

ORDINANCE NO. 2022-10

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, SPECIFICALLY AMENDING A PORTION OF THE CITY OF WESTLAKE FUTURE LAND USE MAP AS A SMALL SCALE AMENDMENT; CHANGING THE FUTURE LAND USE DESIGNATION FROM CIVIC CATEGORY TO DOWNTOWN MIXED USE CATEGORY ON PROPERTY DESIGNATED AS POD PC-2, MORE PARTICULARLY DESCRIBED HEREIN AND CONTAINING 9.137 ACRES MORE OR LESS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

---

**WHEREAS**, an application filed by Minto PBLH, LLC (Applicant) seeks a small scale future land use map amendment of the hereinafter described property; and

**WHEREAS**, the City of Westlake Future Land Use Map designates the said property as Civic Site; and

**WHEREAS**, the Applicant wishes to amend the City’s Future Land Use map to change the land use designation from Civic Category to a Downtown Mixed Use Category for property on property designated as POD PC-2.

**WHEREAS**, said application was heard and considered before the City Council of the City of Westlake and at a duly scheduled public hearing all objections, if any, were heard.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

**SECTION 2.** This application coming before the City Council pursuant to an application filed by Minto PBLH, LLC, and in accordance with the Florida Statutes, a Public Hearing having been held on October 4, 2022, the City Council hereby acknowledges and approves the application submitted by Minto PBLH, LLC, as the owner of the following described property and therefore, the Westlake Future Land Map is hereby amended to change the Future Land Use designation from current Civic category to Downtown Mixed Use category on property located on property designated as POD PC-2 and legally described as follows:

See attached *Exhibit "A"*

1           **SECTION 3. Conflicts.** All ordinances or parts of ordinances,  
2 resolutions or parts of resolutions which are in conflict herewith, are hereby  
3 repealed to the extent of such conflict.  
4

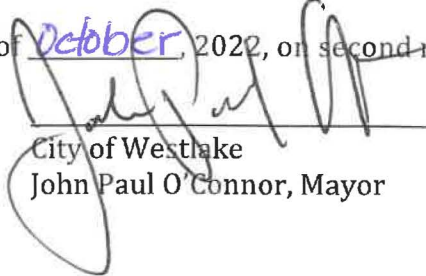
5           **SECTION 4. Severability.** Should the provisions of this ordinance be  
6 declared to be severable and if any section, sentence, clause or phrase of this  
7 ordinance shall for any reason be held to be invalid or unconstitutional, such  
8 decision shall not affect the validity of the remaining sections, sentences, clauses,  
9 and phrases of this ordinance but they shall remain in effect, it being the  
10 legislative intent that this ordinance shall remain notwithstanding the invalidity  
11 of any part.  
12

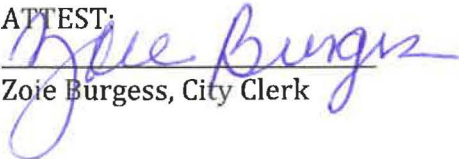
13           **SECTION 5. Effective Date.** This ordinance shall be effective upon  
14 adoption on second reading.  
15

16 **PASSED** this 6<sup>th</sup> day of September, 2022, on first reading.

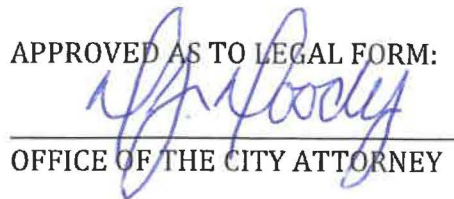
17 **PUBLISHED** on this 21 day of September ~~October~~, 2022 in the Palm Beach Post.

18 **PASSED AND ADOPTED** this 4 day of October, 2022, on second reading.

  
\_\_\_\_\_  
City of Westlake  
John Paul O'Connor, Mayor

19  
20  
21  
22 **ATTEST:**  
23   
24 Zoie Burgess, City Clerk  
25  
26

27 **APPROVED AS TO LEGAL FORM:**

  
\_\_\_\_\_  
OFFICE OF THE CITY ATTORNEY

30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41

1

**Exhibit "A"**

2 A PARCEL OF LAND LYING IN SECTION 12, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY  
3 OF WESTLAKE, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

4 **COMMENCE** AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE  
5 40 EAST; THENCE S.01°33'05"W. ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE  
6 OF 250.33 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL ROAD  
7 EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF  
8 PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 136 OF  
9 SAID PUBLIC RECORDS, AND AS MONUMENTED; THENCE S.88°36'57"W. ALONG SAID  
10 NORTH LINE OF THE 80 FOOT M-CANAL ROAD EASEMENT, A DISTANCE OF 3776.52 FEET  
11 TO A POINT ON THE ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT  
12 WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND  
13 OFFICIAL RECORD BOOK 1640, PAGE 1626 BOTH OF SAID PUBLIC RECORDS; THENCE  
14 S.01°42'52"W. ALONG SAID ORIGINAL EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT  
15 WHITNEY ROAD, A DISTANCE OF 4364.18 FEET TO THE NORTHWEST CORNER OF THE  
16 EXISTING RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN  
17 OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS, ALSO A POINT ON  
18 THE SOUTH LINE OF PERSIMMON BOULEVARD AS RECORDED IN OFFICIAL RECORD  
19 BOOK 10202, PAGE 430, OF SAID PUBLIC RECORDS; THENCE S.88°17'08"E., ALONG SAID  
20 SOUTH LINE OF PERSIMMON BOULEVARD, A DISTANCE OF 646.56 FEET TO A POINT ON  
21 THE EAST LINE OF SAID EXISTING RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY  
22 ROAD; THENCE S.01°42'52"W., ALONG SAID EAST LINE, A DISTANCE OF 77.00 FEET;  
23 THENCE CONTINUE S.01°42'52"W., A DISTANCE OF 3.00 FEET TO A POINT ON THE  
24 ADDITIONAL RIGHT-OF-WAY OF PERSIMMON BOULEVARD, AS SHOWN ON PERSIMMON  
25 BOULEVARD EAST - PLAT 1, AS RECORDED IN PLAT BOOK 125, PAGES 106 AND 107, OF  
26 SAID PUBLIC RECORDS; THENCE CONTINUE ALONG SAID ADDITIONAL RIGHT-OF-WAY  
27 FOR THE FOLLOWING THREE (3) COURSES: 1) S.88°17'08"E., A DISTANCE OF 573.95 FEET;  
28 2) THENCE S.43°17'08"E., A DISTANCE OF 53.74 FEET; 3) THENCE S.88°17'08"E., A DISTANCE  
29 OF 112.50 FEET TO POINT ON THE EAST RIGHT-OF-WAY OF ILEX WAY II, AS SHOWN OF  
30 ILEX WAY II, AS RECORDED IN PLAT BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, OF  
31 SAID PUBLIC RECORDS AND THE **POINT OF BEGINNING**; THENCE CONTINUE  
32 S.88°17'08"E. ALONG SAID ADDITIONAL RIGHT-OF-WAY, A DISTANCE OF 1.50 FEET TO  
33 THE SOUTHEAST CORNER OF PERSIMMON BOULEVARD EAST - PLAT 1, AS RECORDED IN  
34 PLAT BOOK 125, PAGES 106 AND 107, OF SAID PUBLIC RECORDS, ALSO A POINT ON THE  
35 SOUTHERLY RIGHT-OF-WAY OF PERSIMMON BOULEVARD EAST, AS SHOWN ON  
36 PERSIMMON BOULEVARD EAST-PLAT 2, AS RECORDED IN PLAT BOOK 128, PAGES 22  
37 THROUGH 25, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE ALONG SAID SOUTHERLY  
38 RIGHT-OF-WAY OF PERSIMMON BOULEVARD EAST, FOR THE FOLLOWING THREE (3)  
39 COURSES: 1) N.01°42'52"E., A DISTANCE OF 12.00 FEET; 2) THENCE N.46°42'53"E., A  
40 DISTANCE OF 56.57 FEET; 3) THENCE S.88°17'08"E., A DISTANCE OF 373.13 FEET; THENCE  
41 S.01°41'49"W., A DISTANCE OF 947.92 FEET; THENCE N.88°18'58"W., A DISTANCE OF 419.92  
42 FEET TO A POINT ON THE EAST RIGHT-OF-WAY OF ILEX WAY II, AS RECORDED IN PLAT  
43 BOOK 128, PAGES 22 THROUGH 25, INCLUSIVE, OF SAID PUBLIC RECORDS; THENCE  
44 ALONG SAID EAST RIGHT-OF-WAY LINE OF ILEX WAY II FOR THE FOLLOWING SIX (6)  
45 COURSES: 1) N.01°42'52"E., A DISTANCE OF 286.41 FEET; 2) THENCE N.43°17'08"W., A

8/18 127p

1 DISTANCE OF 15.56 FEET; 3) THENCE N.01°42'52"E., A DISTANCE OF 38.40 FEET; 4) THENCE  
2 N.02°54'08"E., A DISTANCE OF 239.24 FEET; 5) THENCE N.14°07'19"E., A DISTANCE OF 51.38  
3 FEET; 6) THENCE N.01°42'52"E., A DISTANCE OF 270.96 FEET TO THE **POINT OF**  
4 **BEGINNING.**

5 CONTAINING: 398,017 SQUARE FEET OR 9.137 ACRES, MORE OR LESS.  
6

# LOCALIQ

The Gainesville Sun | The Ledger  
Daily Commercial | Ocala StarBanner  
News Chief | Herald-Tribune  
News Herald | The Palm Beach Post  
Northwest Florida Daily News

PO Box 631244 Cincinnati, OH 45263-1244

## PROOF OF PUBLICATION

Westlake, City Of  
4001 Seminole Pratt Whitney RD


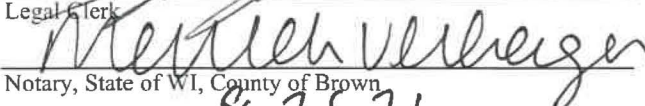
City Of Westlake FL 33470-3754

STATE OF FLORIDA, COUNTY OF PALM BEACH

The Palm Beach Post, a daily newspaper printed and published in the city of West Palm Beach and of general circulation in Palm Beach, Martin, Okeechobee and St Lucie Counties, Florida; and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated or by publication on the newspaper's website, if authorized, on:

09/21/2022

and that the fees charged are legal.  
Sworn to and subscribed before on 09/21/2022

  
\_\_\_\_\_  
Legal Clerk  
  
\_\_\_\_\_  
Notary, State of WI, County of Brown  
8.25.26

My commission expires

Publication Cost: \$154.50

Order No: 7807730

Customer No: 730375

PO #:

# of Copies:

-1

**THIS IS NOT AN INVOICE!**

*Please do not use this form for payment remittance.*

MARIAH VERHAGEN  
Notary Public  
State of Wisconsin

## CITY OF WESTLAKE NOTICE OF HEARING

The City of Westlake will conduct a quasi-judicial hearing Second Reading on Tuesday, October 4, 2022 at 6:00 p.m., or as soon thereafter as the agenda permits. This meeting will be at the Westlake Community Center/City Council Chambers located at 4005 Seminole Pratt Whitney Road, Westlake, Florida, 33470. The City Council will hear the following Ordinance:

**ORDINANCE NO. 2022-11**  
**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE REZONING OF THE PROPERTY CONSISTING OF APPROXIMATELY 9.137 GROSS ACRES IN SIZE, FOR THE PARCEL REFERRED TO AS POD PC-2 FROM CIVIC DISTRICT TO MIXED USE DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

NOTICE IS FURTHER GIVEN that this is an OPEN MEETING, and the public is encouraged to attend and participate in meeting proceedings.

All documents pertaining to, are on file at the City of Westlake located at 4001 Seminole Pratt Whitney Road, and may be obtained by contacting the City Clerk by telephone (561) 530-5880, or email at zburgess@westlakegov.com.

The City of Westlake complies with the provisions of the Americans with Disabilities Act. Individuals with disabilities requiring special accommodations or assistance should call the City of Westlake at (561) 530-5880 of such need no later than three (3) business days in advance.

Zoie Burgess, CMC  
City Clerk, City of Westlake  
9/21/22 7807730