

RESOLUTION 2020-17

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING A SIXTH (6TH) TIME EXTENSION FOR A SPECIAL PERMIT APPLICATION OF A TEMPORARY GAS UTILITY, WITHIN POD F OF WESTLAKE TTD. THE APPLICANT IS REQUESTING A TWELVE (12) MONTHS EXTENSION TO JULY 31, 2021, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR IMPLEMENTATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's Interim Land Development Regulations provides procedures for the review and adoption of site plans by the City Council; and

WHEREAS, on December 19, 2017 Florida Public Utility (FPU) requested an approval of a special permit application to allow a temporary gas utility use within Pod F of Westlake TTD. The subject application was approved by the City Council on January 11, 2018.

WHEREAS, the proposed temporary gas utility is needed to provide gas service to the City residents of Hammocks, Meadows, Sky Cove and Cresswind. The temporary facility includes two (2) gas tanks, perimeter fencing, and a screening fence; and

WHEREAS, on June 11, 2020, Florida Public Utilities, submitted an application for a twelve (12) months extension of a special permit application of a temporary gas utility use within Pod F of Westlake TTD to January 31, 2021; and

WHEREAS, previous extensions were granted on:

1. On January 11, 2018, the **first** application (SPEC-2017-03) was approved for six (6) months with one three (3) month time extension.
2. On July 11, 2018 the applicant was granted a **second** Time Extension for an additional three (3) months.
3. On October 29, 2018 the applicant was granted a **third** Time Extension for an additional nine (9) months that expires on July 31, 2019.
4. On July 8, 2019 the applicant was granted a **fourth** Time Extension for an additional six (6) months that expires on January 31, 2020.
5. On January 13, 2020 the applicant was granted a **fifth** Time Extension for an additional six (6) months that expires on July 31, 2020.

WHEREAS, staff has reviewed and recommends approval of the proposed time extension provided in the attached Exhibit "A", (Staff Report); and

WHEREAS, pursuant to law, notice has been given by publication in a paper of general circulation in Palm Beach County, notifying the public of this proposed resolution and of the public hearing; and

WHEREAS, the City Council for the City of Westlake finds that the adoption and implementation of this resolution is in the best interest and welfare of the residents of the City of Westlake.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA,
THAT:

Section 1: Recitals: The above recitals are true and correct and are incorporated herein by this reference.

Section 2: Approval of Special Permit Application: The City Council for the City of Westlake hereby approves the request for a 12-months extension of a special permit application of a temporary gas utility use within Pod F of Westlake TTD, which is located in the City of Westlake, and in Palm Beach County, Florida.

Section 3: Conditions of Approval: The Applicant shall provide written progress reports to the City Council every three months until the permanent lines are installed. The extension is subject to the applicant meeting all of the conditions set forth in the Staff Report, as attached hereto as Exhibit "A", which is incorporated herein and made a part hereof.

Section 4. Implementation: The City Manager and the City Attorney are hereby authorized to take such further action as may be necessary to implement the purpose and provisions of the Resolution.

Section 5: Effective Date: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this 13th day of July, 2020.

PUBLISHED on this ____ day of June, 2020 in the Palm Beach Post.

City of Westlake
Roger Manning, Mayor

Zoie Burgess, City Clerk

Approved as to Form and Sufficiency
Pam E. Booker, City Attorney