

RESOLUTION NO. R-2021-1396

RESOLUTION REVOKING RESOLUTION R-2008-0259  
(CONTROL NUMBER 2003-00096)  
AFFIRMING THE LEGISLATIVE ABANDONMENT  
OF ZONING APPLICATION ABN/CB-2020-01702

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapters 125 and 163, Florida Statutes, is authorized and empowered to consider applications related to zoning;

WHEREAS, the notice and public hearing requirements pursuant to Article 2 (Application Processes and Procedures) of the Palm Beach County Unified Land Development Code (ULDC), Ordinance 2003-067 as amended, have been satisfied;

WHEREAS, Zoning Application CA-2003-00096 was presented to the Board of County Commissioners at a public hearing on October 28, 2004, and Status Report CA-2003-00096 was presented to the Board of County Commissioners at a public hearing on February 28, 2008;

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

WHEREAS, the Board of County Commissioners pursuant to Article 2 (Application Processes and Procedures) of the ULDC is authorized and empowered to consider, approve, approve with conditions or deny the request;

WHEREAS, Resolutions R-2004-2275 and R-2008-0259 was adopted by the Board of County Commissioners on October 24, 2004 and February 28, 2008;

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 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 Resolution R-2004-02275, approving Zoning Application CA-2003-00096, the application of Westgate Associates, LLC, by Miller Land Planning Consultants Inc., Agent, for a Class A Conditional Use to allow an office/warehouse in the General Commercial Zoning District, and Resolution R-2008-0259, for a Status Report 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, is hereby revoked.

Commissioner Weiss moved for the approval of the Resolution.

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

Commissioner Dave Kerner, Mayor	- Aye
Commissioner Robert S. Weinroth, Vice Mayor	- Abs
Commissioner Maria G. Marino	- Aye
Commissioner Gregg K. Weiss	- Aye
Commissioner Maria Sachs	- Aye

Commissioner Melissa McKinlay  
Commissioner Mack Bernard

-Aye  
-Aye

The Mayor thereupon declared that the resolution was duly passed and adopted on September 29, 2021.

Filed with the Clerk of the Board of County Commissioners on September 29th, 2021.

This resolution is effective when filed with the Clerk of the Board of County Commissioners.

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA  
BY ITS BOARD OF COUNTY  
COMMISSIONERS

JOSEPH ABRUZZO  
CLERK & COMPTROLLER

BY:   
COUNTY ATTORNEY

BY:   
DEPUTY CLERK



EXHIBIT A  
LEGAL DESCRIPTION

THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE  
NORTHEAST 1/4 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 FEET AND  
LESS THE SOUTH 425 FEET THEREOF.

CONTAINING 62,251.31 SQUARE FEET OR 1.429 ACRES +/-