

RESOLUTION APPROVING RECOMMENDATION OF
STATUS REPORT NO. 2003-096
TO APPROVE A DEVELOPMENT ORDER AMENDMENT
FOR PROPERTY PREVIOUSLY GRANTED A CONDITIONAL USE "A" BY
RESOLUTION NO. R-2004-2275
APPROVING THE PETITION OF WESTGATE ASSOCIATES, LLC
PETITION NO. 2003-096

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, systematic monitoring and review of approved zoning actions help implement the goals and objectives of the Comprehensive Plan; and

WHEREAS, the notice and hearing requirements as provided for in Article 2.E. of the Palm Beach County Unified Land Development Code have been satisfied; and

WHEREAS, pursuant to Article 2.E., Status Report 2003-096 was presented to the Board of County Commissioners of Palm Beach County at a public hearing conducted on February 28, 2008; and

WHEREAS, the Board of County Commissioners has reviewed Status Report 2003-096 and considered testimony, and the recommendations of the various county review agencies; and

WHEREAS, Article 2.E. authorizes the Board of County Commissioners to approve Development Oder Amendments; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. To receive approval of a time extension to commence development, a project must be consistent with the Palm Beach County Unified Land Development Code.
2. The amendment of conditions of approval is required for the project to be consistent with the Unified Land Development Code.
3. Staff recommended approval of a time extension to commence development as permitted by Resolution R-2004-2275.

WHEREAS, Section 5.3 of the Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that the recommendation of Status Report No. 2003-096, to approve a Development Order Amendment to amend conditions of approval of the development order previously granted by the approval of the petition of Westgate Associates, LLC, Petition No. 2003-096, confirmed by the adoption of Resolution R-2004-2275, which approved a Class A Conditional Use to allow an office/warehouse, on THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 43 SOUTH, RANGE 42 EAST, PALM BEACH COUNTY, FLORIDA; LESS THE NORTH 40.00 FEET THEREOF FOR WESTGATE AVENUE AS RECORDED IN ROAD PLAT BOOK 2, PAGE 205 PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS THE WEST 40.00 FEET, AND LESS THE

SOUTH 425 FEET THEREOF.

CONTAINING 1.43 ACRES, MORE OR LESS, being located approximately 1,300 feet east of Military Trail on the south side of Westgate Avenue, in the General Commercial Zoning District, is approved subject to the following conditions.

1. All previously approved conditions of approval continue to apply unless expressly modified herein. (ONGOING)
2. Prior to the issuance of a building permit, a new site plan shall be certified to comply with Articles 3 and 6 of the Palm Beach County Unified Land Development Code. (BLDG PERMIT: MONITORING - Zoning)

Commissioner Marcus moved for approval of the Resolution.

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


ADDIE L. GREENE, CHAIRPERSON	<u>Aye</u>
JOHN F. KOONS, VICE CHAIR	<u>Aye</u>
KAREN T. MARCUS	<u>Aye</u>
ROBERT J. KANJIAN	<u>Aye</u>
MARY MCCARTY	<u>Aye</u>
BURT AARONSON	<u>Aye</u>
JESS R. SANTAMARIA	<u>Aye</u>

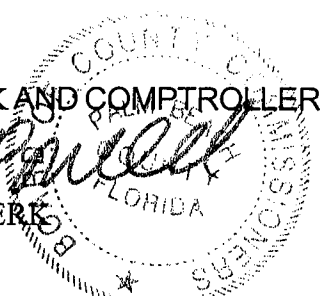
The Chair thereupon declared the resolution was duly passed and adopted this 28th day of February, 2008.

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY COMMISSIONERS

BY: 
COUNTY ATTORNEY

SHARON R. BOCK, CLERK AND COMPTROLLER
BY: 
DEPUTY CLERK



Filed with the Clerk of the Board of County Commissioners on the 28th day of February, 2008.