

July 14, 2025

Kenneth Cassel, City Manager
City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, Florida 33407
kcassel@westlakegov.com

**Re: VAR-2025-01 Silver Lake Clubhouse Site Plan – Fence Variance Request
CH Project # 24-0317**

Dear Ken:

The purpose of this correspondence is to request a waiver to the maximum fence height within the proposed clubhouse site plan area at Silver Lake.

Waiver Request

The requested waiver is permitted pursuant to Chapter 5, Article 2.2, Sec 119-31.(3).1.(ii) of the City's Land Development Regulations, which states:

- (1) In order to allow for innovative design or unique site conditions, the City Manager may grant, at his or her sole discretion, waivers to allow for minor deviations from the requirements of these LDRs pursuant to the following criteria:
 - a. The proposed waiver is consistent with the Comprehensive Plan; and
 - b. The applicant provides alternative standards to the specific land development sections subject to the waiver that meet the intent of the waived regulations.
 - c. The proposed waiver will not negatively impact the health, safety, and welfare of the residents of the City.
- (2) Waivers may not be permitted to deviate from the allowable density, intensity, permitted uses, setbacks, or building height within a zoning district.
- (3) Waivers shall be effectuated through written approval by the City Manager or designee.

Chapter 5., Article 3.3, Section 3. Mixed Use (MU), B) Requirements, (2) Non Residential, (1) Accessory Structures, (i) Fences & Walls, b., states the following:

The maximum height of a wall or fence shall be 6 feet; except for fences or walls for an athletic training facility, which have a maximum height of 8 feet. The City Council may approve additional fence height for purposes of protecting public health, safety or welfare.

April 2, 2024

The applicant is requesting a waiver to increase the height of the fence proposed around the outdoor Pickleball Court to eight (8) feet. A typical tennis or pickleball court fence height is 8-12' to prevent balls from escaping the court during play. The applicant is proposing a 2 foot addition in the fence height for this reason. This waiver request does not negatively impact the health, safety or welfare of the residents of the City or impede the function or operation of SID's facilities and duties.

In addition, the proposed waiver,

- a. is consistent with the Comprehensive Plan;
 - b. The applicant has provided an alternative standard to the specific land development sections subject to the waiver that meet the intent of the waived regulation.
 - c. The proposed waiver will not negatively impact the health, safety, and welfare of the residents of the City of Westlake.
- (2) Does not deviate from the allowable density, intensity, permitted uses, setbacks, or building height within a zoning district.
- (3) Waivers shall be effectuated through written approval by the City Manager or designee.

The applicant requests that the City waive the fence height requirement as stated herein. Thank you for your time and consideration.

Very truly yours,

Cotleur & Hearing



/dc

Donaldson E. Hearing, ASLA, LEED® AP
Principal