

RESOLUTION NO. ZR-2025-012

RESOLUTION APPROVING ZONING APPLICATION SV/ZV/Z/CA-2025-00428
(CONTROL NO. 2025-00030)
SUBDIVISION VARIANCE (CONCURRENT)
APPLICATION OF Neighborlee Development LLC
BY Urban Design Studio, AGENT
(NEIGHBORLEE LIVING WESTGATE)

WHEREAS, the Zoning Commission, pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code, Ordinance 2003-067 as amended (ULDC), is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the ULDC have been satisfied;

WHEREAS, Zoning Application SV/ZV/Z/CA-2025-00428 was presented to the Zoning Commission at a public hearing conducted on September 4, 2025;

WHEREAS, the Zoning Commission considered the evidence and testimony presented by the Applicant and other interested parties, and the recommendations of the various County Review Agencies;

WHEREAS, the Zoning Commission hereby incorporates by reference the Findings in the staff report addressing the Standards contained in Article 2.B (Public Hearing Processes) for a Subdivision Variance;

WHEREAS, this approval is subject to Article 2.E (Monitoring) of the ULDC and other provisions requiring that development commence in a timely manner;

WHEREAS, the issuance of this Development Permit does not in any way create any rights on the part of the Applicant and/or Property Owner to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the Applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law;

WHEREAS, this approval shall only become effective upon the adoption of a resolution approving Zoning Application SZ/ZV/Z/CA-2025-00428 by the Board of County Commissioners;

WHEREAS, the Palm Beach County Survey Section may administratively correct any scrivener's errors that will not significantly impact the overall boundary of the adopted legal description; and,

WHEREAS, Article 2.B.6.C (Board Action) of the ULDC requires that action of the Zoning Commission be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING COMMISSION OF PALM BEACH COUNTY, FLORIDA, that:

1. The foregoing recitals are true and correct and are incorporated herein.

2. Zoning Application SV/ZV/Z/CA-2025-00428, the Application of Neighborlee Development LLC, by Urban Design Studio, Agent, for a Subdivision Variance to allow a reduction of minimum pavement width and sidewalks, to be improved to local commercial roadway standards on 0.66 acres, on a parcel of land generally described as shown on the legal description in EXHIBIT A, attached hereto and made a part hereof, and generally located as shown on a vicinity sketch as indicated in EXHIBIT B, attached hereto and made a part hereof, was approved on September 4, 2025, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, and variance request as described in EXHIBIT D, attached hereto and made a part hereof.

Commissioner Vinikoor moved for the approval of the Resolution.

The motion was seconded by Commissioner Pavlik and, upon being put to a vote, the vote was as follows:

James Williams, Chair	-Aye
Cheri Pavlik, Vice-Chair	-Aye
Christopher Kammerer	-Aye
Claudia Mendoza	-Aye
Sam Caliendo	-Aye
Lori Vinikoor	-Aye
Alison Thomas	-Aye
Angella Vann	-Aye
Susan Kennedy	-Aye

The Chair thereupon declared the resolution was duly passed and adopted on September 4, 2025.

This resolution shall only become effective upon the adoption of a resolution approving Zoning Application SV/ZV/Z/CA-2025-00428 by the Board of County Commissioners.

This resolution was filed with the Palm Beach County Zoning Division on September 4, 2025

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

BY: 

COUNTY ATTORNEY

BY: 

CHAIR

EXHIBIT A

LEGAL DESCRIPTION

ALL OF LOTS 20, 21, 22, 23, 24, 50, 51, 52, 53 AND 54 BLOCK 32, "WEST GATE ESTATES (NORTHERN SECTION)", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 8 AT PAGE 38 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 25 OF SAID BLOCK 32; THENCE SOUTH $01^{\circ}07'27''$ WEST, ALONG THE WEST LINE OF LOTS 25 AND 55 OF SAID BLOCK 32, A DISTANCE OF 230.00 FEET; THENCE NORTH $88^{\circ}54'16''$ WEST, ALONG THE NORTH RIGHT-OF-WAY LINE OF NOKOMIS AVENUE, AS SHOWN ON SAID PLAT, A DISTANCE OF 125.00 FEET; THENCE NORTH $01^{\circ}07'27''$ EAST, ALONG THE EAST LINE OF LOTS 49 AND 19 OF SAID BLOCK 32, A DISTANCE OF 230.00 FEET; THENCE SOUTH $88^{\circ}54'16''$ EAST, ALONG THE SOUTH RIGHT-OF-WAY LINE OF WESTGATE AVENUE, AS SHOWN ON SAID PLAT, A DISTANCE OF 125.00 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE IN PALM BEACH COUNTY, FLORIDA AND CONTAIN 28750 SQUARE FEET (0.660 ACRES) MORE OR LESS.

EXHIBIT B
VICINITY SKETCH

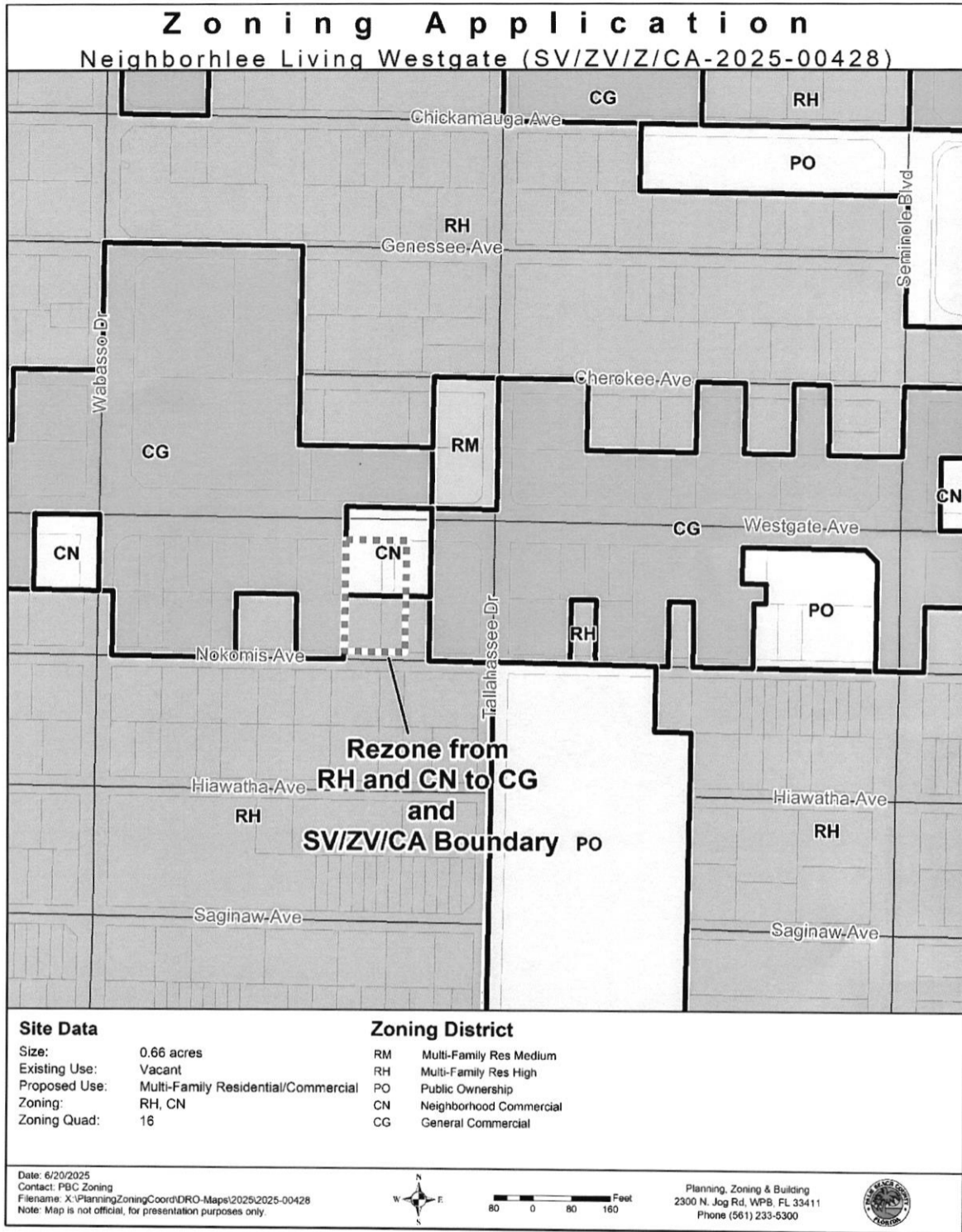


EXHIBIT C

CONDITIONS OF APPROVAL

Subdivision Variance

ALL PETITIONS

1. This Subdivision Variance is approved based on the layout as shown on the Preliminary Site Plan dated June 16, 2025. Only minor modifications by the Development Review Officer or Zoning Commission shall be permitted provided the changes are consistent with this Preliminary Site Plan.

2. At time of application for a Building Permit, the Property Owner shall provide a copy of this Variance approval along with copies of the approved Plan to the Building Division. (BLDG/PMT: BUILDING DIVISION - Zoning)

3. The Development Order for this Concurrent Subdivision Variance shall be tied to the Time Limitations of the Development Order for SV/ZV/Z/CA-2025-00428. The Property Owner shall secure a Building Permit or Commencement of Development to vest this Variance. (ONGOING: MONITORING - Zoning)

COMPLIANCE

1. In Granting this Approval, the Zoning Commission relied upon the oral and written representations of the Property Owner/Applicant both on the record and as part of the application process. Deviations from or violation of these representations shall cause the Approval to be presented to the Zoning Commission for review under the Compliance Condition of this Approval. (ONGOING: MONITORING - Zoning)

2. Failure to comply with any of the Conditions of Approval for the subject property at any time may result in:

a. The Issuance of a Stop Work Order; the Issuance of a Cease and Desist Order; the Denial or Revocation of a Building Permit; the Denial or Revocation of a Certificate of Occupancy; the Denial of any other Permit, License or Approval to any developer, owner, lessee, or user of the subject property; the Revocation of any other permit, license or approval from any developer, owner, lessee, or user of the subject property; the Revocation of any concurrency; and/or

b. The Revocation of the Official Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or any other zoning approval; and/or

c. A requirement of the development to conform with the standards of the Unified Land Development Code at the time of the finding of non-compliance, or the addition or modification of conditions reasonably related to the failure to comply with existing Conditions of Approval; and/or

d. Referral to Code Enforcement; and/or

e. Imposition of entitlement density or intensity.

Staff may be directed by the Executive Director of PZ&B or the Code Enforcement Special Master to schedule a Status Report before the body which approved the Official Zoning Map Amendment, Conditional Use, Requested Use, Development Order Amendment, and/or other zoning approval, in accordance with the provisions of Section 2.E of the ULDC, in response to any flagrant violation and/or continued violation of any Condition of Approval. (ONGOING: MONITORING - Zoning)

DISCLOSURE

1. All applicable state or federal permits shall be obtained before commencement of the development authorized by this Development Permit.

EXHIBIT D

REQUEST

SUBDIVISION VARIANCE SUMMARY

ULDC Article	Required	Proposed	Variance
11.E.2.A.4.b	24 foot pavement width, curb and gutter drainage and sidewalk on both sides.	20 foot pavement width, curb and gutter drainage, and sidewalk on one side	4 foot pavement width and sidewalk on one side.

SITUS ADDRESS:	Vacant	
OWNER NAME & ADDRESS:	Neighborlee Development Llc 1025 Gateway Blvd, Ste 303-159 Boynton Beach, FL 33426-8348	
PCN:	00-43-43-30-03-032-0200 00-43-43-30-03-032-0530 00-43-43-30-03-032-0230 00-43-43-30-03-032-0240	
ZONING DISTRICT:	CN, RH	
BCC DISTRICT:	7	
LAND USE:	CH/8	S/T/R: 30-43-43
CONTROL #:	2025-00030	
LOT AREA:	0.66 acres +/-	
REQUEST:	to allow a reduction of minimum pavement width and sidewalks, to be improved to local commercial roadway standards on 0.66 acres	