



CITY OF WESTLAKE
Planning and Zoning Department
 4001 Seminole Pratt Whitney Road
 Westlake, Florida 33470
 Phone: (561) 530-5880
 www.westlakegov.com

DEPARTMENTAL USE ONLY	
Ck. #	_____
Fee:	_____
Intake Date:	_____
PROJECT #	<div style="border: 1px solid black; width: 80px; height: 20px;"></div>

APPLICATION FOR VARIANCE

PLANNING & ZONING BOARD

Meeting Date: _____

INSTRUCTIONS TO APPLICANTS:

1. Please complete all sections of this application. If not applicable, indicate with N/A.
2. Provide all required documents as shown on the attached checklist. If not applicable, indicate with N/A.

The Planning & Zoning Board meets the second Monday of the month, as needed in the City Council Chambers, 4005 Seminole Pratt Whitney Road. The applicant will be informed in writing of their scheduled meeting date.

I. PROJECT DESCRIPTION & APPLICANT INFORMATION

PROJECT NAME: Pod M-2 "Crossings of Westlake" (VAR-2021-01)

PROJECT ADDRESS: TBD

DESCRIPTION OF PROJECT: Residential community containing 130 attached single-family units

Property Control Number (PCN), list additional on a separate sheet: 77-40-43-01-00-000-1010

Estimated project cost: TBD

Property Owner(s) of Record (Developer) Minto PBLH, LLC

Address: 16604 Town Center Parkway, Suite B, Westlake, FL 33470

Phone No.: 954-973-4490 Fax No.: _____ E-mail Address: JFCarter@Mintousa.com

Agent (if other than owner complete consent section on page 3):

Name: Donaldson E. Hearing - Cotleur & Hearing

Address: _____ 1934 Commerce Lane, Ste. 1, Jupiter, FL 33458

Phone No.: 561-747-6336 Fax No.: _____ E-mail Address: DHearing@Cotleur-Hearing.com

II. LAND USE & ZONING

- A) ZONING MAP DESIGNATION Residential-2 B) FUTURE LAND USE MAP DESIGNATION Residential 2
- C) Existing Use(s) Vacant
- D) Proposed Use(s), as applicable Attached Single Family Residential community known as Crossings of Westlake.

III. ADJACENT PROPERTIES

	Name of Business/ Subdivision	Land Use Designation	Zoning Designation	Existing Use(s)	Approved Use(s)
NORTH	POD L/POD PC-1	DMXD	Mixed Use	Vacant/Recreation	Mixed Use/Recreation
SOUTH	POD PC-2	Civic	Civic/Education	Vacant	Civic
EAST	Pod M-1 Sky Cove	R2	R-2	Under Construction	Residential
WEST	PC-5/C-2	Civic	Civic/Education	Under Constr./Vacant	Civic (PBC TCO)

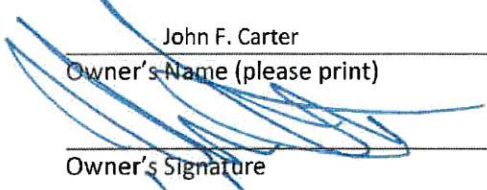
V. OWNER/APPLICANT ACKNOWLEDGEMENT AND CONSENT

Consent statement (to be completed if owner is using an agent)

I/we, the owners, hereby give consent to Cotleur & Hearing on my/our behalf to submit this application, all required material, and documents, and attend and represent me/us at all meetings and public hearings pertaining to the application and property I/we own described in the application.

By signing this document, I/we affirm that I/we understand and will comply with the provisions and regulations of the City of Westlake, Florida, Code of Ordinances. I/we further certify that all of the information contained in this application and all the documentation submitted is true to the best of my/our knowledge.

John F. Carter
 Owner's Name (please print)


 Owner's Signature

3/1/2021
 Date

Donaldson E. Hearing
 Applicant/Agent's Name (please print)

 Applicant/Agent's Signature

March 02, 2021
 Date

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John F. Carter
Owner's Name (please print)

Owner's Signature

Date

Donaldson E. Hearing
Applicant/Agent's Name (please print)


Applicant/Agent's Signature

March 02, 2021
Date

CHAPTER 2, ARTICLE 2.2 - ADDITIONAL PROVISIONS, SECTION 2B (VARIANCES):

B. Variances

(1) The purpose of a variance is to allow reasonable relief from strict application of one or more land development regulations, when such regulation(s) create an undue burden or a practical difficulty for reasonable development of a property. Variances will be granted on a case-by-case basis.

**** REFER TO THE ATTACHED JUSTIFICATION STATEMENT ****

(2) Applications for a variance must demonstrate that:

(a) 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.

(b) 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.

(c) 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.

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

(e) 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.

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

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

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

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

(3) In granting any variance, the Planning and Zoning Board may approve such conditions and safeguards deemed necessary to conform to the intent and purpose of this chapter. Violations of such conditions shall be deemed a violation of this chapter. The Planning and Zoning Board may also prescribe a reasonable time limit to initiate the action granted by the variance and to complete such action.

(4) The Planning and Zoning Board, unless specifically authorized by this chapter, shall not grant a variance to establish a use not allowed as a permitted use or conditional use in any overlay or zoning district. Evidence of nonconforming uses of neighboring lands, structures, or buildings in same zoning district or the permitted use of lands, structures, or buildings in other zoning districts shall not be considered grounds for the authorization of a variance.

(5) Denials of applications for variances may be appealed to the City Council.

To cover all additional administrative costs, actual or anticipated, including, but not limited to, engineering fees, consultant fees and special studies, the applicant shall compensate the City for all such costs prior to the processing of the application or not later than 30 days after final application approval whichever is determined as appropriate by the City. **Failure to make such payment shall be grounds for not issuing a building or zoning permit, certificate of occupancy or completion.** Costs associated with advertising for public hearings and other public notice requirements are the responsibility of the applicant. The fee shall be paid prior to such application being scheduled for a public hearing requiring notice.

Owner's Signature to Acknowledge

Date

9/1/2021