

CITY OF WESTLAKE



AGENDA – REVISED

Planning and Zoning Board Meeting

Monday, April 12, 2021 at 6:00 PM

Westlake Council Chambers, 4005
Seminole Pratt Whitney Road Westlake,
Florida 33470

This meeting shall take place at the **Westlake Community Center/City Council Chambers located at 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470** and publicly viewed **Via Communications Media Technology**.

Members of the public may participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:

<https://cityofwestlake.my.webex.com/>

Meeting ID: 132 823 9517

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 132 823 9517

Public Comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time. Procedures for Public Comment are provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

BOARD:

Roger Manning, Chair
Katrina Long Robinson, Vice Chair
Patric Paul, Board Member
Kara Crump, Board Member
JohnPaul O’Connor, Board Member
Francisco Costoya, Jr., Alternate Board Member

CITY STAFF:

Ken Cassel, City Manager
Pam E. Booker, City Attorney
Nilsa Zacarias, Planning & Zoning Director
Zoie P. Burgess, City Clerk

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

OATH OF OFFICE

- A. Francisco Costoya, Jr., Alternate Board Member

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [A.](#) July 8, 2019 - Planning and Zoning Meeting Minutes - DRAFT

PUBLIC COMMENTS

This section of the agenda allows for comments from the public to speak on any item not presented on the agenda. Each speaker will be given a total of three (3) minutes to comment. A public comment card should be completed and returned to the City Clerk. When you are called to speak, please go to the podium, and prior to addressing the Board, state your name and address for the record.

NEW BUSINESS

- [A.](#) VAR-2021-01 Variance Application - Pod M2 - Crossings of Westlake. 130 attached single family townhomes in the R-2 Zoning District.

Submitted By: Gina Lawrence / Planning & Zoning

RESOLUTION PZ 2021-01

A RESOLUTION OF THE PLANNING AND ZONING BOARD FOR 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.

ADJOURNMENT

NOTICE: If a person, firm or corporation decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). The City of Westlake does not prepare or provide such verbatim record.

In accordance with the Americans with Disabilities Act, persons who need an accommodation in order to attend or participate in this meeting should contact the City Clerk at (561) 530-5880 at least three (3) business days prior to the meeting in order to request such assistance.

AGENDA POSTED: Monday, April 5, 2021, **REVISED** Wednesday April 7, 2021

**MINUTES OF PLANNING AND ZONING MEETING
CITY OF WESTLAKE**

A Planning and Zoning meeting of the City of Westlake was held on July 8, 2019 at 6:00 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Roger Manning	Mayor
Katrina Long Robinson	Vice Mayor
John Stanavitch	City Council Seat 1
Kara Crump	City Council Seat 2
Phillip Everett	City Council Seat 3

Also present were:

Kenneth Cassel	City Manager
Pam E. Booker, Esq.	City Attorney
Nilsa Zacarias	NZ Consultants
John Carter	Minto PBLH, LLC

The following is a summary of the minutes and actions taken during the July 8, 2019 City of Westlake Planning and Zoning Meeting.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mayor Manning called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Approval of the Minutes of the June 17, 2019 Planning and Zoning Meeting

On MOTION by Councilwoman Crump seconded by Vice Mayor Long Robinson with all in favor the minutes of the June 17, 2019 Planning and Zoning meeting were approved.
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FOURTH ORDER OF BUSINESS

Staff Reports and Presentations

- A. Requested Use Presentation for 7-Eleven**
- B. Requested Use Staff Report for 7-Eleven**
- C. 7-Eleven Site Plan Presentation**
- D. 7-Eleven Site Plan Staff Report**

The above listed staff reports and presentations were provided in the agenda package and there were no changes from the presentations made at a previous meeting.

FIFTH ORDER OF BUSINESS

Consideration of Recommendation of Resolution 2019-16, Approving Requested Use for Gasoline Station and Convenience Store

Mr. Cassel read Resolution 2019-16 by title only.

On MOTION by Councilman Stanavitch seconded by Councilwoman Crump with all in favor Resolution 2019-16 was approved for recommendation to the City Council.

SIXTH ORDER OF BUSINESS

Consideration of Recommendation of Resolution 2019-15, Approving Final Site Plan for 7-Eleven

Mr. Cassel read Resolution 2019-15 by title only.

On MOTION by Vice Mayor Long Robinson seconded by Councilman Everett with all in favor Resolution 2019-15 was approved for recommendation to the City Council.

SEVENTH ORDER OF BUSINESS

Audience Comments

There being none, the next item followed.

EIGHTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned at 6:07 p.m.

Kenneth Cassel
City Manager

Roger Manning
Mayor



Meeting Agenda Item Coversheet

MEETING DATE:		4/12/21	Submitted By: Gina Lawrence / Planning & Zoning	
SUBJECT: <i>This will be the name of the Item as it will appear on the Agenda</i>		VAR-2021-01 Variance Application - Pod M2 - Crossings of Westlake. 130 attached single family townhomes in the R-2 Zoning District.		
STAFF RECOMMENDATION: (MOTION READY)		Based upon the facts and findings contained herein, the Planning and Zoning, and Engineering Departments recommend approval of the subject application. Also, <i>the Palm Beach County Fire Rescue has no objection to the number of dead-end streets.</i>		
SUMMARY and/or JUSTIFICATION:	The subject application, Crossings, is located in Pod M-2 and part of Pod M. The proposed Crossings will be build south of the future Town Center district and the existing Westlake Adventure Park. Sky Cove, an existing single-family residential community, is located east of Crossings within Pod M and designated as Pod M-1. Crossings residential development consists of 130 attached single family townhome units located on 15.57 acres (Pod M-2). The primary access points to the Crossings community will be on Town Center Parkway, at the intersection of Kingfisher Boulevard.			
	On March 8, 2021, the Crossings plat received a conditional approval by the City Council. The subject condition is because the proposed development exceeds by 60 percent the amount of dead-end streets that the City's interim code allows. So, the applicant is requesting a Variance to allow eighty (80) percent dead end streets where the Interim City Code from Palm Beach County requires a maximum of twenty (20) percent dead end streets; relief from Article 3.2.A.2.a. Dead End Streets.			
SELECT, if applicable	AGREEMENT:		BUDGET:	
	STAFF REPORT:	X	PROCLAMATION:	
	EXHIBIT(S):		OTHER:	
IDENTIFY EACH ATTACHMENT. <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Variance Pod M2 Cover Sheet Resolution Variance Crossings of Westlake / POD M2 Final Staff Report Variance Application Variance Justification VAR-2021-01 Pod M2 Crossings Eng. Staff Memo VAR-2021-01 Eng. Approval Variance Map M2 The Crossings			
SELECT, if applicable	RESOLUTION: X		ORDINANCE:	

<p>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE <i>(if Item is not a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i> <u>Please keep text indented.</u></p>	<p>Resolution PZ 2021-01 A RESOLUTION OF THE PLANNING AND ZONING BOARD FOR 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.</p>	
<p>FISCAL IMPACT <i>(if any):</i></p>		<p>\$</p>



City of Westlake

Planning and Zoning Department – Staff Report

Planning and Zoning Board Hearing - 4/12/21

PETITION DESCRIPTION

PETITION NUMBER: VAR-2021-01 *Variance for Crossings, Pod M-2*
OWNER: Minto PBLH, LLC
APPLICANT: Cotleur & Hearing
ADDRESS: 5075 Seminole Pratt Whitney Road, Westlake, FL 33470
PCN: 77-40-43-01-00-000-1010

REQUEST: Application for a Variance to allow eighty (80) percent dead end streets where the Interim City Code from Palm Beach County requires a maximum of twenty (20) percent dead end streets; relief from Article 3.2.A.2.a. Dead End Streets. The subject application is located in Pod M-2, Crossings in the City of Westlake, Palm Beach County, Florida, 33470.

SUMMARY

The subject application, Crossings, is located in Pod M-2 and part of Pod M. The proposed Crossings will be build south of the future Town Center district and the existing Westlake Adventure Park. Sky Cove, an existing single-family residential community, is located east of Crossings within Pod M and designated as Pod M-1. Crossings residential development consists of 130 attached single family townhome units located on 15.57 acres (Pod M-2). The primary access points to the Crossings community will be on Town Center Parkway, at the intersection of Kingfisher Boulevard.

On March 8, 2021, the Crossings plat received a conditional approval by the City Council. The subject condition is because the proposed development exceeds by 60 percent the amount of dead end streets that the City's interim code allows. So, the applicant is requesting a Variance to allow eighty (80) percent dead end streets where the Interim City Code from Palm Beach County requires a maximum of twenty (20) percent dead end streets; relief from Article 3.2.A.2.a. Dead End Streets.

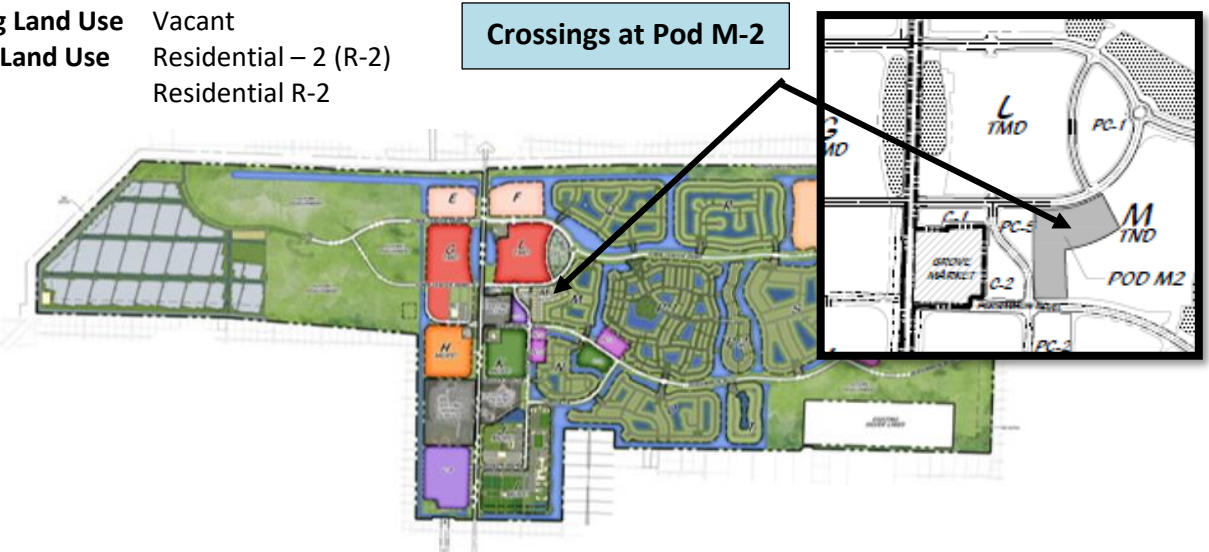
The subject variance application is in compliance with the City Code. *Chapter 2. Section 5. Notice* in terms of providing mail notice to property owners within 300 feet of the affected site; public notice published in the Palm Beach Post; and posting of signs at the subject site. See attached affidavit provided by the applicant.

STAFF RECOMMENDATION

Based upon the facts and findings contained herein, the Planning and Zoning and Engineering Departments recommend approval of the subject application. Also, *the Palm Beach County Fire Rescue has no objection to the number of dead end streets.*

PETITION FACTS

- a. **Total Site Area:** 15.57 acres (Pod M-2)
- b. **Total Dwelling Units:** 130 Units - Attached Single Family Units (Townhomes)
- c. **Density:** 8.35 Dwelling Units per Acre. The Comprehensive Plan allows max. 12 DUs/Acre
- d. **Land Use and Zoning**
 - Existing Land Use** Vacant
 - Future Land Use** Residential – 2 (R-2)
 - Zoning** Residential R-2



BACKGROUND

The subject application, Crossings, is located in Pod M-2 and part of Pod M. The proposed Crossings will be build south of the future Town Center district and the existing Westlake Adventure Park. Sky Cove, an existing single-family residential community, is located east of Crossings within Pod M and designated as Pod M-1. Crossings will be 130 attached single family townhome units on 15.57 acres (Pod M-2). Crossings include 30-foot-wide lots containing attached single-family homes in clusters of four (4) and five (5). Side corner lots are generally 40’ wide. The primary access points to the Crossings community will be on Town Center Parkway, at the intersection of Kingfisher Boulevard.

The City of Westlake is in the process of writing its own Land Development Regulations. A number of Chapters has been approved by the City Council, and additional ones are being written. City Staff relies on the adopted City Code chapters, and the interim Palm Beach County Unified Land Development Code (ULDC) for reviews of site plans and plats.

On March 8, 2021, the Crossings plat received a conditional approval by the City Council. The subject condition is because the proposed development exceeds by 60 percent the amount of dead end streets that the City’s interim code allows. So, the applicant is requesting a Variance to allow eighty (80) percent dead end streets where the Interim City Code from Palm Beach County requires a maximum of twenty (20) percent dead end streets; relief from Article 3.2.A.2.a. Dead End Streets.



VARIANCE REQUEST

The subject application was reviewed according to the Palm Beach County Unified Land Development Code (ULDC). The City has not yet adopted subdivision regulation and platting requiring the applicant to rely on Article 11 of the Palm Beach County Unified Land Development Code. Article 3.2.A.2.a. Dead End Streets requires that a development provides a maximum of 20 percent of dead-end streets as indicated below:

a) Dead-End Streets
 No more than 20 percent of all TND streets may be dead-end streets, such as cul-de-sacs and T-turnarounds. The maximum length for dead-end streets shall be 900 feet and up to 1,250 feet, with a mid-block pedestrian pass-thru. The maximum length for dead-end streets shall be:

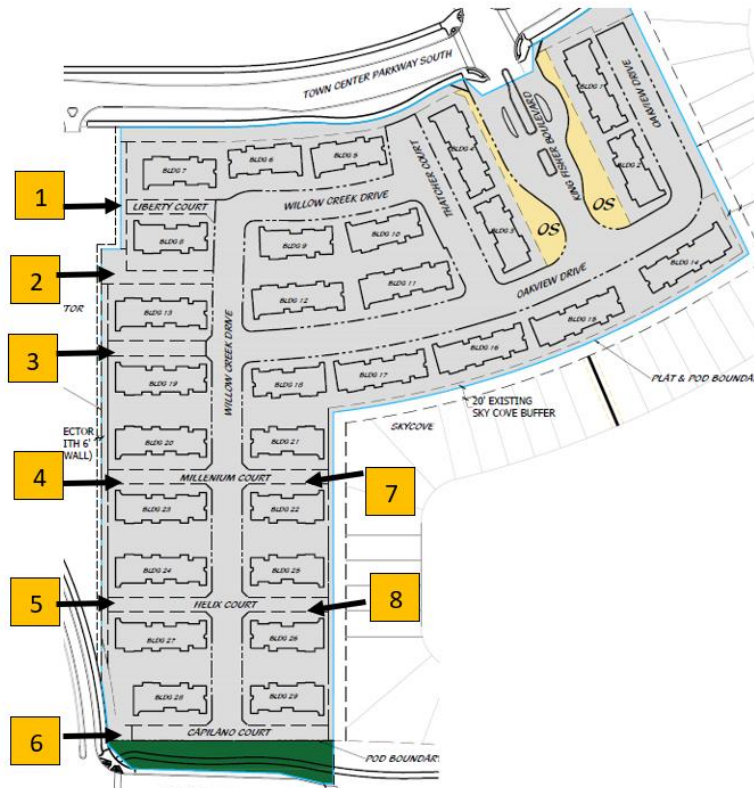
(1) Single Family Residential
 900 feet. Up to 1,250 feet with a mid-block pedestrian pass-thru.

(2) All Others
 900 feet.

Crossings proposes a number of streets or courts that are primarily used as the means to access the attached single-family residences within the parcel. The subject courts are dead-end streets and exceed the 20 percent allowed by Code. Per the ULDC the following calculations were confirmed:

- a. The percentage of streets/courts onsite that contain dead-ends is equal to 80 percent.
- b. Maximum requirement per Article 3.2.A.2.a. is 20 percent.
- c. The applicant is requesting a total of 60 percent above the maximum requirement

The below graphic depicts the location of the subject dead-end streets:



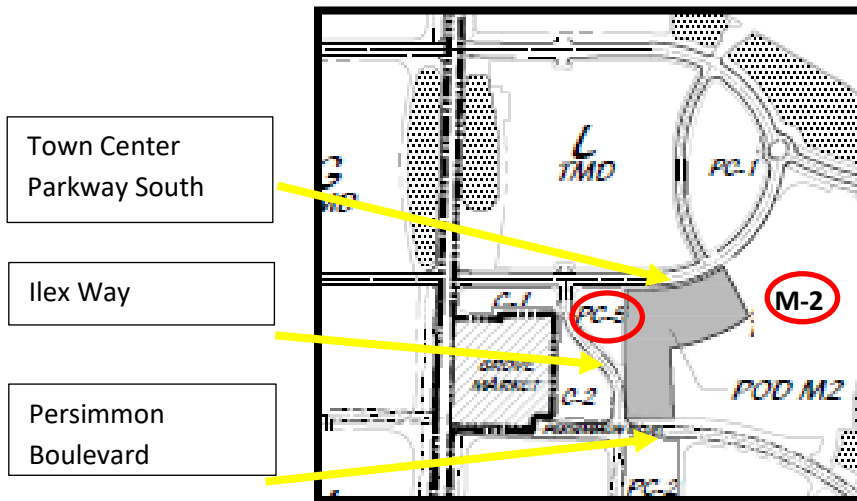
STAFF ANALYSIS AND FINDINGS

Per Chapter 2, Section 2: Special Applications, (B) Variances, the Planning and Zoning Board shall consider and find that all seven criteria listed below have been satisfied by the applicant prior to making a motion for approval of a variance:

- (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.**

Applicant Response: YES. Westlake has been designed and planned as a unique community with a focus on walkability and alternative modes of transportation. Additionally, higher density parcels or pods have been strategically located closer to the center of town and future town center. Pod M 2 also known as “The Crossings” is uniquely positioned on the south side of Town Center Parkway South, east of Ilex Way and North of Persimmon Boulevard. The entrance to the community is directly opposite Kingfisher Blvd. which provides pedestrian and vehicular access to the Westlake Amenity Center (Adventure Park). Parcel M-2 is the closest residential parcel to the Amenity Center and future Town Center located on Pod L. The ULDC does not fully account for the unique nature of Westlake as contemplated in its Comprehensive Plan and the development patterns contemplated by the City’s Zoning Code. While the ULDC contemplates the use of residential access streets to serve single- family homes it does not provide similar provisions for attached single-family homes, where because of its density, small alleys are appropriate. The proposed design ensures safe, convenient, and accessible access to each attached single-family home. Additionally, applying a limitation to the number short alleys inhibits creative design and adds unnecessary costs. The Provisions of the ULDC are focused on much longer streets from 660 feet to 1320 feet as opposed to the quaint alley or courts proposed by the applicant.

City Staff: The M-2 Pod site is constrained by its location. As showing in the below graphic, the subject Pod is surrounded by Pod PC-5 to the west and M-1 to the east (Sky Cove). The subject Pod only vehicular access is through Town Center Parkway South. Pod M-2 also fronts Persimmon Boulevard; however, because its proximity to Ilex Way and traffic safety measures, it can not accommodate a vehicular access/exit on this Boulevard.



Based on the above description, the Palm Beach County ULDC requirement imposes a practical difficulty on the development of applicant’s parcel.

(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.

Applicant Response: YES. Westlake was the only Agricultural Enclave in Palm Beach County which makes it uniquely different from all other lands. Additionally, as noted the City has adopted its own Comprehensive Plan and zoning district regulations but has not yet adopted its subdivision and platting regulations. This is an extremely unique circumstance. It is anticipated that the proposed subdivision and platting regulations when approved will negate the needs for this variance request.

City Staff: The M-2 Pod site is constrained by its location. *As shown on Criteria A site graphic location*, the subject Pod is surrounded by Pod PC-5 to the west and M-1 to the east (Sky Cove). The subject Pod only vehicular access is through Town Center Parkway South. Pod M-2 also fronts Persimmon Boulevard; however, because its proximity to Ilex Way and traffic safety measures, it can not accommodate vehicular access/exit on this Boulevard.

Sites that are located in the same zoning district, and all its boundaries are adjacent to roads will not have a justification to provide dead-end roads above the ULDC code requirements. M-2 Pod is peculiar because it is surrounded to the east and west by other land parcels, and it is only adjacent to two (2) roads as explained in detail in Criteria A.

(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.

Applicant Response: YES. There are no other properties with the same zoning district within the unincorporated area of Palm Beach County other than Westlake. An undue hardship is created by the fact that the applicant is regulated by an intended zoning code without the benefit of the subdivision and platting regulations being fully adopted.

City Staff: The City Interim Code, Palm Beach County ULDC, *Article 3.2.A.2.a. Dead-End Streets* requires that a development provides a maximum of 20 percent of dead-end streets. The Crossings is proposing 80 percent dead-end streets or courts because its peculiar land location as indicated in Criteria A and B.

(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.

Applicant Response: YES. The proposed site design ensures full pedestrian, golf cart and vehicular connectivity. Travel distance and or time is not impacted by the proposed design.

City Staff: The subject site plan and plat were reviewed by the City's Engineer Department and provided the following comment: *"The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-feet is allowed, and 100-feet is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-feet. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the*

City Engineer has no objection to the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.”

(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.

Applicant Response: YES. The granting of the variances will not confer any special privilege because the circumstances are unique to Westlake.

City Staff: Crossings is located in Pod M-2 in the R-2 Residential Zoning District. All applications for site plan and plat are reviewed for compliance with the City Code (Chapters that were adopted by the City Council) and the Interim City Code (Palm Beach County ULDC). Plats are required to have final approval by the City Council after City Staff reviews them for compliance with Codes.

On March 8, 2021, the Crossings plat received a conditional approval by the City Council. The subject condition is because the proposed development exceeds by 60 percent the amount of dead end streets that the City’s interim code allows. So, the applicant is requesting a Variance to allow eighty (80) percent dead end streets where the Interim City Code from Palm Beach County requires a maximum of twenty (20) percent dead end streets; relief from Article 3.2.A.2.a. Dead End Streets.

The grant of the subject 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.

Applicant Response: The variance request has been limited to the minimum required to make reasonable use of the land. The applicant proposes to limit the applicability to alley streets not greater than 175’ in length providing access to not more than 5 attached single family homes.

City Staff: The subject site plan and plat were reviewed by the City’s Engineer Department and provided the following comment: *“The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-feet is allowed, and 100-feet is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-feet. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the City Engineer has no objection to the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.”*

If granted the subject variance, it will make possible the use of Pod M-2 and the development of Crossings residential community.

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

Applicant Response: YES. The variance will facilitate the intended development plan of Westlake and is consistent with the development pattern and use of the surrounding developments which include Sky Cove and the PBC Tax Collector’s Office. Additionally, the overall design of the plan provides full connectivity to the City’s comprehensive multi-modal pathway and sidewalks system consistent with the requirements of the Westlake Comprehensive Plan.

City Staff: Crossings is located in Pod M-2 in the R-2 Residential Zoning District. All applications for site plan and plat are reviewed for compliance with the City Code (Chapters that were adopted by the City Council) and the Interim City Code (Palm Beach County ULDC).

The subject application is in compliance with code requirements regarding density, lot coverage, height, setbacks, pervious open space, landscape, sewerage, drainage and traffic. With regard to connectivity, Crossings provides a gate for golf carts and pedestrian access to Persimmon Boulevard. In terms of Neighborhood Parks, the applicant complies with the Level of Service by providing passive green areas with benches and trees. In terms of safety, Palm Beach County Fire Rescue has no objection to the Crossings site plan.

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

Applicant Response: YES. Literal interpretation and enforcement of the terms and provisions of this code would only prevent the applicant from complying with the intended pattern of development for Westlake and the introduction of diverse housing products as contemplated by the City’s Comprehensive Plan and Zoning Code.

City Staff: The subject variance hardship is based on the peculiar location of Pod M-2 detailed in Criteria A. Pod M-2 is surrounded by Pod PC-5 to the west and M-1 to the east (Sky Cove). The subject Pod only vehicular access is through Town Center Parkway South. Pod M-2 also fronts Persimmon Boulevard; however, because its proximity to Ilex Way and traffic safety measures, it can not accommodate a vehicular access/exit on this Boulevard.

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

Applicant Response: YES. The requested Variance will not be injurious or detrimental to public health, safety, and welfare. The request has been fully vetted by the City’s Engineering Department and PBC Fire Rescue who have both signed off on the site plan. Additionally, Minto has successfully completed several attached single-family home neighborhoods utilizing similar design techniques.

City Staff: The subject application is in compliance with code requirements regarding density, lot coverage, height, setbacks, pervious open space, landscape, sewerage, drainage and traffic. With regard to connectivity, Crossings provides a gate for golf carts and pedestrian access to Persimmon Boulevard. In terms of Neighborhood Parks, the applicant complies with the Level of Service by providing passive green areas with benches and trees. In terms of safety, Palm Beach County Fire Rescue has no objection to the Crossings site plan. If variance is granted, it will not be injurious to the area involved or otherwise detrimental to the public welfare.

FINAL REMARKS

The subject variance application was reviewed based on the City Code, Chapter 2. See attached report and recommendation letter from the City Engineer and the Palm Beach County Fire Department.

The subject variance application is in compliance with the City Code. *Chapter 2. Section 5. Notice* in terms of providing mail notice to property owners within 300 feet of the affected site; public notice published in the Palm Beach Post; and posting of signs at the subject site. See attached affidavit provided by the applicant.

On March 8, 2021, the Crossings plat received a conditional approval by the City Council. The subject condition is because the proposed development exceeds by 60 percent the amount of dead end streets that the City’s interim code allows. See attached Resolution.



Architectural Elevation of Proposed Townhomes

RE: Resubmittal please-POD M2 - SP Revisions. Fire-Rescue Site Plan
Review Revisions Comments Westlake/M2 x



➔ **Pedro Segovia**
to me ▾

Tue, Feb 16, 9:46 AM (8 days ago) ☆ ↶ ⋮

No comment

From: Gina Lawrence <gina@nzconsultants.net>
Sent: Tuesday, February 16, 2021 9:21 AM
To: Pedro Segovia <PSEGOVIA@pbcgov.org>
Subject: Fwd: Resubmittal please-POD M2 - SP Revisions

***** Note: This email was sent from a source external to Palm Beach County. Links or attachments should not be accessed unless expected from a trusted source. *****

Good morning Pedro,

Please advise if you have any additional comments for the applicant.

Thank you!

Gina Lawrence
Urban Planner
We Plan and Design Memorable Places



CITY OF WESTLAKE

Engineering Department

4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: (561) 530-5880
www.westlakegov.com

DATE:	3/15/2021
APPLICATION NUMBER:	VAR-2021-01
DESCRIPTION:	Pod M-2, Crossings of Westlake
APPLICANT:	Cotleur & Hearing
OWNER:	Minto PBLH, LLC
REQUEST:	Variance Review
LOCATION:	Westlake, FL
STAFF REVIEW:	RECOMMENDATION OF APPROVAL

The Engineering Department recommends approval of the application referenced above with the following notes:

- The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-feet is allowed, and 100-feet is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-feet. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the City Engineer has no objection to the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

A handwritten signature in blue ink, appearing to read "Suzanne Dombrowski".

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com



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

STAFF MEMORANDUM

DATE: 3/15/2021
PETITION NO.: VAR-2021-01
DESCRIPTION: Variance for Crossings of Westlake (Pod M-2) Site Plan
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Applicant (Minto PBLH, LLC) is requesting review of the Variance for Crossings of Westlake (Pod M-2) Site Plan

Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval of the variance to facilitate the site plan approval for Pod M-2.

Discussion

The Crossings of Westlake (Pod M-2) proposes 130 attached single-family (townhome) units on 15.57 acres. Pod M-2 is centrally located within Westlake, adjacent to the future Town Center, east of Town Center Parkway South and north of Persimmon Boulevard East, as shown in the graphics below. Specifically, the applicant is requesting a variance to allow short, dead end, vehicular alleys to be used to as the means to access attached single-family residential within the parcel.

Location Maps





POD M-2



The primary access points to the Crossings community will be on Town Center Parkway, at the intersection of Kingfisher Boulevard. All of the residences within the Crossings of Westlake are within a five-minute walk to the Westlake Adventure Park. Within Pod M-2, there will be 30-foot-wide lots containing attached single-family homes in clusters of 4 and 5. Side corner lots are generally 40' wide. The proposed lot area exceeds the minimum area required by the City Code.

The 130 single-family attached homes have a net density of 8.34 dwelling units per acre. The Westlake Master Plan provides for up to 150 attached single-family homes thus the proposed plan is consistent with the land use, zoning, and Westlake Master Plan. The 20 unused units will be transferred to another attached single-family pod the next time the master plan is formally amended. The 130 units however remains fully consistent with the approved Development Order. The approved Density for Pod M which includes Sky Cove (M-1 and Crossings M-2) is 5.84 dwelling units per acre. With the reduction of 20 attached single-family units the density at build out will be 5.53 dwelling units per acre.

The townhomes within Crossings create a “New Florida Coastal Town” feeling by drawing inspiration from historic coast vernaculars and reinterpreting them with a cleaner more contemporary execution. Rooflines, eaves, windows, garage doors, entry doors, and rooflines work together to form a unified theme. Colors of the homes are pastels and tones with neutral colors on elements such as front doors or shutters. Trim and body colors should work together by complementing and contrasting each other.

Conclusion

(2) reviews of the site plan application occurred, which resulted in a recommendation to the applicant to apply for the variance. (2) reviews of the variance application occurred. The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-foot is allowed, and 100-foot is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-feet. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the City Engineer has no objection to

the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

A handwritten signature in blue ink, appearing to read 'S. Dombrowski', with a horizontal line extending to the right.

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

CITY OF WESTLAKE, FLORIDA
AFFIDAVIT OF
Posting of Public Notice Sign and
Mailing of Public Notices

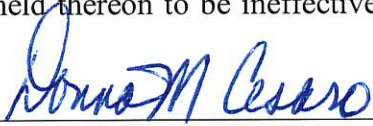
STATE OF FLORIDA
COUNTY OF PALM BEACH

PETITION NUMBER: VAR-20201-01

PETITION NAME: POD M-2, CROSSINGS OF WESTLAKE, VARIANCE FOR DEAD END STREETS AT 130 TOWNHOME UNITS DEVELOPMENT

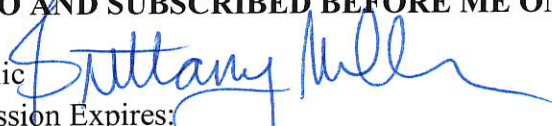
BEFORE ME, the undersigned authority, personally appeared Donna Cesaro, who, after having been first duly sworn and put-upon oath, says as follows:

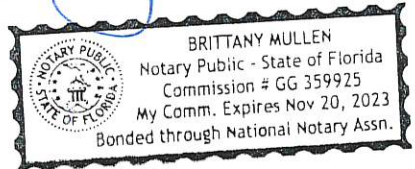
1. That she/he is authorized on the behalf of the owner of the property identified in the above referenced petition to be heard before the City Council on April 12, 2021, and is authorized to execute and make this Affidavit, and is familiar with the matters as set forth herein and they are true to the best of his/her knowledge, information, and belief.
2. That on or about March 28, 2021 the required 3'x 3' signs were placed on the subject property stating, **"THIS SITE IS BEING CONSIDERED FOR REQUESTED USE SCHOOL, ELEMENTARY OR SECONDARY & CONGREGATE LIVING FACILITY TYPE 3. FOR MORE INFORMATION, PLEASE CONTACT THE CITY OF WESTLAKE AT 561-530-5880."**
3. That by March 28, 2021 the required public notices were mailed to all property owners within 500 feet of the property as identified in the attached property owners list. The information used to prepare and execute the public notice mailing was derived from the most recent official tax roll of Palm Beach County.
4. That he/she is aware of and understands that failure to adhere to the forgoing provisions, including submittal of this Affidavit (a minimum of 15 days) prior to public meetings, may cause the above identified petition and any public meeting held thereon to be ineffective and a nullity.

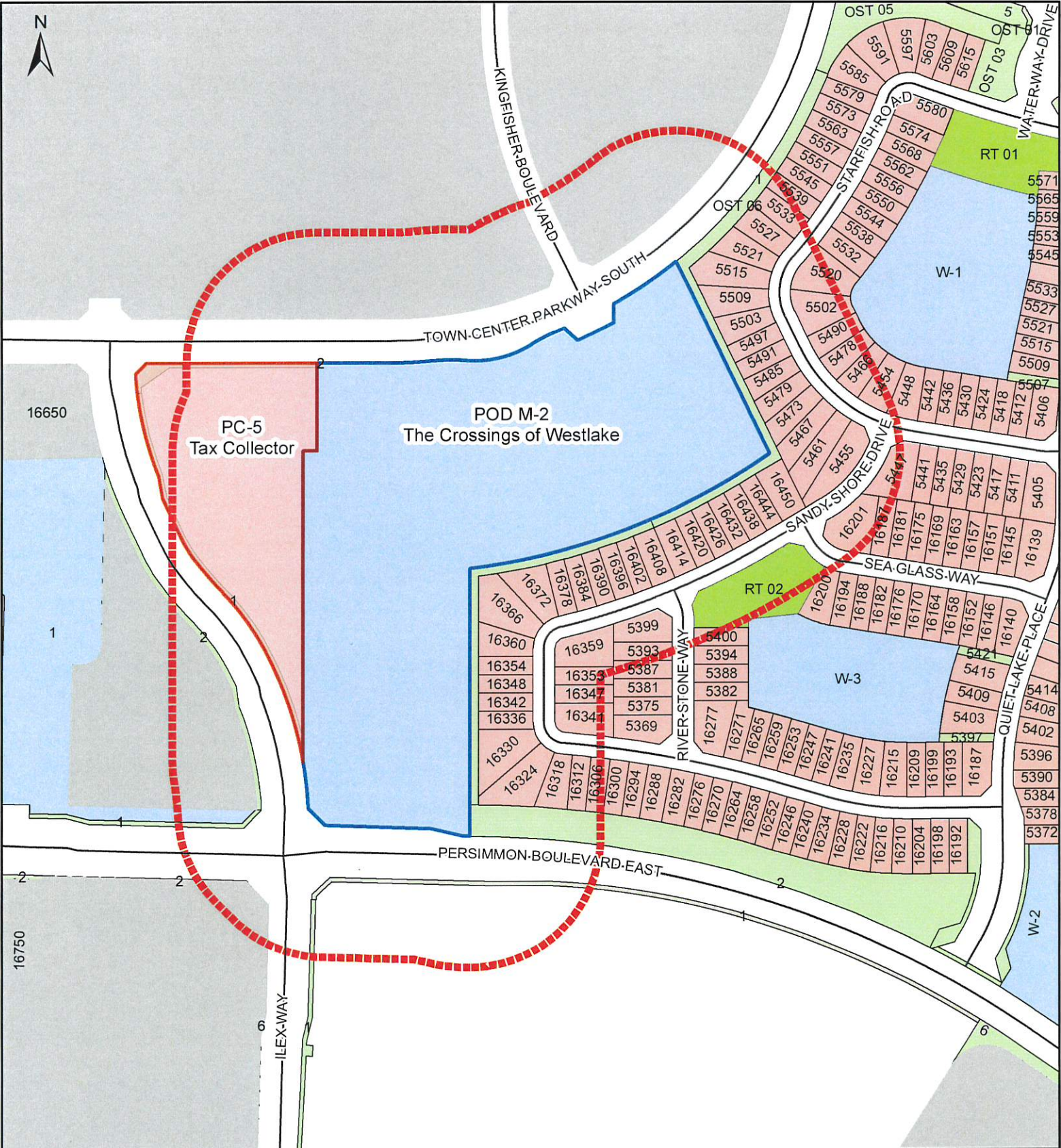


Signature of agent for owner

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 24th **DAY OF** March, 2021.

Notary Public 
My Commission Expires: _____





- Legend**
- Streets
 - 300 Foot Buffer from The Crossings
 - 35 - Tract PC-5 Tax Collector
 - 48 - Crossings of Westlake
 - Open Space Tract
 - Recreation Tract
 - Other/Private
 - Residential
 - Water Management Tract

Variance Notice M-2 The Crossings of Westlake

1 inch = 300 feet
When printed on 8.5" x 11"



77-40-43-01-15-000-0420
Frierson, Ryan and Sarah
16201 Sea Glass Way
Westlake Florida 33470

77-40-43-01-15-000-1220
Tucker, Charlene
16444 Sandy Shore Drive
Westlake Florida 33470

77-40-43-01-15-000-1190
Shank, Christopher
5461 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-0780
Hicks, Modesta Alexandra
5448 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-0810
MERCADO SACRAMENTO &
5478 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-1070
Ure, Kelly, Kenneth
5533 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-0410
Rivera, Jeffrey and Sandra
16200 Sea Glass Way
Westlake Florida 33470

77-40-43-01-15-000-1240
Byer Jocelyn
16432 Sandy Shore Drive
Westlake Florida 33470

77-40-43-01-15-000-0590
GONZALEZ STEPHANIE & DARIEL
5447 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-1180
Link, Stephanie Dawn
5467 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-1150
5485 STARFISH LLC
2526 Montclair Cir
Fort Lauderdale Florida 33327

77-40-43-01-15-000-0820
GAETA RONALD A & Leanie
5490 Starfish Road
Westlake Florida 33470

77-40-43-01-18-000-1300
SKY COVE LLC
401 E Las Olas Blvd Se 1400
Fort Lauderdale Florida 33301

77-40-43-01-15-000-0430
Roberts, Curtis and Kerry
16187 Sea Glass Way
Westlake Florida 33470

77-40-43-01-15-000-1230
Gonzalex, Eric Jose, Intriago, Lorena
16438 Sandy Shore Drive
Westlake Florida 33470

77-40-43-01-15-000-1200
Gonzalez, Sergio, Leiva, Yidielis
5455 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-1170
DRAKE KIMBERLYE J
5473 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-0790
Johnson, Christopher and Mandy
5454 Starfish Road
Westlake Florida 33470

77-40-43-01-15-000-0830
Warne, Christen and Matthew
5502 Starfish Road
Westlake Florida 33470

77-40-43-01-00-000-1010
The Palm Beach County Tax Collector
301 N. Olive Ave, Third Floor
West Palm Beach Florida 33401



RESOLUTION 2021-06

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT FOR CROSSINGS OF WESTLAKE (POD M-2), BEING A REPLAT OF A PORTION OF OPEN SPACE TRACT #1 AND A PORTION OF OPEN SPACE TRACT #2, TOWN CENTER PARKWAY SOUTH - PHASE II, PLAT BOOK 126, PAGES 114 AND 115, AND A PORTION OF OPEN SPACE TRACT #1, ILEX WAY - PHASE I, PLAT BOOK 126, PAGES 116 AND 117, AND A PORTION OF OPEN SPACE TRACT #2, PERSIMMON BOULEVARD EAST - PLAT 2, PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for the Crossings of Westlake (Pod M-2) Plat, being a replat of a portion of Open Space Tract #1 and a portion of Open Space Tract #2, Town Center Parkway South - Phase II, Plat Book 126, Pages 114 and 115, and a portion of Open Space Tract #1, Ilex Way - Phase I, Plat Book 126, Pages 116 and 117, and a portion of Open Space Tract #2, Persimmon Boulevard East - Plat 2, Plat Book 128, Pages 16 Through 19, Inclusive, all of the Public Records Of Palm Beach County, Florida, together with a portion of Section 1, Township 43 South, Range 40 East, in the City of Westlake, Palm Beach County, containing approximately 16.117 acres as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat and boundary survey pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the Building staff, Engineering staff and Planning staff for the City of Westlake have reviewed the application, the final plat, attached hereto as "Exhibit B", and the boundary survey, attached hereto as "Exhibit C", and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the City of Westlake's interim land development regulations and Florida law.

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

Section 1: INCORPORATION. The above recitals are true and correct and are incorporated herein by this reference.

Section 2: **CITY COUNCIL APPROVALS.** The City Council for the City of Westlake hereby approves the final plat, "Exhibit B" and boundary survey, "Exhibit C" for the Crossings of Westlake (Pod M-2), as described in the attached Exhibit "A", containing approximately 16.117 acres, which is located in the City of Westlake, and in Palm Beach County, Florida.

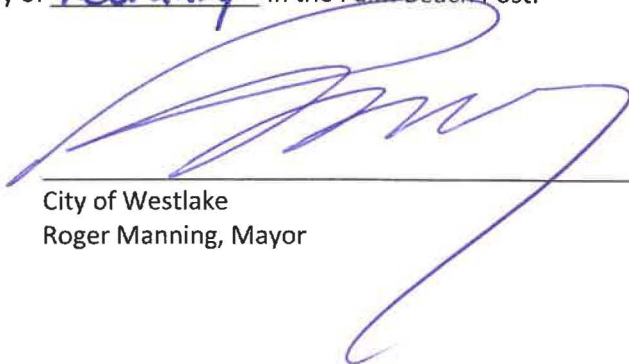
Section 3: **RECORDATION.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: **SCRIVENER'S ERRORS.** This Resolution can be renumbered or re-lettered and typographical errors and clarification of ambiguous wording that do not affect the intent can be corrected with the authorization of the City Manager and City Attorney without the need for public hearing.

Section 5: **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 March 8, 2021.

PUBLISHED on this 26th day of February in the Palm Beach Post.



City of Westlake
Roger Manning, Mayor



Zoie Burgess, City Clerk



Approved as to Form and Sufficiency
Pam E. Booker, City Attorney

CROSSINGS OF WESTLAKE
 BEING A REPLAT OF A PORTION OF OPEN SPACE TRACT #1 AND A PORTION OF OPEN SPACE TRACT #2,
 TOWN CENTER PARKWAY SOUTH - PHASE II, PLAT BOOK 126, PAGES 114 AND 115, AND A
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 INCLUSIVE, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TOGETHER WITH A PORTION OF
 SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA,

CITY OF WESTLAKE'S APPROVAL

THIS CERTIFIES THAT THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE BY A RESOLUTION BEING ADOPTED BY THE CITY COUNCIL THIS _____ DAY OF _____ 2021, IN ACCORDANCE WITH SEC. 177.07(1), F.S., AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY THE CITY OF WESTLAKE IN ACCORDANCE WITH SEC. 175.08(1), F.S.

ATTEST: CITY MANAGER, KEN CASSEL BY: CITY MAYOR, ROGER MANNING

TITLE CERTIFICATION

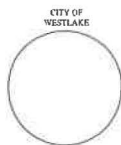
STATE OF FLORIDA
 COUNTY OF _____

WE, FOUNDERS TITLE A TITLE INSURANCE COMPANY, AS DULY AUTHORIZED TO DO BUSINESS IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREIN DESCRIBED PROPERTY, THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN MINTO PHJA, LLC THAT THE CURRENT TAXES HAVE BEEN PAID, AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT HEARS, AND ALL OTHER ITEMS HELD AGAINST SAID LAHRS HAVE BEEN SATISFIED, THAT ALL MORTGAGES NOT SATISFIED OR RELEASED OF RECORD NOR OTHERWISE TERMINATED BY LAW ARE SHOWN HEREON, AND THAT THERE ARE ENCUMBRANCES OF RECORD BUT THOSE ENCUMBRANCES DO NOT PROHIBIT THE CREATION OF THE SUBDIVISION DEPICTED BY THIS PLAT.

DATED: _____ HARRY BINNIE, PRESIDENT, FOUNDERS TITLE

AREAL LIBERATION IN ACRES

SINGLE FAMILY LOTS (39 LOTS)	9.249
ROADWAY TRACT (TRACT "A")	3.609
TRACT "B-1"	0.064
TRACT "B-2"	0.090
TRACT "B-3"	0.090
TRACT "B-4"	0.090
TRACT "B-5"	0.069
TRACT "B-6"	0.073
TRACT "B-7"	0.073
TRACT "B-8"	0.073
LIFT STATION PARCEL	0.124
OPEN SPACE TRACT #1	0.228
OPEN SPACE TRACT #2	0.158
OPEN SPACE TRACT #3	0.046
OPEN SPACE TRACT #4	0.041
OPEN SPACE TRACT #5	0.159
TRACT #6	0.078
TRACT #7	0.040
TRACT #8	0.040
TRACT #9	0.039
TRACT #10	0.033
TRACT #11	0.033
TRACT #12	0.033
OPEN SPACE TRACT #13	0.115
OPEN SPACE TRACT #14	0.274
OPEN SPACE TRACT #15	0.543
TOTAL ACRES, MORE OR LESS	16.117



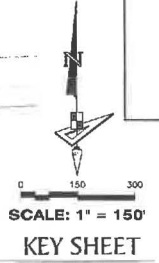
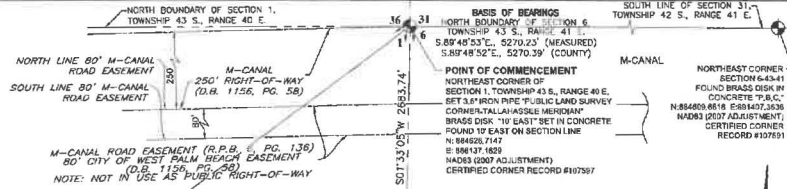
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COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2011 ADJUSTMENT ZONE = FLORIDA EAST LINEAR UNITS = US SURVEY FEET COORDINATE SYSTEM = 1983 STATE PLANE PROJECTION = TRANSVERSE MERCATOR ALL DISTANCES ARE GROUND SCALE FACTOR = 1.0000 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE PLAT BEARING = GRID BEARING NO ROTATION ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

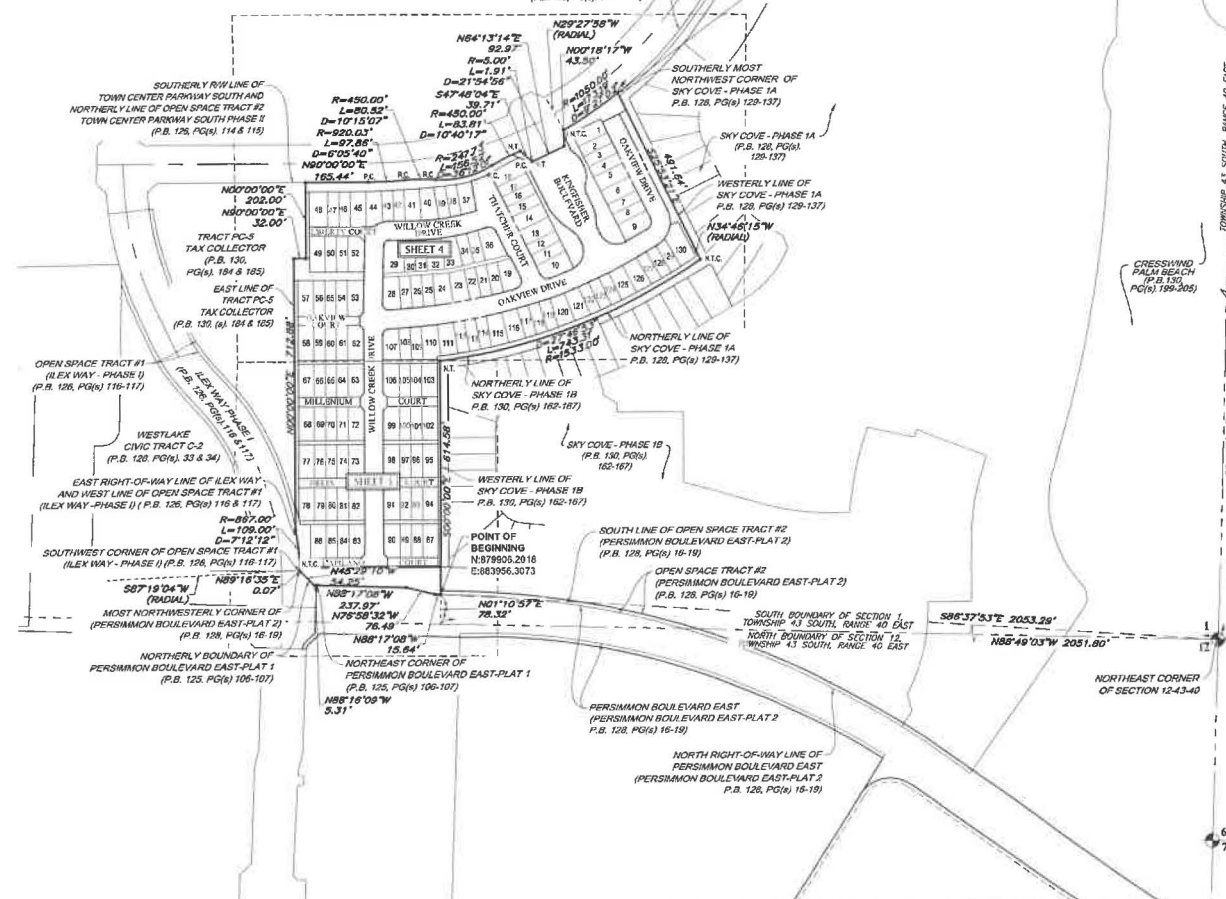
BASIS OF BEARINGS

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH BOUNDARY OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S 89° 49' 53" E, (MEASURED), BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - 07) FOR THE EAST ZONE OF FLORIDA, SAID BASIS OF BEARINGS IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - 06).



LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- P.B. PLAT BOOK
- D.B. DEED BOOK
- PG./PG(s) PAGE(S)
- NAD NORTH AMERICAN DATUM
- O.S.T. OPEN SPACE TRACT
- P.B.C. PALM BEACH COUNTY
- U.E. UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- L.M.A.E. LAKE MAINTENANCE ACCESS EASEMENT
- 1-43-40 SECTION-TOWNSHIP-RANGE
- R RADIUS
- L ARC LENGTH
- D DELTA ANGLE
- DB CHORD BEARING
- C CHORD
- N.T. NON-TANGENT
- N.T.C. NON-TANGENT CURVATURE
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- SID SIDEWALK IMPROVEMENT DISTRICT
- R/W RIGHT-OF-WAY
- C CENTER LINE OF ROAD
- (R) RADIAL
- (NR) NON-RADIAL
- HOA HOMEOWNERS ASSOCIATION
- PRM PERMANENT REFERENCE MONUMENT
- PC PERMANENT CONTROL POINT
- D FOUND PERMANENT REFERENCE MONUMENT
- SET 4"x4" CONCRETE MONUMENT WITH 2" ALUMINUM DISK STAMPED "PRM LB 7768"



NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREON AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

NOTICE: EASEMENTS, BUFFERS AND OTHER SUCH LABELS AND DIMENSIONS OF A PARALLEL NATURE AS SHOWN HEREON AND INDICATED TO THE NEAREST FOOT (E.G. 5' UTILITY EASEMENT) ARE ASSIGNED TO BE THE SAME DIMENSION EXTENDED TO THE NEAREST HUNDREDTH OF A FOOT WITH NO GREATER OR LESSER VALUE.

GeoPoint
Surveying, Inc.

4152 W. River Heron Blvd.
Suite 105
Palm Beach, FL 33404

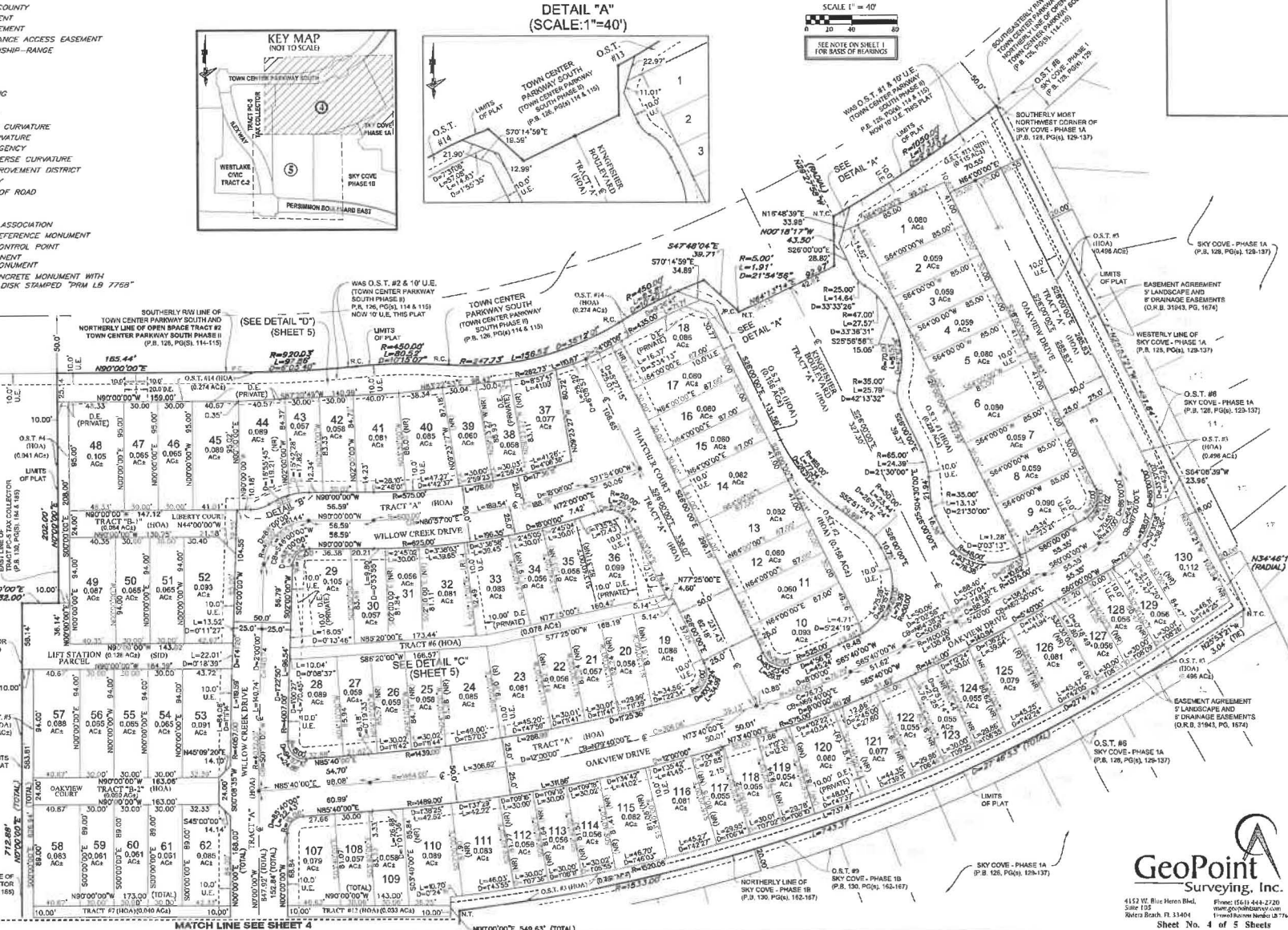
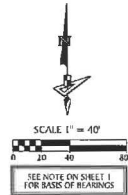
Phone: (561) 444-2720
www.geopointsurvey.com
Lined Home Number 561-444-2720

Sheet No. 3 of 5 Sheets

LEGEND

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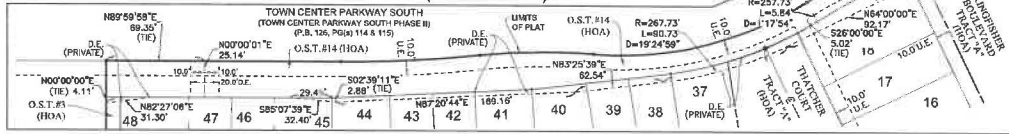



GeoPoint
 Surveying, Inc.
 4152 W. Blue Heron Blvd., Suite 102
 Riviera Beach, FL 33404
 Phone: (561) 444-2720
 www.geopointsurvey.com
 Tract Record Number: 18744
 Sheet No. 4 of 5 Sheets

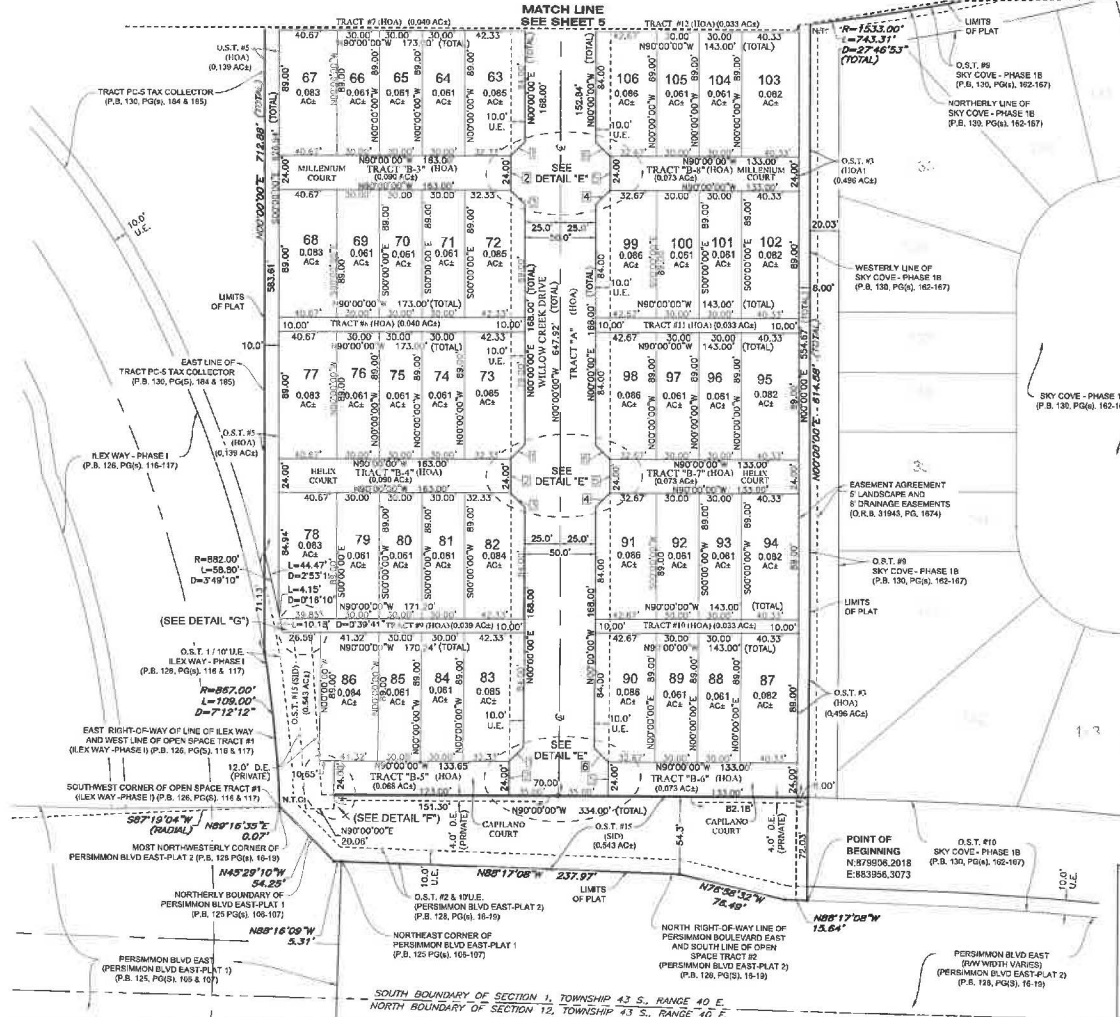
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DETAIL "D" (SCALE:1"=40')

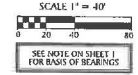


MATCH LINE SEE SHEET 5

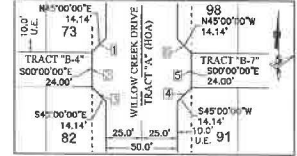


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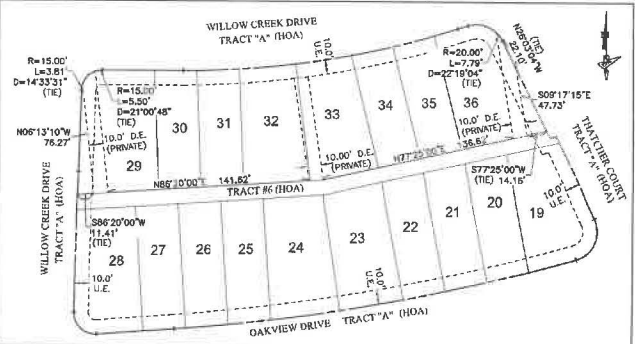
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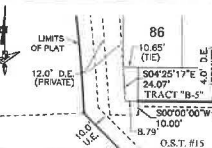
DETAIL "E" (SCALE:1"=40')



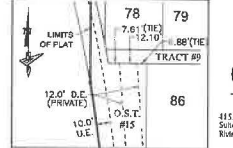
DETAIL "C" (SCALE:1"=40')



DETAIL "F" (SCALE:1"=40')



DETAIL "G" (SCALE:1"=40')



GeoPoint
Surveying, Inc.

4157 W. Blue Heron Blvd. Phone: (561) 466-2720
Suite 105 www.geo-point.com
Riviera Beach, FL 33404 Email: sales@geo-point.com

Sheet No. 5 of 5 Sheets



DESCRIPTION:

A PARCEL OF LAND, BEING IN PART A PORTION OF OPEN SPACE TRACT #1 AND A PORTION OF OPEN SPACE TRACT #2, TOWN CENTER PARKWAY SOUTH - PHASE II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, AND OPEN SPACE TRACT #1, FLEX WAY - PHASE I, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, AND OPEN SPACE TRACT #3, PERSIMMON BOULEVARD EAST - PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 16 THROUGH 19, INCLUSIVE, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF SECTION 11, TOWNSHIP 43 SOUTH, RANGE 41 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 11, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THENCE S87°00'00" W, ALONG THE EAST BOUNDARY LINE OF SAID SECTION 11, A DISTANCE OF 442.84 FEET TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 41 EAST, THENCE N28°40'00" W, ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 260.18 FEET, THENCE N41°00'00" E, A DISTANCE OF 76.52 FEET TO A POINT ON THE SOUTH LINE OF OPEN SPACE TRACT #2, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2, RECORDED IN PLAT BOOK 126, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING, THENCE S81°17'00" W, ALONG SAID SOUTH LINE OF OPEN SPACE TRACT #2, A DISTANCE OF 15.64 FEET, THENCE S20°58'12" W, ALONG SAID SOUTH LINE OF OPEN SPACE TRACT #2, A DISTANCE OF 76.90 FEET, THENCE N38°17'00" W, ALONG SAID SOUTH LINE OF OPEN SPACE TRACT #2, A DISTANCE OF 237.97 FEET TO THE NORTHEAST CORNER OF PERSIMMON BOULEVARD EAST - PLAT 1, AS RECORDED IN PLAT BOOK 126, PAGES 16 AND 17, OF SAID PUBLIC RECORDS, THENCE N41°00'00" W, ALONG THE NORTHERLY BOUNDARY OF SAID PERSIMMON BOULEVARD EAST - PLAT 1, A DISTANCE OF 53.71 FEET, THENCE N 45°31'00" W, ALONG SAID NORTHERLY BOUNDARY OF PERSIMMON BOULEVARD EAST - PLAT 1, A DISTANCE OF 54.25 FEET TO THE MOST NORTHWESTERLY CORNER OF PERSIMMON BOULEVARD EAST - PLAT 2, AS RECORDED IN PLAT BOOK 126, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS, THENCE N40°00'00" W, A DISTANCE OF 187 FEET TO THE SOUTHWEST CORNER OF OPEN SPACE TRACT #1, FLEX WAY - PHASE I, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, OF SAID PUBLIC RECORDS, AND ALSO BEING A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 367.00 FEET, AND A RADIAL BEARING OF S 8°00'00" W, AT SAID INTERSECTION, THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE AND THE WEST LINE OF SAID OPEN SPACE TRACT #1, THROUGH A CENTRAL ANGLE OF 87°11'17", A DISTANCE OF 80.00 FEET TO A POINT ON THE EAST LINE OF TRACT PC-5 TAX COLLECTOR, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS, THENCE N00°00'00" E, ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 712.88 FEET, THENCE N00°00'00" E, ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 7.00 FEET, THENCE N00°00'00" E, ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 102.89 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND NORTHERLY LINE OF OPEN SPACE TRACT #2, TOWN CENTER PARKWAY SOUTH - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS, THENCE BY SAID SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND NORTHERLY LINE OF OPEN SPACE TRACT #2, FOR THE FOLLOWING SEVEN (7) CURVES: 1) N40°00'00" E, A DISTANCE OF 165.44 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 1040 FEET; 2) THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 60°00'00", A DISTANCE OF 97.86 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 480.00 FEET; 3) THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 101°52'07", A DISTANCE OF 80.42 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 147.78 FEET; 4) THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 81°21'01", A DISTANCE OF 154.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 480.00 FEET; 5) THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 80°40'17", A DISTANCE OF 101.41 FEET TO A POINT OF NON-TANGENT INTERSECTION; 6) THENCE S47°48'42" E, A DISTANCE OF 39.71 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 5.00 FEET; 7) THENCE S01°00'00" W, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°24'56", A DISTANCE OF 1.91 FEET TO A POINT OF NON-TANGENT INTERSECTION AND A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF TOWN CENTER PARKWAY SOUTH, THENCE N44°17'42" E, ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF TOWN CENTER PARKWAY SOUTH, A DISTANCE OF 42.47 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT #1, TOWN CENTER PARKWAY SOUTH - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS, THENCE N40°11'17" W, ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT #1, TOWN CENTER PARKWAY SOUTH - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS, A DISTANCE OF 45.88 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 100.00 FEET, AND A RADIAL BEARING OF N 2°22'29" W, AT SAID INTERSECTION, THENCE N08°00'00" E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT #1, AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°27'07", A DISTANCE OF 173.19 FEET TO THE SOUTHERLY RIGHT CORNER OF SKY COVE - PHASE IA, AS RECORDED IN PLAT BOOK 126, PAGES 129 THROUGH 131, INCLUSIVE, OF SAID PUBLIC RECORDS, THENCE S25°55'12" E, ALONG SAID WESTERLY BOUNDARY OF SKY COVE - PHASE IA, A DISTANCE OF 49.64 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 100.00 FEET, AND A RADIAL BEARING OF N 4°40'11" W, AT SAID INTERSECTION, THENCE N08°00'00" E, ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY BOUNDARY OF SKY COVE - PHASE IA AND SKY COVE - PHASE IB, AS RECORDED IN PLAT BOOK 126, PAGES 129 THROUGH 131, OF SAID PUBLIC RECORDS, THROUGH A CENTRAL ANGLE OF 27°40'23", A DISTANCE OF 74.31 FEET TO A POINT OF NON-TANGENT INTERSECTION, THENCE S40°00'00" W, ALONG THE WESTERLY LINE OF SAID SKY COVE - PHASE IB, A DISTANCE OF 44.53 FEET TO THE POINT OF BEGINNING.

CONTAINING: 702,056 SQUARE FEET OR 16.17 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- 1) EASEMENTS, RIGHTS-OF-WAYS, SET BACK LINES, RESERVATIONS, AGREEMENTS AND OTHER SIMILAR MATTERS TAKEN FROM OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY FOUNDERS TITLE DATED MAY 11, 2016.
 - 2) THE SURVEY IS LIMITED TO ABOVE GROUND VISIBLE IMPROVEMENTS ALONG AND NEAR THE BOUNDARY LINES, AND THAT NOTHING BELOW THE GROUND WAS LOCATED INCLUDING, BUT NOT LIMITED TO FOUNDATIONS, FOOTINGS, UTILITIES, ETC., OR TERROR OCCUPATION NOT LOCATED.
 - 3) BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF 8.88 48.05'. THE GRID BEARINGS, AS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICA DATUM OF 1983 (NAD 83 - 87), FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARINGS IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - 86).
 - 4) THE SUBJECT PROPERTY LIES WITHIN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, WHERE THE FLOOD ZONE IS UNDETERMINED AT THE TIME OF THIS SURVEY.
 - 5) THIS SURVEY IS BASED ON PREVIOUS FIELD SURVEYS, DOCUMENTS OF RECORD, FOUND MONUMENTS, EXISTENT, AND HISTORICALLY USED CORNERS, AS WELL AS THE LEGAL DESCRIPTION SHOWN HEREON. IMPROVEMENTS (ELECTRIC UTILITIES UNDER CONSTRUCTION) ARE NOT LOCATED FOR THE PURPOSE OF SHOWING THE BOUNDARY OF A PROPOSED PLAT.
- THE FOLLOWING ARE REFERENCE SURVEYS USED IN DETERMINING THE BOUNDARY LOCATION FOR GALLERY ADGE GROVES:
- a) THE 'M' CANAL ROAD RIGHT OF WAY MAP, RECORDED IN ROAD PLAT BOOK # 6, PAGE 136.
 - b) BOUNDARY SURVEY OF RESIDENTIAL AT GALLERY ADGE GROVES, PREPARED BY LOBERG LAND SURVEYING, INC., (LOG NO. 04-106-101C), DATED OCTOBER 5, 2007.
 - c) SKETCH OF SURVEY PREPARED BY SLP AND BOOK DATED MARCH 4, 1958.
- 6) ALL BEARINGS AND DISTANCES (UNITED STATES SURVEY FEET) AS SHOWN HEREON ARE AS DESCRIBED AND MEASURED UNLESS OTHERWISE NOTED. MEASUREMENTS MADE ARE TO THE ACCURACY STANDARD OF SUBURBAN OR 1"00" IN 1500 FEET.
 - 7) SID AND S/NO EASEMENTS WITHIN BOUNDARY HAVE BEEN RELEASE PER G.R. 20534, PD. 0955.

EASEMENTS AND OTHER MATTERS AFFECTING TITLE:

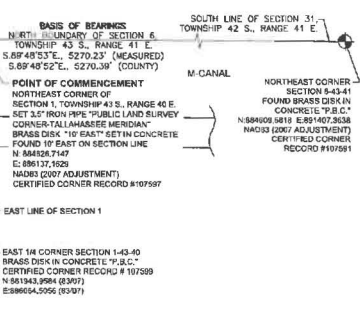
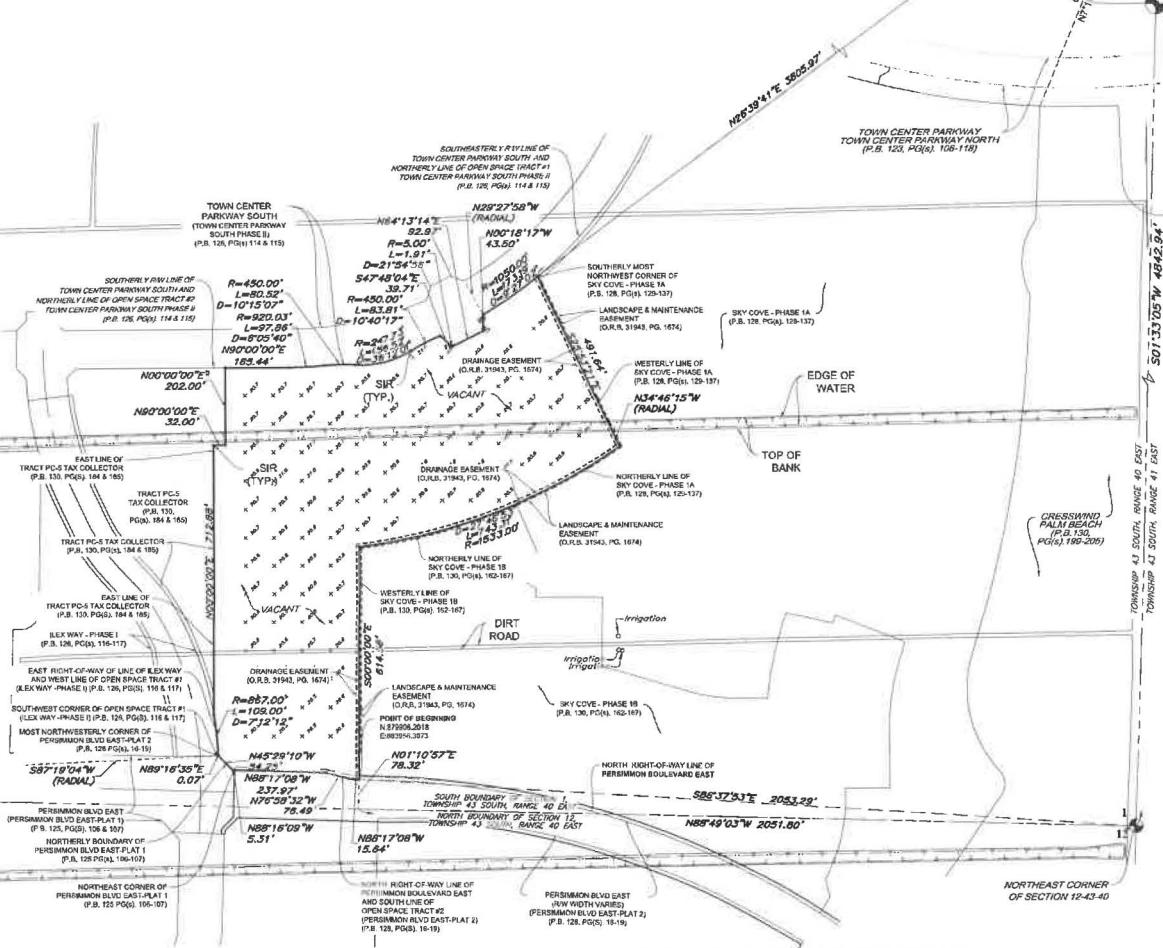
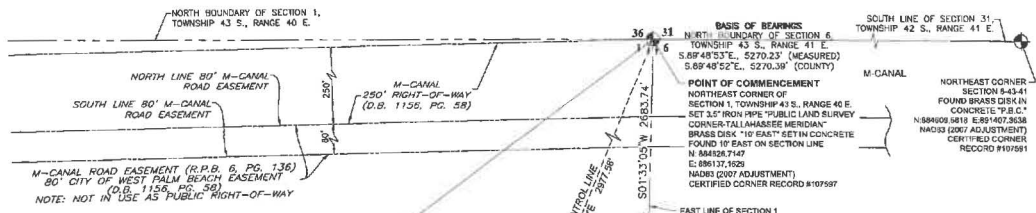
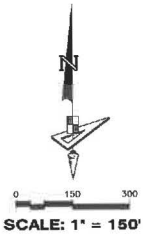
1. TERMS, CONDITIONS, RIGHTS AND RESERVATIONS CONTAINED IN THAT AGREEMENT BETWEEN WEST PALM BEACH WATER COMPANY AND INDIAN TRAIL RANCH, INC., RECORDED SEPTEMBER 21, 1964, IN OFFICIAL RECORDS BOOK 115, PAGE 36 AND THAT DEED BETWEEN INDIAN TRAIL RANCH, INC. AND THE CITY OF WEST PALM BEACH, RECORDED IN OFFICIAL RECORDS BOOK 116, PAGE 58, TOGETHER WITH AND AFFECTED BY ASSIGNMENT, RECORDED IN OFFICIAL RECORDS BOOK 184, PAGE 182 AND AGREEMENT BETWEEN CITY OF WEST PALM BEACH AND CITY NATIONAL BANK OF MIAMI BEACH, TRUSTEE, RECORDED IN OFFICIAL RECORDS BOOK 184, PAGE 183, THAT ASSIGNMENT, RECORDED IN OFFICIAL RECORDS BOOK 805, PAGE 110 AND BY DEED RECORDED IN OFFICIAL RECORDS BOOK 1054, PAGE 1903, GUT CLAIM DEED AND AGREEMENT FOR RESERVATION OF RIGHTS, RECORDED IN OFFICIAL RECORDS BOOK 14742, PAGE 198, AND PARTIAL RELEASE OF EASEMENTS AND RESERVATIONS OF RIGHTS, RECORDED FEBRUARY 2, 2016, IN OFFICIAL RECORDS BOOK 20584, PAGE 95, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
2. INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE SEMINOLE IMPROVEMENT DISTRICT, RECORDED APRIL 28, 2008, IN OFFICIAL RECORDS BOOK 20252, PAGE 184, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
3. MATTERS AS CONTAINED ON THAT CERTAIN PLAT OF TOWN CENTER PARKWAY NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 123, PAGE 168, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
4. RECORDED NOTICE OF ENVIRONMENTAL RESOURCE PERMIT BY SOUTH FLORIDA WATER MANAGEMENT DISTRICT, RECORDED AUGUST 18, 2015, IN OFFICIAL RECORDS BOOK 27747, PAGE 15, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
5. NOTICE OF WESTLAKE COMMUNITY FOUNDATION FEE RECORDED JANUARY 18, 2018, IN OFFICIAL RECORDS BOOK 29588, PAGE 106 AND CORRECTIVE WESTLAKE COMMUNITY FOUNDATION FEE RECORDED JANUARY 24, 2018, IN OFFICIAL RECORDS BOOK 29605, PAGE 1177, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
6. DECLARATION OF RESTRICTIONS, COVENANTS, AND EASEMENTS FOR WESTLAKE RESIDENCES, RECORDED JANUARY 18, 2018, IN OFFICIAL RECORDS BOOK 29588, PAGE 106, TOGETHER WITH FIRST ASSIGNMENT TO DECLARATION, RECORDED MAY 1, 2018, IN OFFICIAL RECORDS BOOK 28816, PAGE 384, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.
7. COLLATERAL ASSIGNMENT OF DECLARANT RIGHTS BY AND BETWEEN MINTO PRLM, LLC AND WELLS FARGO BANK, NATIONAL ASSOCIATION, RECORDED JANUARY 26, 2018, IN OFFICIAL RECORDS BOOK 29611, PAGE 878, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, TO THE PERSON(S) EXPRESSLY IDENTIFIED BY NAME IN THE PROPERTY INFORMATION REPORT AS THE RECEIPT(S) OF THE PROPERTY INFORMATION REPORT.

LEGEND

P.O.B. ---	POINT OF BEGINNING
O.R. ---	OFFICIAL RECORD BOOK
P.C.(#) ---	PAGE(S)
D.B. ---	DEED BOOK
W.M.T. ---	WATER MANAGEMENT TRACT
P.B.C. ---	PALM BEACH COUNTY
6-43-41 ---	SECTION-TOWNSHIP-RANGE
R ---	RADIUS
L ---	ARCH LENGTH
D ---	DELTA ANGLE
P.C. ---	POINT OF CURVATURE
P.T. ---	POINT OF TANGENCY
NAD83 ---	NORTH AMERICAN DATUM 1983
L.M.E. ---	LAKE MAINTENANCE EASEMENT
TPP ---	TPICAL
E ₁ ---	ELECTRIC PEDESTAL
E ₂ ---	ELECTRIC SWITCH BOX
IBV ---	IRRIGATION BUTTERFLY VALVE
SIW ---	SET 5/8" IRON ROD L87768
■ ---	FOUND PERMANENT REFERENCE MONUMENT L87768
□ ---	ELECTRIC PEDESTAL
ICV ---	IRRIGATION CONTROL VALVE
MW ---	MONITORING WELL
W ₁ ---	WATER GATE VALVE
W ₂ ---	WATER BUTTERFLY VALVE
---	TOP OF BANK
---	EDGE OF WATER
---	ORANGE MANHOLE
⊙ ---	UTILITY POLE
⊖ ---	GUT ANCHOR
---	SIGN

WESTLAKE POD 12 A BOUNDARY SURVEY

<p>REVISIONS</p> <table border="1"> <thead> <tr> <th>No.</th> <th>Date</th> <th>Description</th> <th>Prep.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>		No.	Date	Description	Prep.					<p>Prepared For: MINTO COMMUNITIES, LLC Date of Field Survey: 12/11/17</p>
No.	Date	Description	Prep.							
<p>SURVEYOR'S CERTIFICATE This certifies that a survey of the herein described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Engineers in Chapter 46-170.00, Florida Administrative Code, pursuant to Section 472.07, Florida Statutes.</p>		<p>GeoPoint Surveying, Inc. 4152 W. Biltmore Blvd., Suite 105 Royal Palm, FL 33404 Phone: (561) 444-3720 www.geopointsurvey.com Fax: (561) 444-3720</p>								
<p>Sheep A. Raper PLUM PROFESSIONAL SURVEYOR & MAPPER No. L54828 NOT VALID UNLESS THE SURVEYOR AND THE ORIGINAL INSIDE SEAL OF A PUBLIC LICENSED SURVEYOR AND SURVEYOR</p>		<p>Checked: SWAM Date: 12/11/2017 Date File: Westlake Pod 12 A Title: GARR 1 P.L.C. Plot Book: --- Revision: 1 of 12, Title: 43 S, Range: 41 E, No. 1200 PALM BEACH</p>								



LEGEND

- P.O.B. --- POINT OF BEGINNING
- O.R. --- OFFICIAL RECORD BOOK
- PG.(s) --- PAGE(S)
- D.B. --- DEED BOOK
- W.M.T. --- WATER MANAGEMENT TRACT
- P.B.C. --- PALM BEACH COUNTY
- 6-43-41 --- SECTION-TOWNSHIP-RANGE
- R --- RADIUS
- L --- ARCH LENGTH
- Δ --- DELTA ANGLE
- P.C. --- POINT OF CURVATURE
- P.T. --- POINT OF TANGENCY
- NAD83 --- NORTH AMERICAN DATUM 1983
- L.M.E. --- LAKE MAINTENANCE EASEMENT
- TYP. --- TYPICAL
- SP --- ELECTRIC PEDESTAL
- ES --- ELECTRIC SWITCH BOX
- BYV --- IRRIGATION BUTTERFLY VALVE
- SIR --- SET 5/8" IRON ROD LB7768
- --- FOUND PERMANENT REFERENCE MONUMENT LB7768
- --- ELECTRIC PEDESTAL
- CV --- IRRIGATION CONTROL VALVE
- MW --- MONITORING WELL
- W --- WATER GATE VALVE
- WBV --- WATER BUTTERFLY VALVE
- TOP OF BANK
- EDGE OF WATER
- ⊙ --- DRAINAGE MANHOLE
- ⊕ --- UTILITY POLE
- GUY ANCHOR
- SON

WESTLAKE POD 12 A BOUNDARY SURVEY

Prepared For: MINTO COMMUNITIES, LLC

REVISIONS		
No.	Date	Description

GeoPoint Surveying, Inc.
 4152 W. Blue Haven Blvd. Phone: (561) 444-2720
 Suite 105 www.geopointsurvey.com
 Ranch Road 6, Ft. Lauderdale, FL 33304
 Email: info@geopointsurvey.com
 Drawn: DMM Date: 03/20/2019 Scale: 1" = 150' File: Westlake Pod 12 A.dwg
 Check: GAB P.E. Date: 03/20/2019
 Plot Date: 11/11/17
 Scale: 1" = 150' Plot Size: 11x17
 Plot Date: 11/11/17
 Plot Size: 11x17
 Plot Scale: 1" = 150'

Sheet No. 2 of 2 Sheets

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL REDEY SEAL OF A FLORIDA LICENSED SURVEYOR AND THE

Exhibit 'A'
Legal Description
Crossings of Westlake

BEING IN PART A PORTION OF OPEN SPACE TRACT #1 AND A PORTION OF OPEN SPACE TRACT #2, TOWN CENTER PARKWAY SOUTH - PHASE II, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, AND OPEN SPACE TRACT # 1, ILEX WAY - PHASE 1, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, AND OPEN SPACE TRACT # 2, PERSIMMON BOULEVARD EAST - PLAT 2, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, THENCE S.01°33'05"W. ALONG THE EAST BOUNDARY LINE OF SAID SECTION 1, A DISTANCE OF 4842.94 FEET TO THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE N.88°49'03"W., ALONG THE NORTH LINE OF SAID SECTION 12, A DISTANCE OF 2051.80 FEET; THENCE N.01°10'57"E., A DISTANCE OF 78.32 FEET TO A POINT ON THE SOUTH LINE OPEN SPACE TRACT # 2, AS SHOWN ON PERSIMMON BOULEVARD EAST - PLAT 2, RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE N.88°17'08"W., ALONG SAID SOUTH LINE OF OPEN SPACE TRACT # 2, A DISTANCE OF 15.64 FEET; THENCE N.76°58'32"W., ALONG SAID SOUTH LINE OF OPEN SPACE TRACT #2, A DISTANCE OF 76.49 FEET; THENCE N.88°17'08"W., ALONG SAID SOUTH LINE OF OPEN SPACE TRACT #2, A DISTANCE OF 237.97 FEET TO THE NORTHEAST CORNER OF PERSIMMON BOULEVARD EAST - PLAT 1, AS RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, OF SAID PUBLIC RECORDS; THENCE N.88°16'09"W., ALONG THE NORTHERLY BOUNDARY OF SAID PERSIMMON BOULEVARD EAST - PLAT 1, A DISTANCE OF 5.31 FEET; THENCE N.45°29'10"W., ALONG SAID NORTHERLY BOUNDARY OF PERSIMMON BOULEVARD EAST - PLAT 1, A DISTANCE OF 54.25 FEET TO THE MOST NORTHWESTERLY CORNER OF PERSIMMON BOULEVARD EAST - PLAT 2, AS RECORDED IN PLAT BOOK 128, PAGES 16 THROUGH 19, INCLUSIVE, OF SAID PUBLIC RECORDS. THENCE N.89°16'35"E., A DISTANCE OF 0.07 FEET TO THE SOUTHWEST CORNER OF OPEN SPACE TRACT # 1, ILEX WAY - PHASE 1, AS RECORDED IN PLAT BOOK 126, PAGES 116 AND 117, OF SAID PUBLIC RECORDS, AND ALSO BEING A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 867.00 FEET, AND A RADIAL BEARING OF S.87°19'04"W., AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE AND THE WEST LINE OF SAID OPEN SPACE TRACT #1, THROUGH A CENTRAL ANGLE OF 07°12'12", A DISTANCE OF 109.00 FEET TO A POINT ON THE EAST LINE OF TRACT PC-5 TAX COLLECTOR, AS RECORDED IN PLAT BOOK 130, PAGES 184 AND 185, OF SAID PUBLIC RECORDS; THENCE N.00°00'00"E., ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 712.88 FEET; THENCE N.90°00'00"E., ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 32.00 FEET; THENCE N.00°00'00"E., ALONG SAID EAST LINE OF TRACT PC-5 TAX COLLECTOR, A DISTANCE OF 202.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND NORTHERLY LINE OF OPEN SPACE TRACT # 2, TOWN CENTER PARKWAY SOUTH - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS; THENCE BY SAID SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND NORTHERLY LINE OF OPEN SPACE TRACT # 2 FOR THE FOLLOWING SEVEN (7) COURSES: 1) N.90°00'00"E., A DISTANCE OF 165.44 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE

TO THE NORTHEAST, WITH A RADIUS OF 920.03 FEET; 2) THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°05'40", A DISTANCE OF 97.86 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 450.00 FEET; 3) THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°15'07", A DISTANCE OF 80.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST, WITH A RADIUS OF 247.73 FEET; 4) THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°12'01", A DISTANCE OF 156.52 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 450.00 FEET; 5) THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 10°40'17", A DISTANCE OF 83.81 FEET TO A POINT OF NON-TANGENT INTERSECTION; 6) THENCE S.47°48'04"E., A DISTANCE OF 39.71 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST, WITH A RADIUS OF 5.00 FEET; 7) THENCE SOUTHERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°54'56", A DISTANCE OF 1.91 FEET TO A POINT OF NON-TANGENT INTERSECTION AND A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF TOWN CENTER PARKWAY SOUTH; THENCE N.64°13'14"E., ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF TOWN CENTER PARKWAY SOUTH, A DISTANCE OF 92.97 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT # 1, TOWN CENTER PARKWAY SOUTH - PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS; THENCE N.00°18'17"W., ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND THE THE NORTHWESTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT # 1, TOWN CENTER PARKWAY SOUTH-PHASE II, AS RECORDED IN PLAT BOOK 126, PAGES 114 AND 115, OF SAID PUBLIC RECORDS, A DISTANCE OF 43.50 FEET TO A POINT OF NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 1050.00 FEET, AND A RADIAL BEARING OF N.29°27'58"W., AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF TOWN CENTER PARKWAY SOUTH AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF OPEN SPACE TRACT # 1, AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°27'02", A DISTANCE OF 173.19 FEET TO THE SOUTHERLY MOST NORTHWEST CORNER OF SKY COVE - PHASE 1A, AS RECORDED IN PLAT BOOK 128, PAGES 129 THROUGH 137, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE S.25°53'21"E., ALONG SAID WESTERLY BOUNDARY OF SKY COVE - PHASE 1A, A DISTANCE OF 491.64 FEET TO A POINT ON A CURVE CONCAVE TO THE NORTHWEST, WITH A RADIUS OF 1533.00 FEET, AND A RADIAL BEARING OF N.34°46'15"W., AT SAID INTERSECTION; THENCE SOUTHWESTERLY, ALONG THE ARC OF SAID CURVE AND SAID NORTHERLY BOUNDARY OF SKY COVE - PHASE 1A AND SKY COVE - PHASE 1B, AS RECORDED IN PLAT BOOK 130, PAGES 162 THROUGH 167, OF SAID PUBLIC RECORDS, THROUGH A CENTRAL ANGLE OF 27°46'53", A DISTANCE OF 743.31 FEET TO A POINT OF NON-TANGENT INTERSECTION; THENCE S.00°00'00E., ALONG THE WESTERLY LINE OF SAID SKY COVE - PHASE 1B, A DISTANCE OF 614.58 FEET TO THE POINT OF BEGINNING.

CONTAINING: 702,056 SQUARE FEET OR 16.117 ACRES, MORE OR LESS.



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

STAFF MEMORANDUM

DATE: 3/15/2021
PETITION NO.: VAR-2021-01
DESCRIPTION: Variance for Crossings of Westlake (Pod M-2) Site Plan
APPLICANT: Cotleur and Hearing
OWNER: Minto PBLH, LLC
REQUEST: Applicant (Minto PBLH, LLC) is requesting review of the Variance for Crossings of Westlake (Pod M-2) Site Plan

Final Recommendation

The Office of the City Engineer has reviewed the documents associated with the application referenced above and recommends approval of the variance to facilitate the site plan approval for Pod M-2.

Discussion

The Crossings of Westlake (Pod M-2) proposes 130 attached single-family (townhome) units on 15.57 acres. Pod M-2 is centrally located within Westlake, adjacent to the future Town Center, east of Town Center Parkway South and north of Persimmon Boulevard East, as shown in the graphics below. Specifically, the applicant is requesting a variance to allow short, dead end, vehicular alleys to be used to as the means to access attached single-family residential within the parcel.

Location Maps





POD M-2



The primary access points to the Crossings community will be on Town Center Parkway, at the intersection of Kingfisher Boulevard. All of the residences within the Crossings of Westlake are within a five-minute walk to the Westlake Adventure Park. Within Pod M-2, there will be 30-foot-wide lots containing attached single-family homes in clusters of 4 and 5. Side corner lots are generally 40' wide. The proposed lot area exceeds the minimum area required by the City Code.

The 130 single-family attached homes have a net density of 8.34 dwelling units per acre. The Westlake Master Plan provides for up to 150 attached single-family homes thus the proposed plan is consistent with the land use, zoning, and Westlake Master Plan. The 20 unused units will be transferred to another attached single-family pod the next time the master plan is formally amended. The 130 units however remains fully consistent with the approved Development Order. The approved Density for Pod M which includes Sky Cove (M-1 and Crossings M-2) is 5.84 dwelling units per acre. With the reduction of 20 attached single-family units the density at build out will be 5.53 dwelling units per acre.

The townhomes within Crossings create a “New Florida Coastal Town” feeling by drawing inspiration from historic coast vernaculars and reinterpreting them with a cleaner more contemporary execution. Rooflines, eaves, windows, garage doors, entry doors, and rooflines work together to form a unified theme. Colors of the homes are pastels and tones with neutral colors on elements such as front doors or shutters. Trim and body colors should work together by complementing and contrasting each other.

Conclusion

(2) reviews of the site plan application occurred, which resulted in a recommendation to the applicant to apply for the variance. (2) reviews of the variance application occurred. The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-foot is allowed, and 100-foot is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-foot. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the City Engineer has no objection to

the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

A handwritten signature in blue ink, appearing to read 'S. Dombrowski', with a stylized flourish at the end.

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com



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

DATE: 3/15/2021
APPLICATION NUMBER: VAR-2021-01
DESCRIPTION: Pod M-2, Crossings of Westlake
APPLICANT: Cotleur & Hearing
OWNER: Minto PBLH, LLC
REQUEST: Variance Review
LOCATION: Westlake, FL
STAFF REVIEW: **RECOMMENDATION OF APPROVAL**

The Engineering Department recommends approval of the application referenced above with the following notes:

- The plan meets the criteria for length of dead-end streets and is significantly under the maximum length allowed. A maximum 900-feet is allowed, and 100-feet is provided for each alley. The street connecting the alleys, Willow Creek Drive, is 780-feet. The subject plan does not meet the review criteria for number of dead-end streets (20-percent required, 80-percent provided). However, if additional connections were included, the resulting vehicle or pedestrian travel time would not change significantly. Therefore, the City Engineer has no objection to the site plan as configured. Also, Palm Beach County Fire Rescue has no objection to the plan. Therefore, the City Engineer recommends that the plan be approved in the current configuration.

This letter has been prepared by the following individual, in association with their consultants and subconsultants:

A handwritten signature in blue ink, appearing to read "Suzanne Dombrowski".

Suzanne Dombrowski, P.E.
Chen Moore and Associates
Tel: 561.746.6900 x 1035
Email: sdombrowski@chenmoore.com

Resolution PZ 2021-01

A RESOLUTION OF THE PLANNING AND ZONING BOARD FOR 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 finds that, based on substantial competent evidence in the record, that the application for the variance is consistent with the City of Westlake's Comprehensive Plan, Land Development Code and the Interim Unified Land Development Code; and

WHEREAS, based on the foregoing finding, the Planning and Zoning Board determined to grant the variance application number VAR-2021-01, as provided in this Resolution.

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 April 12, 2021, in accordance with the Quasi-judicial Hearing Procedures. Pursuant to the testimony and evidence presented during the hearing, the Planning and Zoning Board 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 Planning and Zoning Board 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 Planning and Zoning Board adopts and incorporates by reference the Planning and Zoning Department 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 Planning and Zoning Board for 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 April 12, 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
Pam E. Booker, City Attorney



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: 50px; 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)

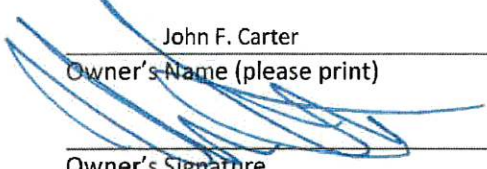
V. OWNER/APPLICANT ACKNOWLEDGEMENT AND CONSENT

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

II. LAND USE & ZONING

- A) ZONING MAP DESIGNATION Residential-2 B) FUTURE LAND USE MAP DESIGNATION Residential 2
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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

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

Pod M-2, “Crossings” Site Plan Variance
Justification Statement
March 11, 2021

Introduction

The Applicant is requesting approval of a variance to facilitate the site plan approval for Pod M-2, a residential pod located within the Residential 2 Land Use category, containing an R-2 zoning designation. Pod M-2 proposes 130 attached single family (townhome) units on 15.57 acres, and is centrally located within Westlake, adjacent to the future Town Center, east of Town Center Parkway South and north of Persimmon Boulevard East. The community will be known as Crossings of Westlake. Specifically, the applicant is requesting to exempt short dead-end vehicular alleys/courts from consideration as streets under Article 3.2.A.2.a of the Palm Beach County (PBC) ULDC Subdivision Code. The alleys/courts are primarily used as the means to access the attached single-family residences within the parcel. When excluding the alleys/courts, the percentage of streets onsite that contain dead ends is equal to 25%. This represents an overall increase of 5% above the maximum 20% requirement stated in Article 3.2.A.2.a. The total percentage comes from a singular street, Willow Creek Drive, which ends in a T-turnaround at the southern boundary, adjacent to Persimmon Boulevard East. (Please note that the access from Persimmon Boulevard East into the pod has been restricted due to the potential safety hazard posed by the proximity of the intersection.) A strict interpretation of the PBC ULDC Subdivision Code, which is applicable to the City of Westlake as no adopted subdivision code exists, considers the short vehicular alleys/courts as streets. When looking at alleys/courts in the perspective of Article 3.2.A.2.a of the ULDC, the percentage of streets in the pod that contain a dead end is equal to 77%. This equates to a 57% increase above the maximum 20% requirement.

Background

The Minto Westlake site is located East and West of Seminole Pratt Whitney Blvd., South of 60th Street North, and North of 50th Street N, East of Mead Hill Drive, and 44th Street North, East of 190th Terrace North and West of 140th Avenue North. Per the newly adopted Comprehensive Plan, the 3,788.60-acre property has FLUA designations of R1, R2, DTMU, Civic, OS&R and SE Overlay. To provide consistency with the Development Order and existing zoning, the plan states the FLUA designation as Agricultural Enclave. The property is currently in active construction.

Minto Westlake is roughly co-extensive with SID, a legislatively created special district with the authority to provide public infrastructure and services and to operate district facilities. SID provides drainage, water, and wastewater services for the subject property, and owns a canal right-of-way and/or easement for access and drainage from the subject site running approximately four miles south to the C-51 Canal.

Pod M-2 is located south of the future town center and the existing Westlake Adventure Park. Sky Cove, a single-family residential community exists to the east of Crossing within Pod M-1. The recently

approved Palm Beach County Tax Collector's Office exist on the west side of the community. Access to the site will be from Town Center Parkway South at the intersection Kingfisher Boulevard.

Historic and Recent Planning and Zoning Entitlements

On October 29, 2014, the property received approval from the Board of County Commissioners for a Comprehensive Plan Amendment (Ordinance 2014-030), Rezoning and Preliminary Master Plan (Resolution 2014-1646), and Requested Uses (Resolutions 2014-1647 and 1648).

Ordinance No. 2014-030 approved an amendment to the Comprehensive Plan for the site-specific Agricultural Enclave, including a Conceptual Master Plan and Implementing Principles. The Ordinance also made various text changes to the Plan related to the Agricultural Enclave Future Land Use. These Amendments were codified and are included as part of the Palm Beach County's Comprehensive Plan.

Resolution No. 2014-1646 approved the Zoning application for the Minto West Traditional Development District. The Resolution included rezoning the property from Agricultural Residential (AR) and Public Ownership (PO) Zoning Districts to the Traditional Town Development (TTD) Zoning District.

Resolution No. R-2014-1647 approved a Requested Use for a College or University to be located within the property.

Resolution No. R-2014-1648 approved a Requested Use for a Hotel to be located within the property.

The Board of County Commission approved a corrective resolution (No. R-2014-1892), which amended Engineering Condition E.9 of Resolution 2014-1646 to add "iii. Notwithstanding the foregoing, no connection of Persimmon Boulevard shall be made to 140th prior to the issuance of the 2700th dwelling unit permit."

On June 20, 2016, the City of Westlake became the 39th municipality in Palm Beach County.

On January 23, 2017, the City approved an amendment to the Final Master Plan (MPA-2016-01), which allowed minor adjustments to the pod boundaries and acreages of Pods F, P, Q, R, L, and PC-1, dwelling unit allocations, and rights-of-way.

On November 13, 2017, the City approved an amendment (MPA-2017-01) to the Final Master Plan, which allowed minor adjustments to the pod boundaries, acreages, and dwelling units of Pods R and Q. Eleven dwelling units were transferred from Pod R to Pod Q.

On March 12, 2018, Ordinance No. 2017-05 approved the adoption of the City of Westlake Comprehensive Plan and Future Land Use Map.

Ordinance No. 2018-04 approved an amendment to the City's interim Land Development Code to modify the TDD Block Dimensions and Street Design Standards.

Ordinance No. 2018-05 approved an amendment to the City's interim Land Development Code to modify the TND land use, general standards, lot size and setback regulations.

On April 4, 2018, Resolution No. 2018-12 approved the final plat for Town Center Parkway South, Phase II.

On May 14, 2018, Resolution No. 2018-11 approved the final plat for Town Center Parkway Phase II.

On July 3, 2018, Resolution No. 2018-14 approved the amended final plat for Town Center Parkway South, Phase II.

On July 3, 2018, Resolution No. 2018-15 approved the final plat for Ilex Way Phase 1.

On July 24, 2018, the City approved an amendment (MPA-2018-01) to the Final Master Plan, which allowed minor adjustments to the pod dwelling units of Pods M, P, R and U and to modify the pod boundaries of Pods P, R, S and U. Minor adjustments were also approved for the Pod acreages of Pods I, J and K.

On September 10, 2018, Resolution No. 2018-16 approved the final plat for the Meadows of Westlake Phase 1.

On September 10, 2018, Resolution No. 2018-20 approved the final plat for Del Webb at Westlake. This application has been formally withdrawn.

On September 24, 2018, Resolution No. 2018-24 approved the final plat for the School Site C-3.

On September 24, 2018, Resolution No. 2018-25 approved the final plat for Persimmon Boulevard East, Plat 2.

On October 8, 2018, Resolution No. 2018-28 approved the final plat for Waters Edge Drive.

On December 14, 2018, the City of Westlake approved an amendment (MPA-2018-02) to the Final Master Plan, which allowed minor adjustments to the pod dwelling units of Pods M, O, P, S and to modify the pod acreages of Pods M, P, S, PC-2, and PC-3.

On January 14, 2019, Resolution No. 2019-01 approved the final plat for Ilex Way II.

On January 14, 2019, Resolution No. 2019-02 approved the final plat for Ilex Way III.

On January 14, 2019, Resolution No. 2019-03 approved the final Packing House plat.

On January 14, 2019, Resolution No. 2019-04 approved the final plat for Cresswind 'Pod P'.

On March 11, 2019, Resolution No. 2019-07 approved the final plat for Meadows of Westlake Phase II.

On March 11, 2019, Resolution No. 2019-08 approved the final plat for Westlake Civic Tract.

On March 20, 2019, The City of Westlake approved an amendment (MPA-2019-01) to the Final Master Plan, which allowed minor adjustments to the boundaries, acreages and dwelling unit allocation in Pods P, S, and N.

On April 8, 2019, Resolution No. 2019-10 approved the final plat for Sky Cove Phase 1A (Pod M).

On April 8, 2019, Resolution No. 2019-11 approved the final plat for Sky Cove Phase 1B (Pod M).

On July 8, 2019, Resolution No. 2019-12 approved the final plat for 7-Eleven Gas Station.

On July 8, 2019, Resolution No. 2019-15 approved the Site Plan for 7-Eleven Gas Station.

On July 8, 2019, Resolution No. 2019-16 approved the Requested Use for 7-Eleven Gas Station.

On August 12, 2019 Resolution No. 2019-18 approved the Plat for Pod K.

On August 12, 2019, Resolution No. 2019-19 approved the Plat for Pod R (Meadows Phase 2).

On August 12, 2019 Resolution No. 2019-20 approved the Plat for Kingfisher.

On September 9, 2019, Ordinance No. 2019-06 established the Mandatory Signage Design.

On September 9, 2019, Ordinance No. 2019-07 established the Mandatory Landscaping Design and Buffers.

On September 23, 2019, Ordinance No. 2019-09 established Chapter 3 and Adopting of the Zoning Map.

On February 10, 2020, Ordinance No. 2019-10 established Regulations for Parking within the City of Westlake.

On October 28, 2019, Resolution No. 2019-28 approved the Re-plat of Persimmon West.

On October 28, 2019, Resolution No. 2019-32 approved the Requested Use for ISTF.

On October 28, 2019, Resolution No. 2019-31 approved the Site Plan for ISTF Phase 1A.

On October 28, 2019, Resolution No. 2019-33 approved the ISTF Plat.

On October 28, 2019, Resolution No. 2019-35 approved the 7-Eleven 2.0 Requested Use.

On October 28, 2019, Resolution No. 2019- 34 approved the Site Plan for 7-Eleven 2.0.

On October 28, 2019, Resolution No. 2019-36 approved the Plat for Pod H.

On November 4, 2019, Resolution No. 2019-29 approved the Plat for Ilex Way Phase III.

On November 4, 2019, Ordinance 2019-12 approved Chapter 1 (Administration).

On November 4, 2019, Ordinance 2019-13 approved Chapter 2 (Land Development).

On November 4, 2019, Resolution 2019-38 approved the Plat for Christ Fellowship Church West Campus.

On December 9, 2019, Resolution No. 2019-39 approved the Site Plan for Christ Fellowship Church West Campus.

On December 9, 2019, Resolution No. 2019-40 approved the Site Plan for the International Soccer Training Facility Phase 1B (ISTF).

On May 11, 2020, Resolution No. 2020-09 approved the Plat for Cresswind Palm Beach Phase 2 (Pod P), A/K/A (Pod P-1).

On May 11, 2020, Resolution No. 2020-08 approved the final plat for Persimmon Boulevard East Plat 3.

On June 08, 2020, Resolution 2020-10 approved the Plat for Sky Cove Phase 1B (Pod M).

On June 08, 2020, Resolution 2020-12 approved the Plat for Groves of Westlake (Pod O).

On June 08, 2020, Resolution 2020-13 approved the Plat for Tract PC-5 (PBC Tax Collector's and DMV offices)

On June 08, 2020, Resolution 2020-14 approved the Site Plan for the PBC Tax Collector's and DMV offices.

On July 13, 2020, Resolution 2020-16 approved the Site Plan for the Cresswind Palm Beach Amenity Center.

On July 13, 2020, Resolution 2020-11 approved the Final Plat for Green Lane.

On August 10, 2020, Resolution 2020-03 approved a Site Plan Amendment for 7-Eleven 1.0 .

On August 10, 2020, Resolution 2020-04 approved a Site Plan Amendment for 7-Eleven 2.0.

On August 10, 2020, Resolution 2020-05 approved the Final Plat for Persimmon Boulevard East Plat 4.

On August 10, 2020, Resolution 2020-22 approved the Final Plat for Groves of Westlake Phase 2.

On September 14, 2020, Resolution 2020-26 approved the Final Plat for Pod T – Estates of Westlake.

On November 09, 2020, Resolution 2020-32 approved the Final Plat for the Westlake Plaza (Publix).

On November 09, 2020, Resolution 2020-33, approved the Master Site Plan for the Publix at Westlake Plaza.

On November 09, 2020, Resolution 2020-34, approved the Site Plan for the Publix Grocery Store, Drive through Pharmacy, Liquor Store , and 9,600 sf of Inline retail.

On November 12, 2020, The City of Westlake approved an amendment (MPA-2020-04) to the Final Master Plan, which allowed minor adjustments to the dwelling unit allocations and land area in Pods N, S, and U.

On December 14, 2020, Resolution 2020-36 approved he final plat for Pod N, Sky Cove South – Phase 1A.

On December 14, 2020, Resolution 2020-37, approved the Final Plat for Sky Cove South, Phase 1B (Pod N).

On December 14, 2020, Resolution 2020-38, approved the Master Sign Plan for 7-Eleven 1.0.

On December 14, 2020, Resolution 2020-39, approved the Master Sign Plan for the Publix at Westlake Plaza.

On December 15, the City of Westlake approved an amendment (MPA-2020-05) to the Final Master Plan, which allowed minor adjustments in Pod S.

On January 11, 2021, Resolution 2020-01, approved the Final Plat for Town Center Parkway South-West.

On January 11, 2021, Resolution 2020-02, approved the Final Plat for Pod G South-West.

On February 8, 2021, Resolution 2021-03, approved the Final Plat for Pod S, Orchards of Westlake.

VARIANCE REQUEST

The applicant is requesting a variance to allow short vehicular alleys/courts to be used to provide access to attached single family residential homes. On September 23, 2019, the city adopted Ordinance No. 2019-09 establishing Chapter 3 and Adopting of the Zoning Map. Chapter 3 establishes the zoning criteria for site plans including minimum lots sizes, setbacks open space and other criteria common to developing site plans for attached single family homes. The City, however, has not yet adopted subdivision regulation and platting requiring the applicant to rely on Article 11 of the Palm Beach County Unified Land Development Code. The county code is designed to be applied too broadly and does not recognize the unique nature of Westlake or the characteristics of the specific parcel. The City anticipate

adopting subdivision and platting regulations in the next few months. It is important to note that the proposed development plan is consistent with proposed code and would not require a variance if it was in place today.

Due to consumer demand and preference requests Minto is introducing the first attached single family home product to Westlake. To meet market demand and the 2021 season it is critical for the project to move forward immediately. The proposed variance request is consistent with the general intent of the code to provide for an organization of small, interconnected blocks and for the layout of streets to reduce travel distances. The applicant is requesting a variance to exempt residential alleys less than 175' in length, and providing access to not more than 5 attached single family homes from the requirements of Article 3 and Article 11 of the Palm Beach County Unified Development Code (ULDC).

As mentioned previously, the variance request to exempt short dead-end vehicular alleys/courts from consideration as streets under Article 3.2.A.2.a of the Palm Beach County (PBC) ULDC Subdivision Code results in a 25% total of streets onsite that contain dead ends. This represents an overall increase of 5% above the maximum 20% requirement stated in Article 3.2.A.2.a. A strict interpretation of the PBC ULDC Subdivision Code would consider the aforementioned alleys/courts to be streets and subject to the 20% maximum onsite dead end street requirements of Article 3.2.A.2.a. When looked at in this perspective, 77% of on-site streets contain a dead end. This equates to a 57% increase above the 20% maximum requirement. This is significantly larger than the 5% variance being requested. The language of the applicable sections of the ULDC is provided below.

ARTICLE 3. OVERLAYS & ZONING DISTRICTS (3.2 A.2.a)

2. Connectivity

All streets and alleys shall connect to other streets and alleys to form a continuous vehicular and pedestrian network within the district. Streets shall connect to streets in adjacent development or vacant parcels, except for AGR TMDs. The use of gates or other preventative barriers shall not be permitted on Collector Streets. **[Ord. 2005-041]**

a) Dead End Streets

No more than 20 percent of all streets may be dead end streets, such as cul-de-sacs and T-turnarounds. The maximum length for dead end streets shall be 660 feet and up to 750 feet, with a mid-block pedestrian pass thru. The maximum length for dead end streets shall be: **[Ord. 2005-002]**

(1) Single Family Residential

660 feet. Up to 750 feet with a mid-block pedestrian pass thru.

(2) All Others

500 feet.

ARTICLE 11. SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS (11.E.2.14)

14. Dead End Streets; Dead-end streets shall be designed and constructed with an appropriate terminal turnaround in accordance with the PBC Standards. Dead-end streets shall not exceed 1320 feet in length, except where natural geographic barriers exist necessitating a greater length.

The abovementioned variances are hereby requested in conjunction with the site plan for Pod M-2 and are justified as follows:

(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. YES

Westlake has been designed and planned as a unique community with a focus on walkability and alternative modes of transportation. Additionally, higher density parcels or pods have been strategically located closer to the center of town and future town center. Pod M 2 also known as "The Crossings" is uniquely positioned on the south side of Town Center Parkway South, east of Ilex Way and North of Persimmon Boulevard. The entrance to the community is directly opposite Kingfisher Blvd. which provides pedestrian and vehicular access to the Westlake Amenity Center (Adventure Park). Parcel M-2 is the closest residential parcel to the Amenity Center and future Town Center located on Pod L. The ULDC does not fully account for the unique nature of Westlake as contemplated in its Comprehensive Plan and the development patterns contemplated by the City's Zoning Code. While the ULDC contemplates the use of residential access streets to serve single-family homes it does not provide similar provisions for attached single-family homes, where because of its density, small alleys are appropriate. The proposed design ensures safe, convenient, and accessible access to each attached single-family home. Additionally, applying a limitation to the number short alleys inhibits creative design and adds unnecessary costs. The Provisions of the ULDC are focused on much longer streets from 660 feet to 1320 feet as opposed to the quaint alley or courts proposed by 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. YES

Westlake was the only Agricultural Enclave in Palm Beach County which makes it uniquely different from all other lands. Additionally, as noted the City has adopted its own Comprehensive Plan and zoning district regulations but has not yet adopted its subdivision and platting regulations. This is an extremely unique circumstance. It is anticipated that the proposed subdivision and platting regulations when approved will negate the needs for this variance request.

(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. YES

There are no other properties with the same zoning district within the unincorporated area of Palm Beach County other than Westlake. An undue hardship is created by the fact that the applicant is regulated by an intended zoning code without the benefit of the subdivision and platting regulations being fully adopted.

(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. YES

The proposed site design ensures full pedestrian, golf cart and vehicular connectivity. Travel distance and or time is not impacted by the proposed design.

(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. YES

The granting of the variances will not confer any special privilege because the circumstances are unique to Westlake.

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

The variance request has been limited to the minimum required to make reasonable use of the land. The applicant proposes to limit the applicability to alley streets not greater than 175' in length providing access to not more than 5 attached single family homes.

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

The variance will facilitate the intended development plan of Westlake and is consistent with the development pattern and use of the surrounding developments which include Sky Cove and the PBC Tax Collector's Office. Additionally, the overall design of the plan provides full connectivity to the City's comprehensive multi-modal pathway and sidewalks system consistent with the requirements of the Westlake Comprehensive Plan.

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

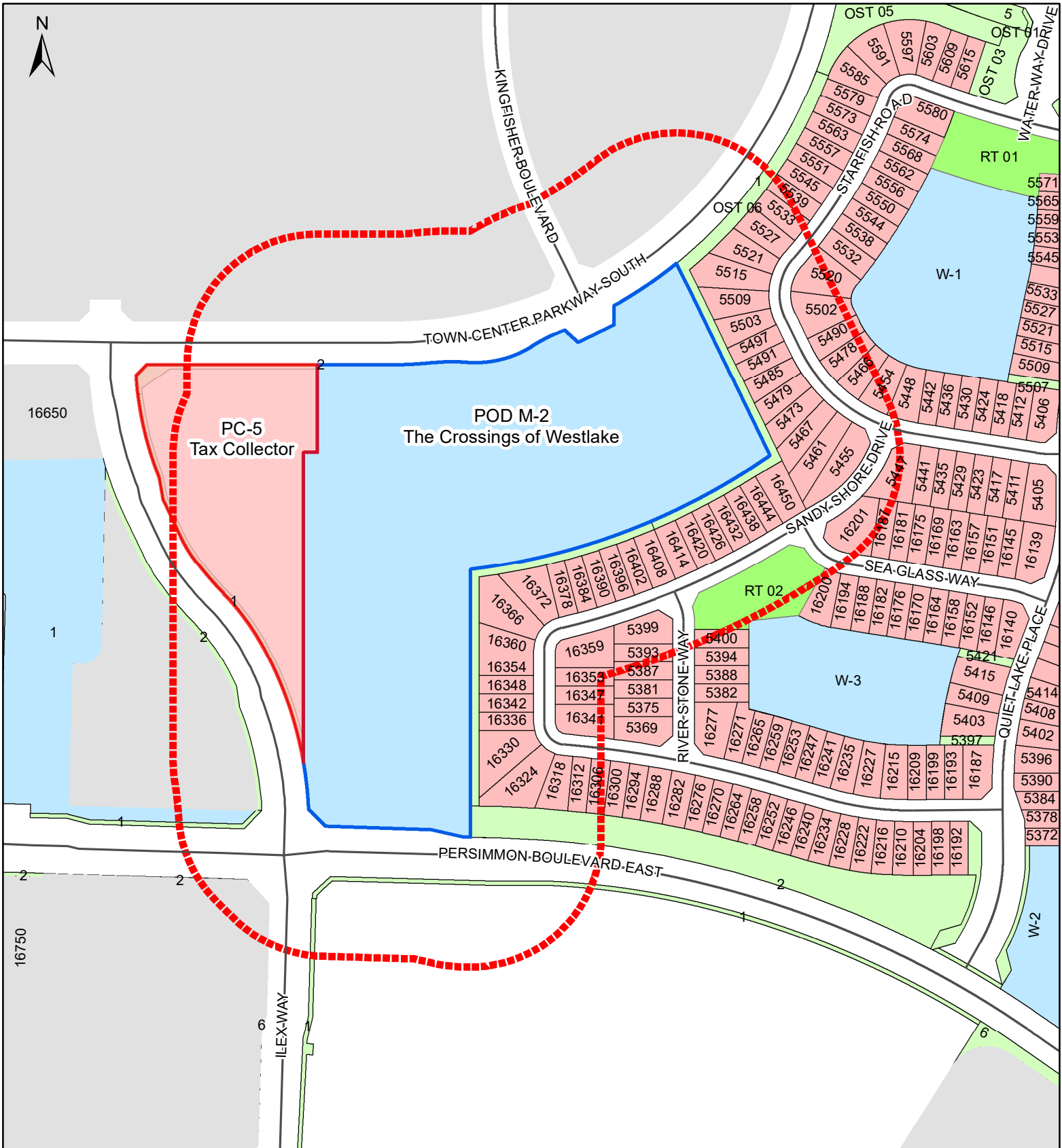
Literal interpretation and enforcement of the terms and provisions of this code would only prevent the applicant from complying with the intended pattern of development for Westlake and the introduction of diverse housing products as contemplated by the City's Comprehensive Plan and Zoning Code.

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










The requested Variance will not be injurious or detrimental to public health, safety, and welfare. The request has been fully vetted by the City's Engineering Department and PBC Fire Rescue who have both signed off on the site plan. Additionally, Minto has successfully completed several attached single-family home neighborhoods utilizing similar design techniques.

Conclusion

The Applicant is requesting approval of the Pod M-2 Variance Application. The applicant will work closely with Staff to achieve this approval as quickly as possible. The Applicant and the entire development team are available to answer any questions Staff might have and/or provide necessary information to supplement the information provided in the submittal.



Legend

-  Streets
-  300 Foot Buffer from The Crossings
-  35 - Tract PC-5 Tax Collector
-  48 - Crossings of Westlake
-  Open Space Tract
-  Recreation Tract
-  Other/Private
-  Residential
-  Water Management Tract

Variance Notice M-2 The Crossings of Westlake

1 inch = 300 feet
When printed on 8.5" x 11'

