

RESOLUTION NO R-92- 1614⁴

RESOLUTION AMENDING RESOLUTION NO R-90-2150
RESOLUTION APPROVING ZONING PETITION OF
WESTGATE INDUSTRIAL PARK
PETITION NO 88-131(A)

WHEREAS, WESTGATE INDUSTRIAL PARK petitioned the Palm Beach County Planning Commission and the Board of County Commissioners, on March 1, 1990 and March 29, 1990, respectively, to consider a request for a MODIFICATION OF COMMISSION REQUIREMENTS and

WHEREAS, Resolution No R-90-2150 adopted December 11, 1990, confirming the action of the Board of County Commissioners on March 29, 1990, inadvertently contained errors in the Findings of Fact the general location description, and the final action of the Board of County Commissioners and

WHEREAS, the Findings of Fact contained within Zoning Resolution No R-90-2150 reads as follows

- "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 " and

WHEREAS, the Findings of Fact contained within Zoning Resolution No R-90-2150 should have read

- 1 Condition Number 13 amendment is denied
- 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 and

WHEREAS, the general location description contained within Zoning Resolution No R-90-2150 reads as follows

"and being located on the Northeast corner of the intersection of Westgate Avenue and Loxahatchee Drive in a CG-General Commercial Zoning District " and

WHEREAS the general location description contained within Zoning Resolution No R-90-2150 should have read

and being located on the ~~Northeast~~ Northwest corner of the intersection of Westgate Avenue and Loxahatchee Drive, in the CG-General Commercial Zoning District and

WHEREAS the final action of the Board of County Commissioners contained within Zoning Resolution No R-90-2150 reads as follows

"was approved in part and denied in part on March 29 1990 without prejudice " and

WHEREAS, the final action of the Board of County Commissioners contained within Zoning Resolution No R-90-2150 should have read

was denied on March 29 1990 without prejudice and

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY FLORIDA, that

- 1 The foregoing recitals are hereby affirmed and ratified
- 2 The Findings of Fact contained within Resolution No R-90-2150 are hereby amended
- 3 The general location description contained within Resolution No R-90-2150 is hereby amended
- 3 The final action of Board of County Commissioners contained within Resolution No R-90-2150 is hereby amended

The foregoing resolution was offered by Commissioner Elmquist, who moved its adoption. The motion was seconded by Commissioner Roberts, and upon being put to a vote, the vote was as follows


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

The Chairman thereupon declared the resolution duly passed and adopted this 27th day of October 1992

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

MILTON T BAUER, CLERK


County Attorney

BY 
Deputy Clerk