

RESOLUTION NO. ZR-2026-003

RESOLUTION APPROVING ZONING APPLICATION ZV/PDD/DOA-2024-01867
(CONTROL NO. 2017-00194)
TYPE II VARIANCE (*CONCURRENT*)
APPLICATION OF Lake Worth Road Commercial, LLC
BY Insite Studio, Inc., AGENT
(WELLINGTON VISTA PHASE II)

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 ZV/PDD/DOA-2024-01867 was presented to the Zoning Commission at a public hearing conducted on June 4, 2026;

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 Type 2 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 ZV/PDD/DOA-2024-01867 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 ZV/PDD/DOA-2024-01867, the Application of Lake Worth Road Commercial, LLC, by Insite Studio, Inc., Agent, for a Type 2 Variance to allow reduce the setback from 15 feet to 11 feet and to reduce the right of way buffer width along a portion (~175 ft) of the east property line on 3 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 June 4, 2026, subject to the Conditions of Approval described in EXHIBIT C, attached hereto and made a part hereof, attached hereto and made a part hereof, and variance Request as described in Exhibit D, attached hereto and made a part hereof.

Commissioner Caliendo moved for the approval of the Resolution.

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

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

This resolution shall only become effective upon the adoption of a resolution approving Zoning Application ZV/PDD/DOA-2024-01867 by the Board of County Commissioners.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

BY: 
COUNTY ATTORNEY

PALM BEACH COUNTY, FLORIDA
BY ITS ZONING COMMISSIONERS

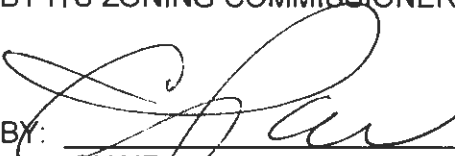
BY: 
CHAIR

EXHIBIT B
VICINITY SKETCH

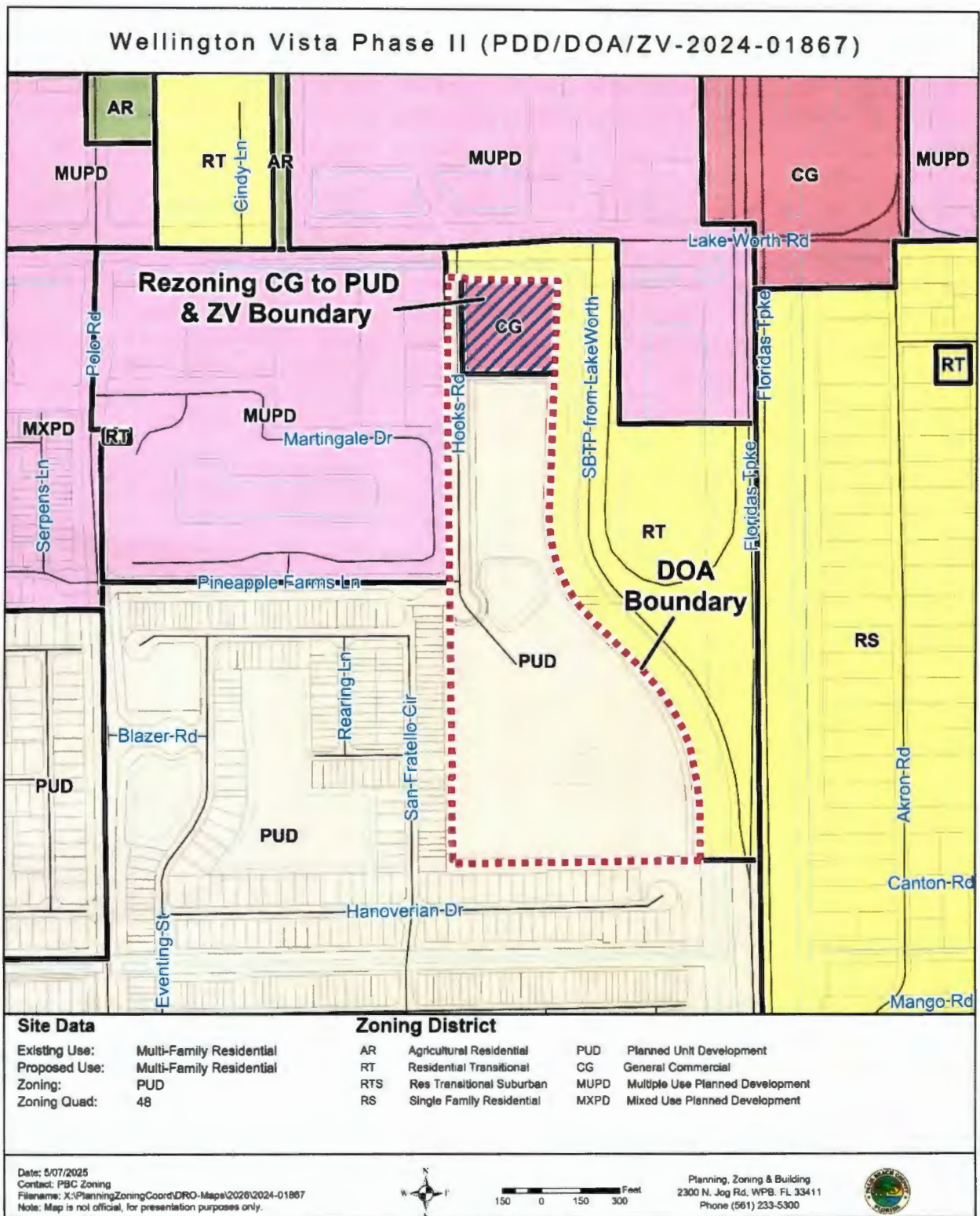


EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1

A PARCEL OF LAND BEING A PORTION OF TRACT 2, BLOCK 28, PALM BEACH FARMS COMPANY PLAT NO. 3, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGES 45 THROUGH 54, INCLUSIVE, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 29, TOWNSHIP 44 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF TRACT B-1 OF THE PLAT OF "CATALINA AT LAKE WORTH P.U.D.", ACCORDING WITH THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 130, PAGES 147 THROUGH 150, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA; THENCE NORTH 01°48'42" EAST ALONG THE WESTERLY LINE OF THE LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORDS BOOK 24358, PAGE 1059 OF SAID PUBLIC RECORDS, A DISTANCE OF 377.70 FEET; THENCE NORTH 89°27'29" WEST, ALONG THE SOUTHERLY LINE OF SAID LAKE WORTH DRAINAGE DISTRICT RIGHT-OF-WAY, A DISTANCE OF 182.82 FEET; THENCE SOUTH 89°02'31" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 93.25 FEET; THENCE NORTH 85°23'17" WEST, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 75.86 FEET; THENCE SOUTH 00°56'30" EAST, ALONG THE EAST LINE OF TRACT S OF SAID "CATALINA AT LAKE WORTH P.U.D.", A DISTANCE OF 389.31 FEET; THENCE NORTH 89°03'30" EAST, ALONG THE NORTH LINE OF SAID TRACT B-1, A DISTANCE OF 333.37 FEET TO THE POINT OF BEGINNING.

EXHIBIT C

CONDITIONS OF APPROVAL

Type 2 Variance - Concurrent

ALL PETITIONS

1. This Variance is approved based on the layout as shown in POD 2 of the Preliminary Site Plan dated April 10, 2026. Modifications to the Development Order inconsistent with the Conditions of Approval, or changes to the uses or site design beyond the authority of the Development Review Officer as established in the Unified Land Development Code, must be approved by the Zoning Commission. (ONGOING: ZONING - Zoning)

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. (BLDGPM: BUILDING DIVISION - Zoning)

3. The Development Order for this Concurrent Type 2 Variance shall be tied to the Time Limitations of the Development Order for ZV/PDD/DOA-2024-01867. (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

TYPE II VARIANCE SUMMARY

Variance No.	Code Section	Required	Proposed	Variance
V1	Table 3.D.1.A – PDR Chart	15-foot Side interior setback	11-foot Side interior setback	4-feet
V2	Table 7.C.2.A – Width of R-O-W Buffer	20-foot R-O-W buffer with 1 Canopy tree per 25 linear feet and palm or pine per 30 linear feet	1 to 8-feet for 175-LF along the east property line	19-feet for 175-LF along the east property line

SITUS ADDRESS:	4050 Hooks Rd Lake Worth 33467
OWNER NAME & ADDRESS:	Lake Worth Road Commercial, LLC Lake Worth Road Villas, LLC Po Box 613069 Ocoee, FL 34761-3069
PCN:	00-42-43-27-05-028-0021
ZONING DISTRICT:	CG, PUD
BCC DISTRICT:	6, Mayor Sara Baxter
LAND USE:	CH/2
CONTROL #:	2017-00194
LOT AREA:	3 acres +/-
REQUEST:	to allow reduce the setback from 15 feet to 11 feet and to reduce the right of way buffer width along a portion (~175 ft) of the east property line on 3 acres