

RESOLUTION NO. R-90-2150

RESOLUTION APPROVING IN PART AND DENYING IN PART  
THE MODIFICATION OF COMMISSION REQUIREMENTS OF  
ZONING PETITION NO. 88-131(A)  
PETITION OF WESTGATE INDUSTRIAL PARK

WHEREAS, the Board of County Commissioners, as the governing body, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements as provided for in Chapter 402.5 of the Palm Beach County Zoning Code have been satisfied; and

WHEREAS, Petition No. 88-131(A) was presented to the Board of County Commissioners of Palm Beach County, sitting as the Zoning Authority, at its public hearing conducted on March 29, 1990; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, pursuant to the Zoning Code of Palm Beach County, Florida, Sections 102 and 401.5, Modification of Commission Requirements, Commission Approvals, and Approved Master Plans, has considered the evidence and testimony presented by the applicant and other interested parties and the recommendations of the various county review agencies and the recommendations of the Planning Commission; and

WHEREAS, the Board of County Commissioners, sitting as the Zoning Authority, made the following findings of fact:

1. Condition Number 13 is approved as amended.
2. Condition Number 14 amendment is denied.
3. The petitioner insisted upon moving forward before the CRA was fully established rather than waiting to see what criteria they would adopt.
4. The twelve (12) foot travel lane along the project's frontage, agreed to in Petition Number 88-131, was determined to be required for the safety of the residents of Palm Beach County due to the pedestrian and vehicular traffic which was and would be generated at this location.
5. The petitioner's agreement to fund a pro rata share of the cost of this lane was based upon his desire to move forward and meet his leasing commitments.

WHEREAS, 402.5 of the Zoning Code requires that the action of the Board of County Commissioners, sitting as the Zoning Authority, be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Petition No. 88-131(A), the petition of WESTGATE INDUSTRIAL PARK, BY JEFF LIS, AGENT, for a MODIFICATION OF COMMISSION REQUIREMENTS on a parcel of land lying in Lots 16 through 30 inclusive, Block 29 WEST GATE ESTATES (Northern Section), Plat Book 8, Page 38; and Tract D, West

Gate Realty Company's Replat of part of Blocks 11, 14, 15, 29, 41, 51, 52 and 54, WEST GATE ESTATES, Plat Book 15, Page 66, lying in Section 30, Township 43 South, Range 43 East, and being located on the Northeast corner of the intersection of Westgate Avenue and Loxahatchee Drive in a CG-General Commercial Zoning District, was approved in part and denied in part on March 29, 1990, without prejudice.

Commissioner Elmquist moved for approval of the Resolution.

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

Karen T. Marcus, Chair	--	Aye
Carole Phillips Vice Chair	--	Aye
Carol A. Roberts	--	Absent
Carol J. Elmquist	--	Aye
Mary McCarty	--	Aye
Ken Foster	--	Aye
Maude F. Lee	--	Aye

The Chair thereupon declared the resolution was duly passed and adopted this 11th day of December, 1990.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOHN B. DUNKLE, CLERK

BY:

  
COUNTY ATTORNEY

BY:

  
DEPUTY CLERK

