

Resolution 2021-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WESTLAKE, FLORIDA, RELATING TO A VARIANCE REQUEST FROM THE APPLICANT MINTO PBLH, LLC FOR THE CROSSINGS OF WESTLAKE (POD M-2), A ONE-HUNDRED-THIRTY (130) UNIT TOWNHOME PROJECT, LOCATED AT 5075 SEMINOLE PRATT WHITNEY ROAD, SAID VARIANCE APPROVAL WILL ALLOW EIGHTY PERCENT (80%) DEAD END STREETS, WHERE THE CITY'S INTERIM UNIFIED LAND DEVELOPMENT CODE, ARTICLE 3, SECTION 2.A.2(a), ALLOWS A MAXIMUM OF TWENTY PERCENT DEAD END STREETS (20%); IN THE CITY OF WESTLAKE, PALM BEACH COUNTY FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Applicant (Minto PBLH, LLC) is requesting review of the Variance for Crossings of Westlake (Pod M-2), a one-hundred thirty (130) unit Townhome project, located at 5075 Seminole Pratt Whitney Road, on approximately 15.75 acres of land, in the City of Westlake; and

WHEREAS, the City's Interim Unified Land Development Code, Article 3, Section 2.A.2.(a) entitled Dead End Streets, allows a maximum of twenty (20%) percent dead end streets, and the applicant is requesting a deviation from the existing code to allow eighty (80%) percent dead end streets for the Townhome project, the Crossings; and

WHEREAS, the City staff has evaluated the criteria set forth in the City's code, specifically the seven variance criteria in Chapter 2, and found that the applicant has satisfied the criteria, and the City's Engineer has reviewed the application and made a recommendation of approval of the variance application; and

WHEREAS, the Planning and Zoning Board for the City of Westlake conducted a quasi-judicial hearing on the Variance application number VAR-2021-01, at City Hall Chambers, 4005 Seminole Pratt Whitney Road, on April 12, 2021; and

WHEREAS, the Planning and Zoning Board found that based on substantial competent evidence in the record, that the application for the variance was consistent with the City of Westlake's Comprehensive Plan, Land Development Code and the Interim Unified Land Development Code; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, THAT:

Section 1. Public Hearing. A public hearing on the present application was held on May 10, 2021, in accordance with the Quasi-judicial Hearing Procedures. Pursuant to the testimony and evidence presented during the hearing, the City Council makes the following findings of fact, conclusions of law, and final order.

Section 2. Findings of Fact.

- a. That the property is located within the City of Westlake, east of Town Center Parkway South and North of Persimmon Boulevard East, specifically at 5075 Seminole Pratt Whitney Road.

- b. The requested variance is consistent with the City of Westlake’s Comprehensive Plan, Land Development Code and the City’s Interim Land Development Code, as further specified in the City of Westlake Planner’s Staff Report.
- c. After hearing testimony from staff, the applicant and the public, the City Council found the variance requests to be consistent with the variance criteria in the City of Westlake’s Comprehensive Plan, the City’s Land Development Code and the City’s Interim Unified Land Development Code.
- d. The City Council adopts and incorporates by reference the City Staff Report, which report is considered competent substantial evidence.

Section 3. Conclusions of law. The requested variance was reviewed by the City of Westlake Planner and City Engineer pursuant to the City of Westlake’s Land Development Code and the City’s Interim Unified Land Development Code, and was found to be consistent.

Section 4. Order. The City Council of the City of Westlake approves the variance requests from Article 3, Section 2.A.2.(a), to the Crossings development project to have eighty (80%) percent dead end streets, where the City’s Interim Land Development Regulation allows a maximum of twenty (20%) percent dead end streets.

Section 5. Conditions of Approval.
There are no conditions of approval.

Section 6. Record. The record shall consist of the notice of hearing, the applications, documents submitted by the applicant and the applicants’ representatives to the City of Westlake Department of Planning and Zoning in connection with the applications, the City of Westlake’s Planning and Zoning Board decision, the City of Westlake Engineer’s recommendation, attached cover sheet and documents, the testimony and documents presented at the quasi-judicial hearing, and the tape and minutes of the hearing. The record shall be maintained by the City Clerk.

Section 7: Effective Date. This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this day of May 10, 2021.

PUBLISHED on this _____ day of _____ in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
Interim City Attorney