

Silver Lake Amenity Center Variance | Justification Statement

April 25, 2025

Revised: April 28, 2025

Revised: July 18, 2025

Request

On behalf of the applicant and owner, Palm Beach West Associates VI LLLP, we are requesting approval of a variance to Table 119-31-4. R-1 District Nonresidential Standards, to reduce the required front, side road, side yard, and rear setbacks for the amenity center to 15-feet. This request is to accommodate the new Amenity Center located within the interior of the proposed Silver Lake neighborhood, providing for the necessary developable area to reasonably support the proposed recreational amenities on the subject 1.13-acre parcel to the benefit of the community's residents. The site's unique characteristic of being one of the few neighborhoods to provide an internal amenity center in the city of Westlake is appropriate grounds for approval of this request and seeks to provide the same benefits of a first-class amenity center to the future residents of Silver Lake that are commonly enjoyed by other similar communities throughout Palm Beach County. We ask that the reduced setback for the proposed amenity center site be implemented to maintain compatibility with the surrounding scale of the single-family neighborhood and the Westlake master plan.

Background

The subject 1.13-acre clubhouse/amenity parcel is located within the interior of the proposed Silver Lake neighborhood. The subject property has a zoning designation of R-1 and R-2 and a future land use designation of Residential R-1 and R-2. The proposed Silver Lake neighborhood is currently in review with the City of Westlake for a site plan application comprised of 448 single family homes in compliance with the Westlake master plan. Upon approval of the aforementioned site plan application, the amenity center will be constructed during phase one. The Code as written does not consider the size, location, context, type of amenities proposed or specific site design for Amenity Centers but rather requires a 30' setback for all structures. In contrast neighborhood parks allow for a 15-foot setback. The city has actively encouraged neighborhood park areas in all communities approved to date. It is the applicant's professional opinion that a 30-foot setback is more appropriate for large scale, more active amenity center such as Cresswind of Palm Beach which contains multiple pools, an amphitheater, food service and multiple sports courts. These types of facilities are designed to accommodate hundreds of people for events and are actively programed for use every day. The proposed amenity is very

small and includes a 3,464 square foot multiple purpose building, mail kiosk, 3 pickleball courts and a children's playground area. 54% of the site is open space. The site plan has been intentionally designed such that no homes front (have rear yards facing the amenity) on the amenity. The amenity site has a side relationship with the abutting homes. The pickleball courts are appropriately located adjacent to the street.

The Applicant has extensive experience in designing award winning communities of the highest quality throughout south Florida and has successfully built many amenity centers of comparable size and design. These facilities add value to the community and in this case will augment the large-scale amenities like the Westlake Adventure Park, the Westlake Fitness Park and the newly proposed amenity at Riverbend Rd. and Persimmon Blvd. East (PC-4) It is our experience that buyers in Silver Lake will actively seek out the homesites adjacent to the proposed amenity center, and in fact, are most often the first homes to sell. In the abundance of caution a written disclosure will be provided to the buyers acknowledging the location and proximity of the amenities.

The majority of neighborhoods in Westlake completed to date do not include any internal amenities. Amenity Centers are not required to sell homes but rather are an added feature that builds long lasting values and fosters human interaction between residents. The setbacks as currently required by the code have an unintended consequence of discouraging applicants from providing additional amenities.

Adjacent Properties

	EXISTING USE(S)	FUTURE LAND USE DESIGNATION	ZONING DISTRICT
SUBJECT PROPERTY	Vacant	R-1 & R-2	R-1 & R-2/Single Family
NORTH	Parcel S - Orchards	R-2	R-2
SOUTH	Existing Residential	Existing Residential	Existing Residential
EAST	Vacant	R-1 & R-2	R-1 & R-2
WEST	Parcel T - Estates	R-1 & R-2	R-1 & R-2

Variance Criteria

Below please find an itemized statement demonstrating that the variance request is consistent with each of the following criteria addressed in Chapter 2, Article 2.2, Section 2(B) of the City of Westlake Code of Ordinances:

- (1) Strict application of the LDRs creates an undue burden or a practical difficulty on the development of applicant's lot(s) or parcels and was not created by the actions of the applicant.

Response: Strict application of the R-1 & R-2 required setbacks for Amenity Centers does create an undue burden and practical difficulty to efficiently serve the proposed community appropriately. The intent of the amenity center is to provide first class amenities to the residents of Silver Lake and this is significantly restricted if the required setbacks are upheld due to the decreased developable area. Additionally, the subject parcel is significantly smaller than that of the Cresswind of Palm Beach amenity center, which is a comparable amenity center serving a residential community in Westlake. These particular setbacks set forth in the Land Development regulations could be better utilized on larger parcels of 3-5 acres while maintaining the same mass and scale of the neighboring development, however in the case of the Silver Lake amenity center, the subject setbacks create an incompatible condition with the surrounding community scale. We believe the setbacks for a neighborhood park are more applicable to amenity centers less than 1.5 acres in size.

- (2) 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 in the same zoning district.

Response: The special condition peculiar to this parcel is the proposed use of the amenity center given that it is one of the few private amenity centers serving a residential community in the city of Westlake. In this case, the 1-acre parcel is severely restricted pursuant to the R-1 setback regulations causing unnecessary hardship to not only the applicant but also the future residents of Silver Lake preventing adequate space for an array of first-class amenities. The code as written discourages developers from adding meaningful amenities interior to individual neighborhoods. The code's definition of Neighborhood Park is:

"Neighborhood Park means a park that serves the residents of a neighborhood and is accessible to bicyclists and/or pedestrians. A neighborhood park is designed to serve the population of a neighborhood in a radius of up to one-half mile. Neighborhood parks include any related recreational facilities and can be publicly or privately owned."

We believe the proposed recreational facilities are consistent with what is allowed in a neighborhood park, thus a reduction to a 15' setback is appropriate.

- (3) Literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of this chapter and would work unnecessary and undue hardship on the applicant.

Response: Literal interpretation of the subject code provisions deprives the Silver Lake community as a whole of the benefits commonly enjoyed by all other similar residential communities in Palm Beach County. The required setbacks set forth in the city's LDR are not appropriate to adequately provide the standard amenities needed to benefit the community of 448 single family homes. Silver Lake is a small, intimate neighborhood with a reduced scale to promote healthy and walkable streetscape. The required setback of 30-feet on most sides of the property contradicts the theme and vision of the community and the Westlake Master Plan. Approval of this request will allow the future residents of Silver Lake to enjoy the same benefits of a first-class amenity center as experienced in many other similar communities. The recreational features proposed for Silver Lake are consistent with those of a neighborhood park. In contrast the definition of "amenity center" suggest much more intensive uses such as limited retail, real estate office and property management.

The code's definition of an Amenity center is as follows: "Amenity center means a facility to accommodate recreational and/or social activities such as parties, receptions, banquets, meetings, recreation, exercise, and neighborhood gatherings, for exclusive use of the residents and guests of a specific development or defined residential area and that provides opportunities for limited retail, including a leasing/real estate sales office, and property management offices."

- (4) No negative impacts are or will be generated by the variance, and/or that any impacts caused by the variance can be adequately mitigated.

Response: On the contrary, approval of this variance request will only result in a benefit to the future residents of Silver Lake, allowing them to enjoy adequate first-class amenities that would otherwise be unavailable due to the current code restrictions. Additionally, the amenity center parcel does not abut any rear or front yards of any residences, ensuring that there will be no impact to any resident's living experience. We have found that homeowners purchasing property adjacent to an amenity center do so purposefully and the close proximity to the amenities is of great benefit to them and their personal interests.

- (5) The grant of a variance will not confer upon the applicant any special privilege denied to any other owner of land, buildings, or structures located in the same zoning district.

Response: The granting of the subject variance will not provide any special privilege denied to any other owner of land in the same zoning district. This particular parcel is unique given its proposed nonresidential use solely benefiting the surrounding community. The only permitted nonresidential uses in the R-1 zoning district consist

of religious uses, daycare, neighborhood parks, and amenity centers. All of these aforementioned nonresidential uses are of benefit to the community they are located in and guided by the standards set forth in the LDR. The required setbacks in this case do not account for the smaller parcel size and rather provide general standards for amenity centers as a whole regardless of lot size. We respectfully ask that the required 30-foot lot size be reduced to 15-feet specific to this site due to the smaller, intimate scale of the Silver Lake community. This will allow all future residents of Silver Lake to enjoy all amenities expected of a standard clubhouse.

- (6) The variance granted is the minimum variance that will make possible the use of the land, building, or structure.

Response: The variance requested is undoubtedly the minimum variance that will make possible use of the land. The clubhouse building adheres primarily to the required setbacks and this request is solely to gain the proper space for amenities expected at a standard clubhouse site. The requested 15 foot setback on all yards is to ensure adequate developable area for said amenities while also providing an appropriate setback to maintain lush landscape buffers and enhance curb appeal.

- (7) The grant of the variance will be in harmony with the general intent and purpose of this chapter and land development regulations.

Response: The current code regulations set forth general standards for all amenity centers regardless of lot configuration, size, shape, or surrounding area. In this case, the Silver Lake community amenity center seeks to align with the smaller lot configurations of the surrounding neighborhood. Adhering to the required setbacks of the LDR would oppose the general intent of the community and the code as a whole. It is understood that the general intent of the regulations for residential amenity centers set forth in the R-1 zoning district is for the clubhouse itself due to the fact that the minimum parcel size for an amenity center is 20,000 square feet. These setbacks severely restrict small lots to properly provide standard amenities to benefit the community and only benefit amenity centers located on large parcels upwards of 3-5 acres. Additionally, this amenity center is only the second of its kind in the city of Westlake and presents a unique case which is grounds for an appropriate variance request.

- (8) Financial hardship is not to be considered as sufficient evidence of a hardship in granting a variance.

Response: On the contrary, this request is to allow for a significantly larger investment into the subject parcel and the Silver Lake community as a whole. The intent of this request to provide additional first class amenities by reducing the required setbacks opposes the possibility of financial hardship.

- (9) The grant of the variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: On the contrary, approval of this variance request will only benefit the surrounding community and public welfare. Allowing for adequate space for standard amenities improves the quality of life of the community resulting in overall longevity and success of the city as a whole. This request ensures that the Silver Lake community and the wellbeing of the residents is set up for success long term.

The applicant looks forward to working alongside city staff to ensure the long-term health and wellness of the future residents of Silver Lake. We appreciate your consideration of this request and are available for any questions or comments you may have.

Refer to the following page for Variance Table

Silver Lake Variance Table (VAR-2025-01)

Structure	Proposed Min.Front Setback (North) (feet)	Required	Deviation	Proposed Min. Side Setback (West) (feet)	Required	Deviation	Proposed Min.Side (East) Setback (feet)	Required	Deviation	Proposed Min.Rear Setback (South) (feet)	Required	Deviation
Clubhouse	15	20	5	30+	30	0	30+	30	0	14.5	30	15.5 *
Mail Kiosk	15+	20	0	30+	30	0	36	30	0	15	30	15
Fenced Playground	15+	20	0	24.1	30	5.9	30+	30	0	15.5	30	14.5
Pickleball	25.5	20	5.5	24.1	30	5.9	30+	30	0	30+	30	0

****Rear yard setback to residential (lot) property line is 28.8' for a deviation of 1.2'***