1131, 1141, 1151 and 1161 N. State Road 7**

LEGAL DESCRIPTION:

Parcels 5, 6, 7 and 8, ALDI PARK, according to the Plat thereof, recorded in Plat Book 116, Page 17, of the Public Records of Palm Beach County, Florida.