

Council Members

Roger Manning-Mayor
Katrina Long Robinson-Vice Mayor
John Stanavitch-Seat 1
Kara Crump-Seat 2
Phillip Everett-Seat 3



City of Westlake

4001 Seminole Pratt Whitney Rd.
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-5466

Regular Meeting
Monday, November 14, 2016

Meeting Location
Westlake Council Chambers
4005 Seminole Pratt-Whitney Road
Westlake, FL 33470
7:00 PM

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the City Council with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The meeting/hearing may be continued to another date and time as may be found necessary during the aforesaid meeting. In accordance with the provisions of the Americans with Disabilities Act (ADA), any person requiring special accommodations at these meetings because of disability or physical impairment should contact the Interim City Manager at (954)753-5841 at least two (2) calendar days prior to the meeting.

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**City of Westlake**

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November 11, 2016

City Council
 City of Westlake

Dear Mayor and Council:

The regular meeting of the City Council of the City of Westlake will be held on Monday, November 14, 2016 at 7:00 p.m. at the Westlake Council Chambers, 4005 Seminole Pratt Whitney Road, Westlake, Florida. Following are the advance agendas for the meeting.

1. Call to Order/ Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Audience Comments on Agenda Items (3) Minute Time Limit
5. Approval of Minutes
 - A. October 10, 2016 Regular Meeting
 - B. October 24, 2016 Special Meeting

PUBLIC HEARINGS

6. Public Hearing to Adopt Ordinance 2016-4, Including the City of Westlake in the Fire Rescue Municipal Service Taxing Unit for Palm Beach County for the Provision of Fire Services – Second Reading

FIRST READING OF ORDINANCES

7. Ordinance 2016-5, Adopting Quasi-Judicial Proceedings – First Reading
8. Ordinance 2016-6, Adopting Business Tax (Occupational License) – First Reading

RESOLUTIONS

9. Resolution 2016-13, Approval of Final Plat for Minto Westlake Phase 1A TTD
10. Resolution 2016-14, Approval of Final Plat for Minto Westlake PODL
11. Resolution 2016-15, Appointment of James Jackson as the Building Official – Action Item
12. City Manager's Update
13. City Attorney's Update
14. Audience Comments on Other Items (3) Minute Time Limit
15. Adjournment

Any additional supporting material for the items listed above, not included in the agenda package, will be distributed at the meeting. Staff will present their reports at the meeting. I look forward to seeing you, but in the meantime if you have any questions, please contact me.

Sincerely,

Kenneth Cassel

Kenneth G. Cassel
 Interim City Manager

cc: Pam E. Booker, Esq
 Terry Lewis

John Carter
 Johnnie Easton

Fifth Order of Business

5A

**MINUTES OF REGULAR MEETING
CITY OF WESTLAKE**

The regular meeting of the City Council of the City of Westlake was held on Monday, October 10, 2016 at 7:00 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Roger Manning	Mayor
Katrina Long-Robinson	Vice Mayor
John Stanavitch	City Council Seat 1
Kara Crump	City Council Seat 2
Phillip Everett	City Council Seat 3

Also present were:

Kenneth Cassel	City Manager
Pam E. Booker, Esq.	City Attorney

The following is a summary of the minutes and actions taken during the October 10, 2016 City of Westlake Council Meeting.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mayor Manning called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Approval of Agenda

On MOTION by Councilman Everett seconded by Councilman Stanavitch with all in favor the agenda was approved.

FOURTH ORDER OF BUSINESS

**Audience Comments on Agenda Items (3)
Minute Time Limit**

There being no audience comments, the next item followed.

FIFTH ORDER OF BUSINESS

**Approval of the Minutes of the September
26, 2016 Meeting**

There being no questions or comments,

On MOTION by Vice Mayor Long-Robinson seconded by Councilwoman Crump with all in favor the minutes of the September 26, 2016 meeting were approved.

SIXTH ORDER OF BUSINESS

Consideration of Contract with Nova for building Inspection Services, Resolution 2016-12 (Action Item)

Mr. Cassel read Resolution 2016-12 by title only.

On MOTION by Councilwoman Crump seconded by Councilman Everett with all in favor Resolution 2016-12, authorizing the City Manager to enter into an agreement with Nova Engineering and Environmental, LLC for professional building department and inspection services, was adopted.

SEVENTH ORDER OF BUSINESS

City Manager’s Report

Mr. Cassel reported the following:

- He presented the Board with the design of the City’s website, which contains all information required. It will be active within the next week.
- Seminole Improvement District did not have any issues with the recent rain event. They prepared early and lowered the canal levels down to ensure storage capacity. The M2 canal was also kept low so Indian Trail Improvement District could flow out water in the event they received high levels.
- The County has backed out of putting in the two extra lanes on Seminole Pratt Whitney Road. It will remain as a four lane road. The project is on schedule.
- The issue with the bridge has been resolved. Seminole Improvement District is in the process of finalizing the permits.
- The City is in the final phase of issuing its first land clearing permit. It has been reviewed by the planner and engineer. It will be for approximately 460 acres.
- Staff is working on IT for the City.
- Mr. Carter provided an update on Minto PBLH, LLC’s development within the City.

EIGHTH ORDER OF BUSINESS

City Attorney’s Report

Ms. Booker reported she received an order from the District Court of Appeal making the City a party to the lawsuit filed by 1,000 Friends of Florida. She filed the City’s first brief.

NINTH ORDER OF BUSINESS

**Audience Comments on Other Items (3)
Minute Time Limit**

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned.

Kenneth Cassel
City Manager

Roger Manning
Mayor

5B.

**MINUTES OF REGULAR MEETING
CITY OF WESTLAKE**

A special meeting of the City Council of the City of Westlake was held on Monday, October 24, 2016 at 7:00 p.m. at the Westlake Community Center, 4005 Seminole-Pratt Whitney Road, Westlake, Florida.

Present and constituting a quorum were:

Roger Manning	Mayor
Katrina Long-Robinson	Vice Mayor
John Stanavitch	City Council Seat 1
Kara Crump	City Council Seat 2
Phillip Everett	City Council Seat 3

Also present were:

Kenneth Cassel	City Manager
Pam E. Booker, Esq.	City Attorney

The following is a summary of the minutes and actions taken during the October 10, 2016 City of Westlake Council Meeting.

FIRST ORDER OF BUSINESS

Call to Order/Roll Call

Mayor Manning called the meeting to order and Mr. Cassel called the roll.

SECOND ORDER OF BUSINESS

Pledge of Allegiance

The Pledge of Allegiance was recited.

THIRD ORDER OF BUSINESS

Approval of Agenda

On MOTION by Councilman Everett seconded by Councilman Stanavitch with all in favor the agenda was approved.

FOURTH ORDER OF BUSINESS

**Audience Comments on Agenda Items (3)
Minute Time Limit**

Mr. Frank Schiola, Chairman of the Loxahatchee Groves Water Control District, introduced himself to the Council and provided several suggestions such as sponsoring Girl Scout and Boy Scout troops.

October 24, 2016

FIFTH ORDER OF BUSINESS

Public Hearing to Adopt Ordinance 2016-3, Establishing a Planning and Zoning Board – Second Reading

Mr. Cassel read Ordinance 2016-3 by title only.

There were no questions or comments from the Council or the public.

On MOTION by Councilwoman Crump seconded by Councilman Everett with all in favor Ordinance 2016-3 was adopted.

Ms. Booker noted the first Planning and Zoning meeting will be November 14, 2016 at 6:00 p.m.

SIXTH ORDER OF BUSINESS

Ordinance 2016-4, Including the City of Westlake in the Fire Rescue Municipal Service Taxing Unit for Palm Beach County for the Provision of Fire Services – First Reading

Ms. Booker stated they have worked with the Palm Beach County Fire Rescue staff, as well as the County Attorney, to provide services to the City. They will collect \$49,713.01 in revenue for fire services based on the existing properties within the City's boundaries. The current millage rate being assessed to all properties within jurisdictions, which are part of the Municipal Service Taxing Unit for the County, is 3.44581.

Mr. Cassel read Ordinance 2016-4 by title only.

On MOTION by Councilman Stanavitch seconded by Vice Mayor Long-Robinson with all in favor the first reading of Ordinance 2016-4 was approved.

SEVENTH ORDER OF BUSINESS

City Manager's Report

Mr. Cassel reported the following:

- Version 1.1 of the City's website is up and running.
- The Seminole Improvement District contractor is moving along with the road widening project.
- Phase 1A clearing has begun. Seminole Improvement District is working with Minto PBLH, LLC to ensure proper drainage is being provided.
- Plan submittals were received for Pod L and are in the review process.

October 24, 2016

- Staff is working on an agreement with the County for the traffic signals. Once the roads are turned over to the County the City will cover electrical costs for the traffic signals, but the rest of it will be maintained by the County.

EIGHTH ORDER OF BUSINESS

City Attorney's Report

Ms. Booker reported the City has its first case and she was summons to an appearance. There was an answer brief on the case last week. The City has to wait for the appellate court to render an opinion.

NINTH ORDER OF BUSINESS

**Audience Comments on Other Items (3)
Minute Time Limit**

There being none, the next item followed.

TENTH ORDER OF BUSINESS

Adjournment

There being no further business, the meeting adjourned.

Kenneth Cassel
City Manager

Roger Manning
Mayor

Sixth Order of Business

ORDINANCE NO. 2016-04

AN ORDINANCE OF THE CITY OF WESTLAKE, FLORIDA; PROVIDING FOR THE CITY’S CONSENT TO THE INCLUSION OF THE ENTIRE TERRITORY WITHIN THE CITY OF WESTLAKE’S MUNICIPAL BOUNDARIES INTO PALM BEACH COUNTY’S FIRE/RESCUE MUNICIPAL SERVICE TAXING UNIT FOR FIRE-RESCUE, FIRE PROTECTION, ADVANCED LIFE SUPPORT (OR SIMILAR EMERGENCY SERVICES), FIRE CODE ENFORCEMENT AND OTHER NECESSARY AND INCIDENTAL SERVICES; PROVIDING FOR INTENT, PURPOSE AND CONSENT; PROVIDING FOR EFFECTIVENESS AND DURATION OF CONSENT; PROVIDING FOR EFFECTIVENESS OF REPEAL; ACKNOWLEDGING AD VALOREM MILLAGE RATE LIMITATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CAPTIONS; AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, pursuant to Section 125.01(1)(q) and (r), Florida Statutes, the Florida Legislature has empowered counties to establish Municipal Service Taxing Units (“MSTU”s), whereby a county may levy a tax within the MSTU for certain essential municipal services, including the provision of fire-rescue services; and

WHEREAS, pursuant to Section 125.01(1)(q), Florida Statutes, a municipality may be included within an MSTU, subject to approval by ordinance of the governing body of the municipality giving consent either annually or for a term of years; and

WHEREAS, Palm Beach County (“County”) established an MSTU known as the Fire/Rescue MSTU to provide fire protection, fire-rescue, advanced life support (or similar emergency services), code enforcement and other services necessary and incidental to the purpose for which the MSTU was created; and

WHEREAS, the City of Westlake (“City”) was incorporated on June 20, 2016; and

WHEREAS, prior to the City’s incorporation, all territory within the municipal boundaries of the City was, included within the Fire/Rescue MSTU as part of the unincorporated area of the County; and

WHEREAS, the City Charter authorizes the Fire/Rescue MSTU to continue within the boundaries of the City until the City adopts an ordinance to the contrary; and

WHEREAS, the City desires to adopt this Ordinance to formalize its consent, in accordance with Section 125.01(1)(q), Florida Statutes, to be included in the Fire/Rescue MSTU

for County fire-rescue and related services within the territorial limits of the City including, but not limited to, the County's enforcement of the Florida Fire Prevention Code and Palm Beach County Local Amendments thereto, and any other laws and regulations that relate to fire-rescue services and are enforceable by the County within the MSTU (collectively "Fire Code"); and

WHEREAS, the City Council of the City of Westlake believes that such inclusion in the County's Fire/Rescue MSTU is in the best interest of the health, safety and welfare of the citizens of the City.

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

Section 1: Intent, Purpose and Consent: It is the intent, purpose and effect of this Ordinance to comply with the provisions of Section 125.01(1)(q), Florida Statutes. The City Council of the City of Westlake hereby ratifies and consents to the inclusion of all territory within the incorporated municipal boundaries of the City, as may be amended from time to time, within the County's Fire/Rescue Municipal Service Taxing Unit (the "Fire/Rescue MSTU"), which was established pursuant to enabling legislation adopted by the Board of County Commissioners of Palm Beach County. The purpose of the enactment of this Ordinance is for the City to be included in the County's Fire/Rescue MSTU in order to enable the County to fund and provide fire-rescue services, new construction plan review, fire inspections and related services within the territorial limits of the City including, but not limited to, the County's enforcement of the Florida Fire Prevention Code and Palm Beach County Local Amendments thereto, and any other laws and regulations that relate to fire-rescue services and are enforceable by the County within the MSTU (collectively "Fire Code").

Section 2: Effectiveness and Duration of Consent: The City's consent to be included in the County's Fire/Rescue MSTU shall be implemented effective December 31, 2016, for Tax Year 2017, and shall continue for a term of ten (10) years through December 31, 2026; provided, however, that the City's consent and inclusion in the County's Fire/Rescue MSTU shall be deemed to continue through 7:30 a.m. on October 1, 2027, to the extent necessary to enable the County to provide within the City fire-rescue and related services funded by the final tax year including, but not limited to, the County's enforcement of the Fire Code. Notwithstanding anything herein that may be construed to the contrary, the City's consent and inclusion in the

Fire/Rescue MSTU shall be deemed to be ratified and effective retroactively from June 20, 2016, to the extent necessary for the County to fund and provide within the City fire-rescue and related services including, but not limited to, the County's enforcement of the Fire Code, between June 20, 2016, and the commencement of services funded by Tax Year 2017.

Section 3: Effectiveness of Repeal: Should the City intend to repeal its consent to be included in the Fire/Rescue MSTU prior to its expiration on December 31, 2026, the City shall provide written notice to the County, by March 1st of any given year, of the City's intent to repeal this Ordinance and the consent provided herein effective December 31st of the same year. The City shall adopt an ordinance to repeal this Ordinance and the consent provided herein, and shall provide a certified copy of the repealing ordinance to the County and to the Property Appraiser, by said December 31st. The City's inclusion in the County's Fire/Rescue MSTU shall terminate on said December 31st; provided, however, that the City's inclusion in the County's Fire/Rescue MSTU shall be deemed to continue through the following October 1st at 7:30 a.m. to the extent necessary to enable the County to provide within the City fire-rescue and related services funded by the final tax year, including, but not limited to, the County's enforcement of the Fire Code.

Section 4: Ad Valorem Millage Rate Limitation: The City acknowledges that by opting into the MSTU, it cannot levy an annual ad valorem millage rate that would exceed the ten (10) mill cap for municipal purposes when combined with the Fire/Rescue MSTU's annual ad valorem millage rate.

Section 5: Repeal of Conflicting Ordinances: All other ordinances and parts of ordinances in conflict with any provisions of this Ordinance are hereby repealed to the extent of the conflict.

Section 6: Severability: If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Section 7: Codification: The provisions of this Ordinance shall become and be made a part of the code or ordinances of the City of Westlake, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

Section 8: Captions: The captions, section headings, and section designations used in this Ordinance are intended only for the convenience of users and shall have no effect on the

interpretation of the provisions of this Ordinance.

Section 9: Effective Date: This Ordinance shall take effect upon adoption. Notwithstanding anything here to the contrary, the City’s inclusion in the MSTU is contingent upon the County adopting and maintaining an ordinance including the City within the Fire/Rescue MSTU.

FIRST READING this _____ day of October, 2016.

APPROVED AND ADOPTED ON SECOND READING by the City Council of the City of Westlake, Florida, on this _____ day of November, 2016.

CITY OF WESTLAKE

By: _____
Roger Manning, MAYOR

ATTEST:

Sandra Demarco, City Clerk


APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

Pam E. Booker, City Attorney

Seventh Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: November 8, 2016

Subject: Ordinance Adopting Quasi-Judicial Proceedings

Please find an ordinance for adoption by the City of Westlake for formal procedures which will apply to quasi-judicial proceedings that will come before the Planning & Zoning Board/Local Planning Agency and the City Council for consideration. The term "quasi-judicial" means the application of the rules adopted by the City Council to a specific project, wherein the decision making body is acting in a judicial capacity, in the application of policies, rather than the setting of policies. Examples of quasi-judicial applications are decisions on rezoning, site plan approvals, waivers and variances, plat approvals, conditional use approvals (special exceptions) and amendments to the land development regulations. Recognizing the judicial aspects of the actions to be taken, all parties wishing to participate in the proceedings will be collectively sworn in at the beginning of the meeting. Each members of the public will be allowed three (3) minutes to speak on the item.

The ordinance provides for staff to present a brief summary of the the application to the Board and/or Council, then the applicant will have an opportunity to present their case to the Board and/or the Council. The Board or Council member will disclose if there has been ex-parte communications with the applicant, including site visits to the property under review. Parties to the proceeding will have an opportunity to cross examine (question) other parties involved in the proceeding. At the conclusion of hearing testimony and having reviewed the record, the Board and/or the Council will make a decision based upon "competent substantial evidence" in the record. Competent substantial evidence is evidence sufficiently relevant and material to the ultimate determination that a reasonable mind would accept as adequate to support the conclusion reached. The evidence in the record must be legally sufficient to support the decision of the Board and/or Council. The Board or the Council will have the options to (1) Approve the Application, (2) Approve with Conditions, (3) Deny the Application, or (4) Continue the hearing to another date and time.

We would recommend approval of the ordinance as presented. The ordinance will come before the Council for second reading on December 12, 2016. Should you have any questions, or need any additional information, please do not hesitate to call.

ORDINANCE NO. 2016- 5

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, IMPLEMENTING PROCEDURES FOR QUASI-JUDICIAL PROCEEDING, PROVIDING FOR DEFINITIONS, PROVIDING FOR PRESENTATION OF EVIDENCE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Supreme Court has determined that the application of a general rule or policy to specific, individuals, interest or activities that do not affect a large portion of the public is “quasi-judicial” in nature; and

WHEREAS, Section 286.0115, Florida Statutes, recognizes that a City may adopt procedures and provisions for quasi-judicial proceedings on land use matters to ensure complete and full disclosure of ex-parte communications, thereby removing the presumption of prejudice; and

WHEREAS, the decision of the decision making body must be supported by “Competent, Substantial Evidence” in the record pertinent to the proceedings; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Westlake to implement quasi-judicial procedures so as to be consistent with the provisions as set forth in Section 286.0115, Florida Statutes;

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

Section 1. Definitions: The following words, terms, and phrases, when used in this section, shall have the following meanings ascribed to them, except where the context clearly indicates a different meaning:

- A. **Applicant** shall mean the owner of record, the owner’s agent, a third party with written consent of all owner(s) of the property or staff when the application is initiated by the City.
- B. **Competent Substantial Evidence** shall mean testimony, documentary, or other evidence based on personal observation and which will establish a substantial basis from which an issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issued to be decided. Competent Substantial Evidence is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion.
- C. **Decision Making Body** shall mean the City Council, the Planning & Zoning Board/Local Planning Agency, or other authorized committee, as the case may be, that makes a recommendation or decision on an application or decides the appeal.

- D. **Ex-Parte** communication, oral or written between members serving on the Planning & Zoning Board/Local Planning Agency or City Council and the public, other than those made on the record at the hearing.
- E. **Material Evidence** shall mean evidence that bears a logical relationship to one or more issues raised by the application or the laws and regulations pertaining to the matter requested by the application.
- F. **Participants** shall mean members of the general public, other than the Applicant, including experts and representative of local governments and governmental agencies, who offer testimony at a quasi-judicial hearing for the purpose of being heard on an application.
- G. **Party** shall mean the Applicant, staff, or any person recognized by the Decision Making Body.
- H. **Quasi-Judicial Proceeding** shall mean a hearing held by the Decision Making Body wherein existing policies and regulations are applied to a specific property and due process requirements are complied with for the hearing. The Decision Making Body makes finding of fact and conclusions of law on the issue.

Section 2: General Procedures:

- A. **Intent:** The intent is to establish procedures to ensure fairness and procedural due process and to maintain citizen access to the local government decision making process for the review of development orders and appeals of those orders which require quasi-judicial hearings. These procedures shall be applied and interpreted in a manner recognizing both the legislative and judicial aspects of the local government decision making process in quasi-judicial hearings.
- B. **Applicability:** These procedures shall apply to all applications in which the decision making body acts in a quasi-judicial capacity for making recommendations or final decisions. These procedures do not apply to administrative decision(s) to the City Council.
- C. **Jurisdiction:** All quasi-judicial proceedings before the Decision Making Body shall be hearings of original jurisdiction unless the Decision Making Body is acting in an Appellate capacity, which, such Appellate proceeding shall be a hearing de nova. Unless all parties waive formal proceedings, each party shall have the right to call and examine witness, to introduce exhibits, to cross-examine opposing witness on any relevant matter (subject to the rules contained herein), and to rebut evidence.
- D. **Staff Report:** Staff shall have the responsibility of presenting the case on behalf of the City. The staff report on the application shall be made available by staff to the Applicant and the Decision Making Body no later than three (3) days prior to the quasi-judicial hearing on the application.
- E. **File/Inspection:** Official file shall include all written communication received by the Decision Making Body or staff concerning the application, the staff report on the application, any petitions or other submissions from the public, and all other documents pertaining to the application upon receipt shall be filed in the official file for the application, which shall be maintained by staff. The Comprehensive Plan, the City Code of Ordinances, and the Land Development Regulations shall be deemed part of the official file. The official file shall be available for inspection during normal business hours.

F. **Agenda:** The printed agenda for the meeting at which the quasi-judicial hearing is scheduled to take place shall identify the hearing as quasi-judicial. Copies of the procedures shall be made available at the hearing.

G. **Hearing Procedures:**

- (1) All hearing shall be scheduled within a reasonable time, and provide a date for the application for quasi-judicial proceeding was properly and adequately filed.
- (2) The City shall advertise the hearing date, time, and place in accordance with the Florida Statutes, regulations and the City's ordinances.
- (3) All hearings shall be open to the public. Members of the public shall be permitted to testify at the quasi-judicial hearing.
- (4) The City Clerk, or the Clerk's designee, shall attend all hearings, and the City shall maintain a record of all hearings. The City shall retain the original recording(s) in accordance with the laws of the State of Florida, and if requested, provide a duplicate of the recordings to the Decision Making Body.

Section 3: Conduct of Hearing: To the extent possible, the hearing(s) shall be conducted as follows:

- A. **Title:** The Clerk shall read into the record the Ordinance, Resolution by title and number, or the Applicant's name, file number, and the subject matter to be decided if there is no ordinance or resolution.
- B. **Swearing of Witnesses:** The Applicant, staff, and all Participants requesting to speak, or present evidence, or both at the hearing shall be collectively sworn at the beginning of the hearing by the City Clerk or the City Clerk's designee, the Board Clerk, or the Board's Chair, Vice-Chair.
- C. **Disclosure of Ex Parte Communications:** The Decision Making Body shall disclose any ex parte communications and disclose whether any member physically inspected the property. To the extent possible, the Decision Making Body member shall identify with whom the communication took place, summarize the substance of the communication, the date of the site visit, if any. The Decision Making Body shall give the City Clerk, or his or her designee, any written ex parte communications they have received that are not already included in the project file.
- D. **Waiver of Evidentiary Hearing:** The Applicant may waive the Applicant's right to an evidentiary hearing if Applicant agrees with the staff recommendation and no one from the audience wishes to speak for or against the the application. The Decision Making Body may then vote on the item, or make a recommendation based upon the staff report and any other material contained within the official file. Regardless of a waiver by the Applicant, a Public Hearing shall be held for all decisions requiring an ordinance or resolutions.

Section 4: Presentation of Case: If there is an evidentiary hearing, the order of the presentation shall be as follows, unless the Chair determines to proceed in a different order, taking into consideration fairness and due process.

- (1) The City staff shall present its case.
- (2) The Applicant shall present its case.
- (3) Participants in opposition to or support of the application shall make their presentation. Each Participant shall be limited to three (3) minutes.

- (4) Representative(s) representing a group of six (6) or more persons attending the meeting may speak for the group and the representative shall be limited to five (5) minutes to speak on behalf of the group.
- (5) The Applicant may cross examine any witness and respond to any testimony presented.
- (6) Staff may cross examine any witness and respond to any testimony presented.
- (7) The Chair of the Decision Making Body may choose to allow Participants to respond to any testimony if the Chair deems a response necessary to ensure fairness and due process.
- (8) Members of the Decision Making Body through the Chair may ask any question of the staff, the Applicant, and the Participants.
- (9) Final argument may be made by the Applicant and then the Staff, related solely to the evidence in the record.

Section 5: Chair to Halt Cross Examination: The Chair shall keep order and without requiring an objection may direct a Party conducting the direct examination or the cross examination to stop a particular line of questioning that in the sole judgment of the Chair is being utilized to merely harasses, intimidate or embarrass the individual testifying or being cross examined, the line of questioning is unduly repetitious or is not relevant, or which is beyond the scope of the testimony by the individual being cross examined. If the Party conducting the direct examination or cross examination continues to violate the directions from the Chair to end a line of questioning deemed improper as set forth herein, the Chair may terminate the direct examination or cross examination.

Section 6: Continuance of the Hearing: The Decision Making Body may on its own motion or at the request of any person, continue the hearing to a fixed date, time, and place. The Applicant shall have the right to one continuance, however, all subsequent continuances shall be granted at the sole discretion of the Decision Making Body.

Section 7: Withdrawal of Application: The Applicant may withdraw the application by requesting such withdrawal in writing prior to commencement of the hearing.

Section 8: Basis of Decision: For all quasi-judicial hearings in which a decision is made regarding an application for any development permit, the decision to approve or deny shall be based upon whether the application meets all applicable requirements of the Comprehensive Plan, the City Code of Ordinances, the Land Use and Development Regulations, and based upon the entirety of the record before the Decision Making Body. The Decision Making Body shall reach a written decision without unreasonable or unnecessary delay.

Section 9: Rules of Evidence:

- (a) The Decision Making Body shall not be bound by the strict rules of evidence, and shall not be limited only to consideration of evidence which would be admissible in a court of law. The Decision Making Body shall have the ability but not the duty to conduct site visits in their sole discretion and to consider any evidence so adduced in their deliberations.
- (b) The Chair of the Decision Making Body may exclude evidence or testimony that is not relevant, material or competent, or testimony which is unduly repetitious or defamatory.
- (c) The Chair, with the advice of the City Attorney will determine the relevancy of evidence. The City Attorney shall represent the Decision Making Body and advise it as to the procedures to be followed.

- (d) Matters relating to an applicant's consistency with the Comprehensive Plan, the City Code of Ordinance, or the Land Use and Development Regulations will be presumed to be relevant and material.
- (e) Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in court.
- (f) Documentary evidence may be presented in the form of a copy of the original. A copy shall be made available to the Decision Making Body and to the staff no later than three (3) days prior to the hearing on the application. Upon request, the Applicant and the staff shall be given an opportunity to compare the copy with the original. Oversized exhibits shall be copied and reduced for convenient record storage.
- (g) Only the Applicant, an authorized representative of the Applicant, Staff and the Decision Making Body shall be entitled to conduct cross examination when testimony is given or documents are made part of the record.
- (h) The Decision Making Body shall take judicial notice of all state and local laws, ordinances and regulations and may take judicial notice of such other matters as are generally recognized by the Courts of the State of Florida.

Section 10: Supplementing the Record: Supplementing the record after the quasi-judicial hearing is prohibited, unless specifically authorized by an affirmative vote of the Decision Making Body, under the following conditions:

- A. The supplementation occurs after a quasi-judicial hearing is continued but prior to final action being taken on the application or appeal.
- B. If a question is raised by the Decision Making Body at the hearing which can not be answered at the hearing, the Party to whom the question is directed will submit the requested information in writing to the City Clerk and the Decision Making Body after the quasi-judicial; hearing, with copies to the other Parties, provided the hearing has been continued or another hearing has been scheduled for a future date and no final action has been taken by the Decision Making Body. The information requested will be presented to the Decision Making Body at least two (2) business days prior to the time of the continued hearing.
- C. All Parties and Participants shall have the same right with respect to the additional information as they had for evidence presented at the hearing.
- D. All evidence admitted into the record at the hearing, the official file, and the adopted development order, ordinance, or resolution of the Decision Making Body or the written decision shall be maintained by the City Clerk or the Planning & Zoning Director.

Section 11. Severability: Should any section, sentences, clause, or phrases, of this ordinance be declared to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this ordinance, but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 12. Effective Date: This ordinance shall be effective upon adoption on second reading.

City of Westlake
Roger Manning, Mayor


Sandra Demarco, City Clerk

City Attorney
Pam E. Booker, Esq.

Eighth Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: November 10, 2016

Subject: Ordinance for Business Tax Receipt

Attached please find an ordinance for implementation of business tax receipts for the City of Westlake. The ordinance requires all business owners to apply for a business tax before October the first of each year the business is in operation. Should the business owner(s) fail to apply for a business tax receipt by the October first date, a penalty up to 25% of the tax due will be charged. For a business which operates without a business tax receipt, a penalty of two times the amount of the normal fee will be assessed. The ordinance also provides for hearing procedures should a business owner fail to comply with the ordinance. Specifically, section 5-11, provides for the grounds for suspension, revocation or denial of a business tax receipt. The City Manager shall provide at least five days notice and conduct a hearing on suspension or revocation of the business tax receipt.

The types of businesses which may be located currently or in the future in the City's limits are set forth in Exhibit "A", by categories. Associated with each category is an associated fee for the business type which will be due upon application of a business tax receipt by business owners within the City. For reference purposes only, we have attached the application form and the certificate of use form that will be required by the applicant. These applications will be reviewed by the Planner, the Building Official for the City and the Fire Department as deemed necessary to ensure compliance. We would recommend approval of the ordinance. The ordinance will come before the Council on second reading on December 12, 2016. Should you have any questions, or need any additional information, please do not hesitate to call.

ORDINANCE NO. 2016- 6

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ADOPTING A CODE OF ORDINANCES ENTITLED “BUSINESS TAX” FOR THE CITY OF WESTLAKE; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Westlake desires to adopt a code of ordinance which will provide rules and regulations pertaining to the creation and operation of business establishments within the jurisdictional boundaries of the City of Westlake; and

WHEREAS, the City of Westlake, would like to create a business tax structure which will provide for definitions, provide for an accurate database of businesses operating within the City of Westlake, and provide tax revenue collections for the City; and

WHEREAS, the City of Westlake desires to provide a process for new and existing businesses within the City to operate and continue in existence.

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

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

Section 2. Inclusion into Code of Ordinance: There shall be created a code of Ordinance for the City of Westlake, entitled Chapter 5, Business Tax, which code shall be made a part of the Code of the City of Westlake, Florida, the sections of this ordinance may be renumbered or retitled to change ordinance to section as appropriate.

**CHAPTER 5, TAXATION
BUSINESS TAX**

Section 5-1 Definitions: The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Business, a profession and occupation do not include customary religious, nonprofit, charitable, and nonprofit educations institutions in the State of Florida, which institutions are more particularly defined and limited as follows:

- (1) *Religious institution* means churches and ecclesiastical or denomination Florida at which nonprofit religious services and activities are regularly conducted and carried on, also includes church cemeteries.
- (2) *Educations institution* means state tax supported or parochial, church and nonprofit private schools, colleges or universities conducting regular classed

and courses of study required for accreditation by or membership in the Southern Association of Colleges and Schools, the department of education, or the Florida Council of Independent Schools. Nonprofit libraries, art galleries and museums open to the public are defined as educational institutions and eligible for exemption.

- (3) *Charitable institution* means only nonprofit corporations operating physical facilities in this state at which are providing charitable services, a reasonable percentage of which are without cost to those unable to pay.

Classification means the method by which an occupation, business or group of businesses are identified by size, type or both.

Health Care Providers means, without limitation, those providers of health care, who provide health care services, items, or good to individuals, patients, beneficiaries or recipients and receive reimbursement, in whole or in part from an individual, patient, beneficiary or a federal or state funded health care program, including the Florida Medicaid Program or other third-party payer such as health insurance companied or home maintenance organizations.

Local business tax means the fees charged and the method by which the city grants the privilege of engaging in or managing any business, profession, or occupation within its' jurisdiction. It does not mean any fees or licenses paid to any board, commission, or officer for permits, registration, examination or inspection. Unless otherwise provided by law these are deemed to be regulatory and in addition to, but not in lieu of any local business tax imposed under the provisions of this code.

Merchandise means any goods, wares, commodities, and items bought or sold in the usual course of business or trade.

Merchant means any person engaged in the business of selling merchandise at retail or wholesale.

Person means any individual, firm, partnership, joint venture, syndicate, or other group or combination action as a unit, association, corporation, estate, trust, business trust, trustee, executor, administrator, receiver or other fiduciary and includes the plural as well as the singular.

Receipt means the document that is issued by the city which bears the words "Local Business Tax Receipt" and evidences that the person in whose name the document is issued has complied with the provision of this chapter relating to the business tax. The receipt does not regulate a business and does not guarantee the quality of the work of a business' goods or services.

Sale means the transfer of ownership, title, or possession, transfer, exchange, or barter whether conditional or otherwise for consideration.

Taxpayer means any person liable for taxes imposed under the provisions of this article, any agent required to file and pay taxes imposed hereunder and their heirs, successors, assignees and transferee of any such person or agent.

Virtual Office means a combination of off-site live communication and address services that allow users to reduce traditional office costs while maintaining business professionalism.

Section 5-2 Receipt of Certificate of Use. All businesses and/or professionals shall need a business tax receipt and/or a certificate of use from the City prior to the operation within the limits of the City boundaries. If any business shall require approval, permit, certification and/or licensing from federal, state, county, and/or any other relevant agency, such documentation shall be provided to the City along with their initial application at the time of submittal. The fee for Certificate of Occupancy of Use shall be calculated in the same manner as a Certificate of Occupancy for commercial uses pursuant to the current Building Department Fee Schedule.

Section 5-3 Application of Other Laws. A business tax receipt issued under this article does not waive or supersede other city or county ordinances or state or federal regulation or laws; does not constitute city approval of any particular business activity or manner of conducting business activity; and does not excuse the taxes from all other city, county, state and federal regulations, ordinances and laws applicable to any business. All licenses and application materials prepared under this article shall so state. Neither the payment of a business tax nor the procurement of a tax receipt under this article shall authorize or legalize in any manner a violation of the city, county, state or federal ordinance, regulation or law.

Section 5-4 Business Tax Receipt Duration and Expiration Date. Each Business tax receipt shall be valid for no more than one year. Tax receipts shall be issued beginning on October 1, of each year and shall expire on September 30 of the following year.

Section 5-5 Transfer of Business Tax Receipt after Relocation. A business tax receipt may be transferred to another location within the city if the taxed business is relocated when the following conditions are met:

- (a) A certificate of use must be obtained if required for the new location prior to opening for business.
- (b) All other business tax requirements of this article have been met.
- (c) A fifteen dollar (\$15.00) transfer fee is paid and a tax receipt is obtained for the new location prior to opening for business.

Section 5-6 Pro-rata Payment, refund; existing tax receipt. All tax receipts shall be payable on or before October 1 of each year, and expire on September 30 of the succeeding year. If October 30 falls on a weekend or a holiday, the tax is due and payable on or before the first working day, following October 30. The full tax shall be due for businesses which obtain a tax receipt prior to April 1, of the tax year. For businesses which obtain a tax receipt after April 1, of the tax year, a partial payment of one half the annual tax shall be due.

Section 5-7 Business Tax limited by business Tax Receipt and Certificate of Use. No business that has a business tax receipt to do a particular type of business shall engage in any other business subject to a business tax under this article unless a separate tax receipt is acquired for that

purpose. Violation of this section shall be subject to all administrative, civil and criminal penalties authorized under this chapter.

Section 5-8 Posting of Business Tax Receipt and Certificate of Use. Any person conducting a business for which a tax receipt is required by this article shall post the tax receipt and/or certificate of use in a conspicuous place in or about the place of business where it may be seen upon inspection by any official of the city. Failure to do so may result in a fine as if the business had never procured such tax receipt.

Section 5-9 Personal Responsibility and Liability of Officers and Agents.

- (a) The city shall endeavor to notify all business tax receipt holder that their business tax receipts are due for renewal. However, if a business does not receive a renewal notification, the business is responsible to renew the business tax prior to October 1 to avoid delinquent charges.
- (b) If any business fails to obtain a business tax receipt required by this article, all officers of a corporation engaged in business in the city, the manager and/or sales agent of the business shall each, jointly and severally, be responsible for the failure to obtain the business tax receipt on behalf of the business. It shall be the duty of all officers, the manager, and/or sales agent of any business engaged in business in the city to see that such business complies with the provisions of this article, and they shall each personally be subject to the penalties imposed by this article for failure of a business to comply with the requirements of this article. All corporate officers, the manager, and/or sales agent applying for a business tax receipt on behalf of a business shall be given notice that they are personally liable for the business' compliance with this article.

Section 5-10 Application Procedures

- A. Procedures for issuance. No license shall be issued or granted to any person to engage in any business named, identified or encompassed by this article unless an application is filed with the City Manager or his designee on forms provided for that purpose, disclosing under oath the following:
 - (1) The applicant's name and address.
 - (2) The name of the business for which a business tax receipt is sought.
 - (3) The name and address of the owner and operator of the business, and if a corporation, the names and address of each of its corporate officers and its resident or registered agent. If the applicant is a corporation or partnership, the full name of the corporation or partnership and the state of incorporation.
 - (4) The type or classification of the business and the relationship of the applicant to the business.
 - (5) The location in the city where the business will be operated.
 - (6) The date of birth and driver's license number of the owner/operator and any applicable federal employer identification numbers.
 - (7) When necessary for determining the proper business tax under this article, the area, number of seats, machines, units and/or number of persons or things

employer or engaged or such other information as may be required by this article for purposes of determining the proper business tax.

(8) If the business is a corporation and is to be conducted under another name, the business name and county of registration under Florida Statutes §865.09.

- B. Name and Signature. The applicant shall print and sign their name to the application. In the case of a corporation, an officer shall be required to sign the application.
- C. Obtaining a Certificate of Use Prior to Issuance of Business Tax Receipt. Any business required to obtain a certificate of use must do so at the same time of obtaining a business tax receipt under this article.
- D. Fire Inspection Permit and other Palm Beach County Requirement. All business, except home offices and virtual office tenants, must submit a fire inspection/permit report and otherwise comply with all other applicable requirements of Palm Beach County prior to the issuance of the original business tax receipt. A business tax receipt will not be issued until the fire report form is properly completed and submitted. Failure to do so in a timely manner will result in enforcement procedures and penalties as provided in this article.
- E. State Tax Receipt. All business and professions regulated by the state must submit a copy of their current state business tax receipt prior to the issuance of their original city business tax receipts and thereafter, each year at the time of renewal. Only the state tax receipt itself shall constitute proof of current state tax receipt.
- F. Alcoholic Beverage Establishments. All establishments that serve alcoholic beverages and all promoters shall submit a valid State license issued the the Department of Business and Professional Regulations, Division of Alcoholic Beverages and Tobacco.

Section 5-11 Grounds for Suspension, Revocation and Denial.

The city manager or his designee is authorized to revoke or temporarily suspend the local business tax of any person or entity where it is determined by the city manager or his/her designee that:

- (1) The business owner has misrepresented or failed to disclose material information required by this article to be included in the business tax application form.
- (2) The business owner, as part of the owner's business activity within the city, is engaged in conduct that is contrary to the public health, welfare or safety of the city.
- (3) The business owner is conducting business from premises that do not possess a valid and current certificate of occupancy and/or certificate of use as may be required by the city, county and state laws.
- (4) Habitual conduct has occurred at the business owner's premises that violates the city, county or state law.
- (5) The tax receipt issued by the city dependent upon the business owner's compliance with specific provisions of federal, state, city or county law and the business owner has violated such specific provisions of law.
- (6) The business owner has violated any provision of this article and has failed or refused to cease or correct the violation after notification thereof.

- (7) The business owner, as part of the licensee's business activity within the city, knowingly lets, leases or gives space for unlawful gambling purposes at the business owner's premises.
- (8) The business owner, within the preceding five years in this state or any other state or in the United States, has been adjudicated guilty of or forfeited a bond when charged with solicitation for prostitution, pandering, letting premises for prostitution, keeping disorderly place, or illegally dealing in narcotics.
- (9) The premises have been condemned by the local health authority for failure to meet sanitation standards or the premises have been condemned by the local authority because the premises are unsafe or unfit for human occupancy.
- (10) The business owner's premises have been found to constitute a public nuisance by the building official or the code compliance special magistrate.
- (11) The business owner has failed to satisfy any fines or administrative fees imposed by the special magistrate.
- (12) The business owner has failed to correct building violations for which a notice of violation has been issued by the building official or code compliance division during the previous licensing period.
- (13) The business owner has failed to pay outstanding city bills as evidenced by an Invoice delivered by the City Manager.
- (14) The suspension or revocation shall be the business tax receipt in effect at the date of such suspension or revocation; even though it may have been issued to a business owner other than the person who held the tax receipt at the time the cause for such suspension or revocation arose.
- (15) No business tax receipt shall be suspended under this section for a period of more than twelve (12) months. No new business tax receipts shall be issued during the period of suspension/revocation to the business owner, or to any other firm in which the business owner or any of its general partners, limited partners, officers or stockholders owning 20 percent or more of its stock or agents, employees or other persons who were actively involved in the business under suspension/revocation. At the end of such period of suspension or revocation, the business owner and/or agent, general or limited partners, officers or stockholders may apply for a new business tax receipt.
- (16) A suspension not exceeding six months shall be imposed in cases where the business owner's violation is shown to be inadvertent and can be promptly corrected by the business owner; a revocation of the business tax receipt shall be imposed in all other cases. The City Manager shall have the authority to adopt written administrative rules to enforce the provisions of this article, which rules shall have the full force and effect of city law, provide the rules are approved by the city attorney and ratified by the city council.

Section 5-12 Penalty for Late Payment and Evidence of Engaging in Business

- (a) Any person engaged in any business without obtaining a valid business tax receipt under this article shall be subject to a penalty of twice the applicable business tax in addition to any other penalty provided by this article or any other law.

- (b) Any person failing to timely apply for the annual renewal of a business tax under this article may be issued a tax receipt only upon payment of a delinquency penalty of ten percent for the month of October or portion thereof and an additional five percent for each month of delinquency thereafter or portion thereof until paid. Payments must be received by the city prior to the first day of each penalty month to avoid additional penalties; however, the total delinquency penalty shall not exceed twenty-five (25%) of the business tax amount. Pursuant to Florida Statutes §205.053 the city will assess an additional penalty of one hundred (\$100.00) if the business tax remains unpaid for 150 days after the initial notice of tax due. For each month after the 150, an additional twenty-five (\$25.00) dollars per month shall be assessed up to a maximum of two-hundred fifty (\$250.00) dollars.
- (c) Renewed business tax receipts will not be issued until all delinquent payments for any business tax/fee imposed under this article, or code enforcement lien; special assessment lien and/or other debt or obligation due to the city under state or local law has been paid in full. Any debt or obligation shall not be deemed due if any appeal has been timely filed and has not been disposed of prior to issuance of a business tax receipt.
- (d) The fact that a person represents himself as being engaged in any business for which a business tax receipt is required for the transaction of business or the practice of a profession shall be evidence of the liability of such person to pay for a business tax receipt. Soliciting business, displaying a sign or advertising which indicates the conducting of a business or profession shall be sufficient evidence that such person is conducting a business and required to obtain a business tax receipt. Such person does not have to actually transact any business or practice a profession to be liable. Any person with a commercial listing in the telephone directory or city directory shall be presumed to operate a business or profession subject to acquiring a business tax receipt.
- (e) The fact that the person or business is open for business shall be prima facie evidence of engaging in such trade business, profession or occupation and the burden shall be upon the defendant to refute the same.

Section 5-13 Notice of Violation, Emergency Action

If the City Manager or his/her designee believes that a business owner has engaged or is engaged in conduct warranting the suspension or revocation of a business tax receipt, the City Manager shall serve the business owner by certified mail or hand delivery, at the business address as disclosed in the application for business tax, a written administrative complaint which affords reasonable notice to the business owner of facts or conduct that warrants the intended action. The complaint shall state what is required to be done to eliminate the violation, if anything. The business

owner shall be given adequate opportunity to request a prior hearing unless the City Manager finds that an emergency condition exists involving serious danger to public health, safety or welfare, in which case advance notice and hearing shall not be required. In the case of an emergency suspension or revocation, the business owner shall immediately be advised of the City Manager's action and afforded a prompt post-suspension or revocation hearing before the City Manager or his/her designee.

Section 5-14 Hearing when Business Owner Fails to Comply with Notice

If a business owner fails to comply with any notice issued as provided in this article, the City Manager or his/her designee may issue an order in writing to the business owner, by certified mail or hand delivery, notifying the owner to appear at an administrative hearing before the City Manager or his/her designee to be held at a time to be fixed in such order, which date shall be not less than five (5) days after service thereof. A hearing may also be requested by the business owner aggrieved by the decision of the building official or code compliance officer regarding denial of a local business tax, determination of fees/penalties due and/or warning of potential suspension/revocation for violation of a provision of this article. The request must be in writing and filed with the building official or the director of the code compliance department within ten days of receipt of the decision of the building official or the code compliance officer. The request must specify the decision complained of and the nature of the business owner's grievance.

Section 5-15 Hearing Procedures, Enforcement of Orders

- (a) The City Manager shall give written notice of the time and place of the hearing to the business owner by certified mail or hand delivery.
- (b) The proceedings shall be held with the City Manager according to procedures as established by the city manager.
- (c) The proceedings shall be recorded and minutes kept by the City's clerk. Any business owner requiring verbatim minutes of the hearing may arrange for the services of a court reporter at the business owner's expense.
- (d) Within twenty (20) days of the close of the hearing, the City Manager shall render a decision in writing determining whether or not the tax receipt shall be revoked or suspended or denied, or any other action taken or continued, as the case may be, and stating his reasons and findings of fact.
- (e) The city clerk shall file the order in the clerk's records and shall send a true and correct copy of the order via certified mail, return receipt requested, or by hand delivery, to the business address listed on the local business tax or to any such other address as the business owner shall designate in writing.

Section 5-16 Schedule of Taxes, Effective October 1, 2016. Effective October 1, 2016, business taxes for the following businesses, occupations or professions are hereby levied and imposed as referenced on the attached and incorporated Exhibit "A".

Section 3. Severability: Should the provisions of this ordinance be declared to be severable and if any section, sentence, clause or phrase of this ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining

sections, sentences, clauses, and phrases of this ordinance but they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

Section 4. Effective Date: This ordinance shall be effective and apply to businesses within the City limits as of October 1, 2016, and thereafter.

PASSED AND APPROVED by the City Council for the City of Westlake, on first reading on this _____ day of November 2016.

PASSED AND APPROVED by the City Council for the City of Westlake, on second reading on this _____ day of December 2016.

City of Westlake
Roger Manning, Mayor

Sandra DeMarco, City Clerk

City of Westlake
Pam E. Booker, City Attorney

**BUSINESS TAX RECEIPT FEES
Exhibit "A"**

CATEGORIES	FEES
CONTRACTORS	\$200.00
General Contractors, Residential, Non-residential Sub-Contractors	
HVAC, Home Inspection Services, Plumbing, Heating, Electrical	\$150.00
Building Construction Material	\$125.00
Masonry, Stonework, Plastering	\$100.00
Painting	\$100.00
Roofing, Siding & Sheet Metal Work	\$100.00
Water Well Drilling	\$100.00
ENTERTAINMENT SERVICES	
Amusement Facility/Arcades	\$100.00
Athletic Clubs/Gyms	\$150.00
Billiard Facility/Bowling Centers	\$200.00
Dance Schools/Karate/Gymnastics	\$100.00
Golf Courses	\$350.00
Mini Golf/Tennis Courts	\$150.00
Motion Pictures/Theaters	(up to 200 seats) \$350.00
	(201 – 400 seats) \$400.00
	(over 400 seats) \$500.00
Night Clubs/Lounge/Bars	\$400.00
Other Sports & Recreational Facilities	\$200.00

FINANCIAL SERVICES

Bail Bondsman	\$200.00
Banks/Credit Union/Savings & Loans	\$450.00
Brokerage House	\$450.00
Check Cashing Services	\$150.00
Collection Agencies	\$150.00
Investment Consultants	\$450.00
Mortgage Companies	\$450.00
Security Brokers & Commodity Services	\$450.00

FOOD SERVICES

Bakery/Sugar & Confectionary Products	\$100.00
Beverages & Bottling Products	\$100.00
Butcher Shop	\$100.00
Caterers (fixed or mobile)	\$100.00
Ice Cream Parlor/Food Truck/Soda Fountain	\$100.00
Meat/Dairy Products (up to 10 employees)	\$100.00
(over 10 employees)	\$200.00
Restaurant/Snack Bar (take out only)	\$100.00
Restaurant (dine-in) Seating (1-25)	\$100.00
Restaurant (dine-in) Seating (26-50)	\$250.00
Restaurant (dine-in) Seating (51-100)	\$400.00
Restaurant (dine-in) Seating (over 100)	\$500.00

GENERAL BUSINESS

Adult Congregate Living Facility	\$100.00
Advertising Agency	\$100.00
Agricultural Nursery Products	\$100.00

Alcohol Sales	\$250.00
Auto/Boat Dealership	\$400.00
Automotive Wash/Detailing	\$100.00
Automotive Repair/Body Shop	\$200.00
Automobile Sales	\$400.00
Automobile Service Stations/Fuel Services	\$225.00
Bicycle Shop	\$100.00
Detective Agency	\$100.00
Employment Agencies	\$100.00
Home Daycare	\$100.00
Hotels/Resort/Rental Complex	\$250.00
Storage Warehouse	\$200.00
Transportation & Towing Services	\$100.00

HEALTH SERVICES

Convalescent or Nursing Home	\$500.00
Dental/Medical Laboratories	\$100.00
Hospitals	\$450.00
Nursing & Personal Care Facilities	\$100.00
Offices/Clinics for Medical Physicians	\$100.00
Osteopathic Physicians	\$100.00

INSTITUTIONAL SERVICES

Colleges & Universities	\$100.00
Elementary & Secondary Schools	\$100.00
Schools & Educational Services	\$100.00
Vocational Schools	\$100.00

MANUFACTURING

Blueprinting Services (maps/platting, etc.)	\$100.00
Cabinet Shop/Machine Shop	\$100.00
Concrete Ready Mix/Asphalt	\$100.00
Electronic & Other Electric Equipment/Products	\$100.00
Furniture & Household Products	\$100.00
Manufacturing (1-5 employees)	\$100.00
(6-15 employees)	\$150.00
(over 16 employees)	\$225.00
Newspaper Publishing	\$100.00
Print Shop/Publishing	\$100.00
Textile Products & Apparel	\$100.00

PERSONAL SERVICES

Barber Shop/Beauty Salon/Nail Salon	\$100.00
Child Care Facilities/Private Schools/Daycare/ Nursery/Kindergarten	\$125.00
Dog & Pet Grooming/Pet Shop/Kennel	\$100.00
Dry Cleaning Services/Laundry/Laundromat	\$150.00
Florist (including delivery)	\$100.00
Funeral Home Providers/Crematory/Undertaker	\$150.00

Laboratory Services	\$150.00
Locksmith Services	\$100.00
Landscape/Lawn Services/Plant/Nursery	\$100.00
Massage Services	\$100.00
Pest Control Services	\$100.00
Photo Services/Photographer	\$100.00
Pressure Cleaning/Painting	\$100.00
Repair Service Facilities (electronics, appliances, etc.)	\$100.00
Swimming Pool Services	\$100.00
Tattoo Artist	\$100.00
Tax Return Services	\$100.00
Upholsterer	\$100.00

PROFESSIONAL SERVICES

Architects, Attorney, Certified Public Account, Dentist/Physician Embalmers, Engineer, Insurance Company/Agency, Psychologist Medical Related Services, Real Estate Agency/Brokers, Veterinarians (for one professional)	\$100.00
Each Additional Professional	\$100.00

RETAIL/WHOLESALE MERCHANTS

Small Retail/Wholesale is a Business having a square footage of 2100 square feet or less and less than \$10,000.00 of inventory. The business tax receipt fee is \$100.00

Large Retail/Wholesale is a Business having a square footage of more than 2100 square feet. The business tax receipt fee is \$100.00 for up to \$10,000.00 of inventory. Each additional \$1,000.00 of inventory or fraction thereof, shall be \$6.00.

- Auctioneer/Auction Houses
- Automobile Dealers (New & Used)
- Automobile Supply Stores
- Dairy Product Stores
- Department Stores
- Drug Stores
- Furniture & Home Furnishing
- General Merchandise Store
- Grocery Stores/Fruit & Vegetable Markets
- Household Appliance Store
- Liquor Stores
- Luggage & Leather Goods Store
- Lumber & Other Building Materials
- Meat & Fish Markets
- Men, Women and/or Children Clothing Stores
- Optical Goods Store
- Shoe Stores
- Sporting Good Stores
- Tobacco Stores

UTILITY SERVICES

Communications/Telephone/Cable/Internet Systems	\$450.00
Electric Power Companies	\$450.00
Gas Companies/Sanitary Services	\$450.00

EXEMPTIONS UNDER FLORIDA STATUTES CHAPTER 205

The exemptions listed below shall be as provided for pursuant to Florida Statutes, Chapter 205 (2016), and as they may be amended for the businesses set forth below.

Broker Associated & Sales Associates

Charitable Organizations

Disabled Persons, the Aged & Widows with Minor Dependents

Employees of a Business or Profession

Farm, Aqua-cultural, Grove, Horticultural, Floricultural Farming

Mobile Home Setup Operations

Non-Resident Persons Regulated by the Department of Business & Professional Regulations

Religious Organizations/Institutions

Veterans Partial Exemption

RULES FOR APPLICATION

Business Tax Decal \$5.00

Delinquent Fee(s) -5% penalty for each month subsequent the month of October until the delinquency is paid. The delinquency fee shall not exceed 50% of the annual business tax fee.

New Tenant Inspection Fee (fire & building inspection) \$75.00

Penalty Fee –will be assessed in the amount of 25% of the annual business tax fee, for doing business without a license.

Transfer fee – will be assessed in the amount of \$15.00 for transferring the business tax to another location within the City’s limits.



City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, Florida 33470
Phone: 561-530-5880
Fax: 561-790-1742

BUSINESS TAX RECEIPT APPLICATION

My Business Information

New Application _____ Address Change _____ Ownership Transfer _____ Change of DBA BTR# _____

Company Name: _____

DBA (if applicable/must match signage): _____

Business Address: _____

Westlake, Florida _____ (zip code) Is this a virtual or residential office? Yes _____ No _____

FEIN: _____ (Federal Employee Identification Number)

Contact Name: _____

Email: _____

Phone No.: _____ Fax No.: _____

Mailing Address (if different than business address): _____

City: _____ State: _____ Zip Code: _____

Description of Services Offered: _____

My Business Documents:

All applicants shall provide a current copy of required documents (please attach):

Certificate of Use issued by the City of Westlake's Building Department: Phone No.: _____

Or, if a Sub-tenant: A copy of the Owner/Tenant's Certificate of Use

A Letter acknowledging the sub-tenant's use of Owner/Tenant's Certificate of Use

Affidavit for Virtual Office Tenancy

Business Name Registration with the State of Florida (Fictitious Name Registration if applicable)

All Applicable Regulatory Licenses

In Addition to the above, the following applicants are required to attach copies of:

- *Licensed Professionals* – Current license from the applicable regulatory agency, i.e. Department of Business & Professional Regulation; Department of Agriculture and Consumer Services; Department of Financial Services; Financial Industry Regulatory Authority; Department of Health; Nationwide Mortgage Licensing System & Registry, etc.
- *Attorneys & Law Firms* – The Florida Bar Membership Card
- *Contractors & Inspectors* – Proof of insurance and regulatory license
- *Mobile Food Vendors* – Written approval for the operation of such a business from the Palm Beach County Health Department.
- *Pest Control Business* – Proof of insurance and a copy of the current State of Florida permit.
- *Pharmacies* – Proof of Board of Pharmacy license.
- *Private Detectives and Criminal Investigators* – Proof of State of Florida Class B or Class D license, for both business name and individual.

My Business Category & Tax:

Category	Tax	
	Fiscal Year	Partial Year

(1) Applicants that apply after the beginning of the fiscal year (October 1) but before April 1 of that fiscal year shall pay the full tax for one year.

(2) Applicants that apply on or after April 1 of the fiscal year but before September 30 of that fiscal year shall pay one-half the full tax for one year.

My Certification

I hereby certify that all information given herein is true and accurate. I understand that providing false or misleading information on this application may subject me to criminal prosecution. I further understand that if there are any subsequent changes in the status of my business as stated above, that I will notify the City of Westlake of such changes. I understand that the Business Tax Receipt expired on September 30 and must be renewed each year.

Applicant's Signature: _____ **Date:** _____

Print Name: _____ **Title:** _____

Payment & Mailing Information

New Applications are to be hand delivered or mailed with the required documentation and payment to :

City of Westlake
4001 Seminole Pratt Whitney Road
Westlake, FL 33470
(561) 954-424-2520

Changes to current business tax file can be submitted via email to James Jackson, at jjackson@usanova.com.



City of Westlake
 4001 Seminole Pratt Whitney Road
 Westlake, Florida 33470
 Phone: 561-530-5880
 Fax: 561-790-1742

CERTIFICATE OF USE APPLICATION

1. **Application:** A Certificate of Use application is to be submitted to the City of Westlake, Building Department, 4001 Seminole Pratt Whitney Road, Westlake, Florida 33470. The application must be completely filled out and notarized.

2. **Submission:** An original application, along with payment by check, payable to the City of Westlake, credit card in one of the following amounts:

• Commercial Address/Business	\$250.00
• Home Occupation	\$75.00
• Change of Owner/Business Name	\$40.00
• Reissue Certificate Fee	\$15.00

3. **Inspections:** An application number will be assigned and all required inspections will be coordinated by the Certificate of Use coordinator. Inspections by Mechanical, Electrical, Plumbing, Structural Inspectors as well as the Fire Marshal will be scheduled on the same day, whenever possible. Access to the interior of the space must be provided. Inability to access the site will result in a failed inspection and a re-inspection fee. If you must cancel an inspection you will need to call 954-424-2520 at least three (3) working days in advance of the appointment to reschedule. These inspections determine if your space meets Florida Building Code and Palm Beach County's (until the City of Westlake adopts its' own codes) code for the use intended. Inspections are performed Monday through Friday between 8:00 a.m. and 4:00 p.m. There are no specified or assigned times for inspections.

4. **Re-inspections:** If an inspection does not pass, you will be provided with the reason(s) and the corrective action(s). Each subsequent inspection as a result of a failed or missed inspection will result in a re-inspection fee. All re-inspection fees must be paid before the inspector is scheduled. There are no refunds.

5. **Re-inspection fees per the City of Westlake Schedule of Fees**

The first re-inspection for Mechanical, Structural, Electrical, and Plumbing shall be an additional fifty (\$50.00) fee, the second re-inspection fee shall be an additional (\$100.00) fee; all subsequent re-inspection fees shall be (\$300.00).

The Fire Marshal inspection fees shall be consistent with the Palm Beach County local amendments to the Fire Prevention code, as may be amended.

- 6. **Application Approval:** After your inspections have been approved, a Certificate of Use will be issued and available for pick-up at the City of Westlake. There is approximately a five (5) business day wait to pick up the Certificate of Use after the inspection is approved. **It is the applicant’s responsibility to call the City of Westlake Building Department, James Jackson, at 954-424-2520, to confirm the Certificate is available.**

7. My Business Information

New Application _____ Address Change _____ Ownership Transfer _____ Change of DBA BTR# _____

Company Name: _____

DBA (if applicable/must match signage): _____

Business Address: _____

Westlake, Florida _____ (zip code) Is this a virtual or residential office? Yes _____ No _____

FEIN: _____ (Federal Employee Identification Number)

Contact Name: _____

Email: _____

Phone No.: _____ Fax No.: _____

Mailing Address (if different than business address): _____

City: _____ State: _____ Zip Code: _____

Description of Services Offered: _____

Payment & Mailing Information

New Applications are to be hand delivered or mailed with the required documentation and payment to :


City of Westlake
 4001 Seminole Pratt Whitney Road
 Westlake, FL 33470
 (561) 530-5880

Changes to current business tax file can be submitted via email to James Jackson, at jjackson@usanova.com.

Ninth Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: November 8, 2016

Subject: Resolution for Final Plat Minto Westlake Phase 1A TTD

Please find a resolution for approval of the Final Plat for Minto Westlake Phase 1A TTD, (Traditional Town Development). This plat is for approximately one-hundred fifty-four (154) acres of land abutting Seminole Pratt Whitney and south of the M-Canal. The purpose of this first plat is commence the initial phase of development of the roads and water management systems for the first phase of development. Town Center Parkway will be constructed as a part of this plat. The road right-of-way is being dedicated to the Seminole Improvement District for maintenance responsibility.

There are no dedications on the plat to the City of Westlake. The dedications on the plat for water management tracts, rural parkway easements and sidewalk easements are being dedicated to the Seminole Improvement District as the party responsible for the maintenance of these facilities for the City of Westlake. The plat has been reviewed by the City Engineer, the City Planner, and a Surveyor/Mapper for the City of Westlake to ensure compliance with the Palm Beach County Unified Land Development regulations and the Florida Statutes. We would recommend approval of the resolution, approving the final plat for Phase 1A, TTD. Should you have any questions, or need any additional information, please do not hesitate to call.

November 14, 2016

RESOLUTION 2016-13

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT OF MINTO WESTLAKE, PHASE 1A TRADITIONAL TOWN DEVELOPMENT (TTD), LOCATED BY METES AND BOUNDS BEING DESCRIBED AS A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, AND SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBLH, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for Minto Westlake, Phase 1A TTD, Final Plat, described by metes and bounds description as a parcel of land lying in Section 1, Township 43 South, Range 40 East, and Section 6, Township 43 South, Range 41 East, in the City of Westlake, Palm Beach County, Florida, as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the building staff, engineering staff and planning staff for the City of Westlake has reviewed the application and the final plat, and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the Palm Beach County Unified Land Development Codes and Florida law.

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

- Section 1:** The above recitals are true and correct and are incorporated herein by this reference.
- Section 2:** The City Council for the City of Westlake hereby approves the final plat for Phase 1A TTD, as described in the attached Exhibit "A", which is located in the City of Westlake, and in Palm Beach County, Florida.
- Section 3.** The applicant shall provide a certified copy of the recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day of November, 2016.

City of Westlake
Roger Manning, Mayor

Sandra Demarco, City Clerk

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

EXHIBIT A

DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, AND SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, PALM BEACH COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, THENCE S.88°36'57"W. ALONG THE NORTH RIGHT-OF-WAY LINE OF THE M-CANAL PER DEED BOOK 1156, PAGE 58, PUBLIC RECORDS OF PALM BEACH COUNTY FLORIDA, A DISTANCE OF 3775.81 FEET; THENCE S.01°42'52"W. ALONG THE EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD PER OFFICIAL RECORDS BOOK 1544, PAGE 378, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, A DISTANCE OF 1618.22 FEET TO THE NORTHERLY CORNER OF THE ADDITIONAL RIGHT OF WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS; THENCE CONTINUE ALONG THE EAST LINE OF SAID ADDITIONAL RIGHT OF WAY FOR THE FOLLOWING TWO (2) COURSES: 1) S.44°08'34"E., A DISTANCE OF 55.72 FEET; 2) THENCE N.90°00'00"E., A DISTANCE OF 6.68 FEET TO THE TO THE **POINT OF BEGINNING**; THENCE CONTINUE N.90°00'00"E., A DISTANCE OF 26.84 FEET; THENCE S.82°02'23"E., A DISTANCE OF 16.61 FEET; THENCE N.01°42'52"E., A DISTANCE OF 10.06 FEET; THENCE S.82°02'23"E., A DISTANCE OF 39.78 FEET; THENCE N.90°00'00"E., A DISTANCE OF 169.13 FEET; THENCE S.77°35'33"E., A DISTANCE OF 11.64 FEET; THENCE N.90°00'00"E., A DISTANCE OF 425.49 FEET; THENCE N.45°00'00"E., A DISTANCE OF 21.21 FEET; THENCE N.00°00'00"E., A DISTANCE OF 15.00 FEET; THENCE N.90°00'00"E., A DISTANCE OF 66.00 FEET; THENCE S.00°00'00"E., A DISTANCE OF 15.00 FEET; THENCE S.45°00'00"E., A DISTANCE OF 21.21 FEET; THENCE N.90°00'00"E., A DISTANCE OF 630.36 FEET; THENCE EASTERLY, 610.89 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1060.00 FEET AND A CENTRAL ANGLE OF 33°01'13" TO A POINT OF NON-TANGENCY; THENCE S.72°05'37"E., A DISTANCE OF 19.89 FEET; THENCE N.73°19'41"E., A DISTANCE OF 23.55 FEET; THENCE NORTHEASTERLY, 6.33 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1031.00 FEET AND A CENTRAL ANGLE OF 00°21'07" (THROUGH WHICH A RADIAL LINE BEARS S.50°33'24"E.) TO A POINT OF NON-TANGENCY; THENCE S.53°29'55"E., A DISTANCE OF 62.11 FEET; THENCE SOUTHWESTERLY, 6.29 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 969.00 FEET AND A CENTRAL ANGLE OF 00°22'19" (THROUGH WHICH A RADIAL LINE BEARS S.49°59'37"E.) TO A POINT OF NON-TANGENCY; THENCE S.02°04'52"W., A DISTANCE OF 23.17 FEET; THENCE S.34°20'29"E., A DISTANCE OF 18.03 FEET; THENCE SOUTHEASTERLY, 118.30 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1060.00 FEET AND A CENTRAL ANGLE OF 06°23'40" (THROUGH WHICH A RADIAL LINE BEARS S.39°47'25"W.) TO

A POINT OF NON-TANGENCY; THENCE N.88°38'37"E., A DISTANCE OF 65.89 FEET; THENCE N.48°28'56"E., A DISTANCE OF 104.79 FEET; THENCE NORTHEASTERLY, 678.51 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1100.00 FEET AND A CENTRAL ANGLE OF 35°20'30" TO A POINT OF TANGENCY; THENCE N.83°49'26"E., A DISTANCE OF 370.09 FEET; THENCE NORTHEASTERLY, 395.01 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 270.00 FEET AND A CENTRAL ANGLE OF 83°49'26" TO A POINT OF TANGENCY; THENCE N.00°00'00"E., A DISTANCE OF 460.58 FEET; THENCE NORTHWESTERLY, 406.56 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 255.00 FEET AND A CENTRAL ANGLE OF 91°21'03" TO A POINT OF TANGENCY; THENCE S.88°38'57"W., A DISTANCE OF 2555.82 FEET; THENCE WESTERLY, 234.24 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 635.00 FEET AND A CENTRAL ANGLE OF 21°08'07" TO A POINT OF TANGENCY; THENCE S.67°30'51"W., A DISTANCE OF 330.37 FEET; THENCE NORTHWESTERLY, 181.00 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 89.96 FEET AND A CENTRAL ANGLE OF 115°16'35" (THROUGH WHICH A RADIAL LINE BEARS N.22°31'34"W.) TO A POINT OF NON-TANGENCY; THENCE N.02°42'36"E., A DISTANCE OF 118.05 FEET; THENCE NORTHEASTERLY, 137.11 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 90.00 FEET AND A CENTRAL ANGLE OF 87°17'24" TO A POINT OF TANGENCY; THENCE N.90°00'00"E., A DISTANCE OF 73.35 FEET; THENCE EASTERLY, 83.59 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 110.05 FEET AND A CENTRAL ANGLE OF 43°31'04" (THROUGH WHICH A RADIAL LINE BEARS N.00°00'18"W.) ; THENCE EASTERLY, 173.22 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 240.00 FEET AND A CENTRAL ANGLE OF 41°21'11" (THROUGH WHICH A RADIAL LINE BEARS S.42°44'14"E.) TO A POINT OF TANGENCY; THENCE N.88°36'57"E., A DISTANCE OF 3311.31 FEET; THENCE S.89°48'53"E., A DISTANCE OF 3498.97 FEET; THENCE SOUTHEASTERLY, 268.05 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 136.00 FEET AND A CENTRAL ANGLE OF 112°55'31"; THENCE SOUTHERLY, 270.59 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 672.65 FEET AND A CENTRAL ANGLE OF 23°02'55" TO A POINT OF TANGENCY; THENCE S.00°03'43"W., A DISTANCE OF 418.79 FEET; THENCE SOUTHWESTERLY, 91.81 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 94.90 FEET AND A CENTRAL ANGLE OF 55°25'43" (THROUGH WHICH A RADIAL LINE BEARS N.89°31'40"W.); THENCE SOUTHWESTERLY, 132.67 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 487.96 FEET AND A CENTRAL ANGLE OF 15°34'41" (THROUGH WHICH A RADIAL LINE BEARS S.32°35'26"E.); THENCE SOUTHERLY, 98.85 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 69.02 FEET AND A CENTRAL ANGLE OF 82°03'30" (THROUGH WHICH A RADIAL LINE BEARS S.44°11'18"E.) TO A POINT OF NON-TANGENCY; THENCE S.47°26'35"W., A DISTANCE OF 6.62 FEET; THENCE SOUTHWESTERLY, 81.62 FEET ALONG THE

ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 165.00 FEET AND A CENTRAL ANGLE OF $28^{\circ}20'32''$; THENCE NORTHWESTERLY, 171.44 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 178.00 FEET AND A CENTRAL ANGLE OF $55^{\circ}11'05''$ (THROUGH WHICH A RADIAL LINE BEARS $N.34^{\circ}35'02''E.$) TO A POINT OF TANGENCY; THENCE $N.00^{\circ}13'53''W.$, A DISTANCE OF 399.55 FEET; THENCE NORTHWESTERLY, 703.59 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF $89^{\circ}35'01''$ TO A POINT OF TANGENCY; THENCE $N.89^{\circ}48'53''W.$, A DISTANCE OF 501.13 FEET; THENCE WESTERLY, 354.20 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 785.00 FEET AND A CENTRAL ANGLE OF $25^{\circ}51'08''$ TO A POINT OF TANGENCY; THENCE $S.64^{\circ}19'59''W.$, A DISTANCE OF 343.01 FEET; THENCE WESTERLY, 631.52 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 650.00 FEET AND A CENTRAL ANGLE OF $55^{\circ}40'01''$ TO A POINT OF TANGENCY; THENCE $N.60^{\circ}00'00''W.$, A DISTANCE OF 229.24 FEET; THENCE WESTERLY, 717.98 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 400.00 FEET AND A CENTRAL ANGLE OF $102^{\circ}50'34''$ TO A POINT OF TANGENCY; THENCE $S.17^{\circ}09'26''W.$, A DISTANCE OF 418.58 FEET; THENCE SOUTHWESTERLY, 214.24 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 850.00 FEET AND A CENTRAL ANGLE OF $14^{\circ}26'28''$ TO A POINT OF TANGENCY; THENCE $S.31^{\circ}35'54''W.$, A DISTANCE OF 448.05 FEET; THENCE SOUTHEASTERLY, 885.46 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF $144^{\circ}57'07''$ TO A POINT OF TANGENCY; THENCE $N.66^{\circ}38'47''E.$, A DISTANCE OF 541.10 FEET; THENCE EASTERLY, 209.71 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET AND A CENTRAL ANGLE OF $26^{\circ}42'05''$; THENCE SOUTHEASTERLY, 291.30 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 223.00 FEET AND A CENTRAL ANGLE OF $74^{\circ}50'35''$; THENCE SOUTHEASTERLY, 92.51 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 97.06 FEET AND A CENTRAL ANGLE OF $54^{\circ}36'29''$; THENCE SOUTHEASTERLY, 32.50 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 73.00 FEET AND A CENTRAL ANGLE OF $25^{\circ}30'44''$ (THROUGH WHICH A RADIAL LINE BEARS $N.67^{\circ}23'11''E.$); THENCE SOUTHEASTERLY, 30.83 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 40.00 FEET AND A CENTRAL ANGLE OF $44^{\circ}09'23''$; THENCE SOUTHERLY, 23.35 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 212.50 FEET AND A CENTRAL ANGLE OF $06^{\circ}17'40''$ TO A POINT OF TANGENCY; THENCE $S.02^{\circ}19'31''W.$, A DISTANCE OF 43.89 FEET; THENCE $S.87^{\circ}40'29''E.$, A DISTANCE OF 120.00 FEET; THENCE $N.02^{\circ}19'31''E.$, A DISTANCE OF 43.89 FEET; THENCE NORTHERLY, 73.69 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 332.50 FEET AND A CENTRAL ANGLE OF $12^{\circ}41'50''$; THENCE EASTERLY, 84.41 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 864.72 FEET AND A CENTRAL ANGLE OF $05^{\circ}35'36''$ (THROUGH WHICH A RADIAL LINE BEARS $N.00^{\circ}01'47''W.$); THENCE

NORTHEASTERLY, 118.45 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 140.80 FEET AND A CENTRAL ANGLE OF 48°12'00" (THROUGH WHICH A RADIAL LINE BEARS N.19°16'37"W.); THENCE NORTHEASTERLY, 167.64 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 128.00 FEET AND A CENTRAL ANGLE OF 75°02'30" TO A POINT OF TANGENCY; THENCE S.82°26'07"E., A DISTANCE OF 122.87 FEET; THENCE EASTERLY, 206.26 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 475.00 FEET AND A CENTRAL ANGLE OF 24°52'45" TO A POINT OF TANGENCY; THENCE N.72°41'08"E., A DISTANCE OF 114.30 FEET; THENCE EASTERLY, 333.93 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET AND A CENTRAL ANGLE OF 54°39'57" TO A POINT OF TANGENCY; THENCE S.52°38'55"E., A DISTANCE OF 329.22 FEET; THENCE EASTERLY, 639.72 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 325.00 FEET AND A CENTRAL ANGLE OF 112°46'45"; THENCE NORTHERLY, 298.29 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 600.00 FEET AND A CENTRAL ANGLE OF 28°29'04"; THENCE NORTHERLY, 21.25 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 832.00 FEET AND A CENTRAL ANGLE OF 01°27'48"; THENCE NORTHEASTERLY, 250.39 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 160.00 FEET AND A CENTRAL ANGLE OF 89°39'48" (THROUGH WHICH A RADIAL LINE BEARS N.79°51'40"E.); THENCE NORTHEASTERLY, 173.57 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 96.12 FEET AND A CENTRAL ANGLE OF 103°27'50"; THENCE NORTHEASTERLY, 74.71 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 235.00 FEET AND A CENTRAL ANGLE OF 18°12'57" (THROUGH WHICH A RADIAL LINE BEARS N.24°20'28"W.) TO A POINT OF TANGENCY; THENCE N.47°26'35"E., A DISTANCE OF 16.05 FEET; THENCE SOUTHERLY, 362.08 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 466.65 FEET AND A CENTRAL ANGLE OF 44°27'24" (THROUGH WHICH A RADIAL LINE BEARS S.54°18'48"W.); THENCE SOUTHERLY, 145.07 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 8599.98 FEET AND A CENTRAL ANGLE OF 00°57'59"; THENCE SOUTHERLY, 144.89 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 920.44 FEET AND A CENTRAL ANGLE OF 09°01'09" TO A POINT OF TANGENCY; THENCE S.18°45'21"W., A DISTANCE OF 154.83 FEET; THENCE S.13°27'34"W., A DISTANCE OF 122.43 FEET; THENCE S.06°32'27"W., A DISTANCE OF 28.73 FEET; THENCE SOUTHWESTERLY, 63.68 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 47.61 FEET AND A CENTRAL ANGLE OF 76°38'40" (THROUGH WHICH A RADIAL LINE BEARS N.84°28'54"W.); THENCE SOUTHWESTERLY, 229.46 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 132.63 FEET AND A CENTRAL ANGLE OF 99°07'32" (THROUGH WHICH A RADIAL LINE BEARS S.03°43'01"W) TO A POINT OF NON-TANGENCY; THENCE S.85°11'53"W., A DISTANCE OF 54.09 FEET; THENCE NORTHWESTERLY, 221.42 FEET ALONG THE ARC OF A NON-TANGENT

CURVE TO THE LEFT HAVING A RADIUS OF 94.55 FEET AND A CENTRAL ANGLE OF $134^{\circ}10'17''$ (THROUGH WHICH A RADIAL LINE BEARS $N.84^{\circ}28'00''W.$); THENCE WESTERLY, 146.60 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 232.00 FEET AND A CENTRAL ANGLE OF $36^{\circ}12'15''$; THENCE WESTERLY, 1073.36 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 7498.47 FEET AND A CENTRAL ANGLE OF $08^{\circ}12'06''$ TO A POINT OF NON-TANGENCY; THENCE $N.84^{\circ}51'00''W.$, A DISTANCE OF 222.81 FEET; THENCE WESTERLY, 75.04 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 125.00 FEET AND A CENTRAL ANGLE OF $34^{\circ}23'53''$ TO A POINT OF NON-TANGENCY; THENCE $S.05^{\circ}09'00''W.$, A DISTANCE OF 204.26 FEET; THENCE $N.84^{\circ}51'00''W.$, A DISTANCE OF 80.00 FEET; THENCE $S.47^{\circ}08'30''W.$, A DISTANCE OF 72.82 FEET; THENCE $S.05^{\circ}13'25''E.$, A DISTANCE OF 19.69 FEET; THENCE $S.84^{\circ}46'35''W.$, A DISTANCE OF 101.05 FEET; THENCE $N.05^{\circ}13'25''W.$, A DISTANCE OF 19.06 FEET; THENCE $N.50^{\circ}27'57''W.$, A DISTANCE OF 125.16 FEET; THENCE $N.85^{\circ}52'14''W.$, A DISTANCE OF 214.91 FEET; THENCE WESTERLY, 516.11 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 2010.00 FEET AND A CENTRAL ANGLE OF $14^{\circ}42'43''$ TO A POINT OF TANGENCY; THENCE $S.79^{\circ}25'03''W.$, A DISTANCE OF 13.35 FEET; THENCE SOUTHERLY, 1010.62 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 51208.00 FEET AND A CENTRAL ANGLE OF $01^{\circ}07'51''$ (THROUGH WHICH A RADIAL LINE BEARS $S.76^{\circ}51'25''W.$); THENCE SOUTHERLY, 250.91 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 2287.00 FEET AND A CENTRAL ANGLE OF $06^{\circ}17'09''$; THENCE SOUTHWESTERLY, 83.54 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF $95^{\circ}43'35''$ TO A POINT OF TANGENCY; THENCE $N.90^{\circ}00'00''W.$, A DISTANCE OF 67.53 FEET; THENCE NORTHWESTERLY, 73.36 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 50.00 FEET AND A CENTRAL ANGLE OF $84^{\circ}03'56''$; THENCE NORTHERLY, 284.55 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 2085.00 FEET AND A CENTRAL ANGLE OF $07^{\circ}49'10''$ TO A POINT OF TANGENCY; THENCE $N.13^{\circ}45'14''W.$, A DISTANCE OF 392.62 FEET; THENCE NORTHWESTERLY, 147.10 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF $70^{\circ}14'13''$; THENCE NORTHWESTERLY, 82.07 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 70.00 FEET AND A CENTRAL ANGLE OF $67^{\circ}10'35''$ TO A POINT OF TANGENCY; THENCE $N.16^{\circ}48'52''W.$, A DISTANCE OF 398.15 FEET; THENCE $S.79^{\circ}25'03''W.$, A DISTANCE OF 6.75 FEET; THENCE WESTERLY, 1364.54 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2190.00 FEET AND A CENTRAL ANGLE OF $35^{\circ}41'59''$ TO A POINT OF TANGENCY; THENCE $N.64^{\circ}52'58''W.$, A DISTANCE OF 44.76 FEET; THENCE $S.51^{\circ}41'22''W.$, A DISTANCE OF 78.43 FEET; THENCE SOUTHERLY, 49.15 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1060.00 FEET AND A CENTRAL ANGLE OF $02^{\circ}39'24''$ (THROUGH WHICH A RADIAL LINE BEARS $N.79^{\circ}30'03''W.$) TO A POINT OF NON-TANGENCY; THENCE $N.76^{\circ}50'39''W.$, A

DISTANCE OF 120.00 FEET; THENCE NORTHERLY, 66.46 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 940.00 FEET AND A CENTRAL ANGLE OF $04^{\circ}03'04''$ (THROUGH WHICH A RADIAL LINE BEARS $N.76^{\circ}50'39''W.$); THENCE NORTHERLY, 60.00 FEET ALONG THE ARC OF A COMPOUND CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF $57^{\circ}17'52''$; THENCE NORTHERLY, 162.59 FEET ALONG THE ARC OF A REVERSE CURVE TO THE RIGHT HAVING A RADIUS OF 120.00 FEET AND A CENTRAL ANGLE OF $77^{\circ}37'46''$; THENCE NORTHERLY, 56.76 FEET ALONG THE ARC OF A REVERSE CURVE TO THE LEFT HAVING A RADIUS OF 60.00 FEET AND A CENTRAL ANGLE OF $54^{\circ}11'53''$ TO A POINT OF TANGENCY; THENCE $N.24^{\circ}45'42''W.$, A DISTANCE OF 66.74 FEET; THENCE NORTHWESTERLY, 425.99 FEET ALONG THE ARC OF A TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 940.00 FEET AND A CENTRAL ANGLE OF $25^{\circ}57'56''$ TO A POINT OF NON-TANGENCY; THENCE $S.81^{\circ}22'52''W.$, A DISTANCE OF 20.24 FEET; THENCE SOUTHWESTERLY, 12.80 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 969.00 FEET AND A CENTRAL ANGLE OF $00^{\circ}45'24''$ (THROUGH WHICH A RADIAL LINE BEARS $S.57^{\circ}02'19''E.$) TO A POINT OF NON-TANGENCY; THENCE $N.55^{\circ}36'29''W.$, A DISTANCE OF 62.04 FEET; THENCE NORTHEASTERLY, 15.01 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 1031.00 FEET AND A CENTRAL ANGLE OF $00^{\circ}50'03''$ (THROUGH WHICH A RADIAL LINE BEARS $S.57^{\circ}39'49''E.$) TO A POINT OF NON-TANGENCY; THENCE $N.11^{\circ}09'41''W.$, A DISTANCE OF 21.31 FEET; THENCE WESTERLY, 552.13 FEET ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 940.00 FEET AND A CENTRAL ANGLE OF $33^{\circ}39'15''$ (THROUGH WHICH A RADIAL LINE BEARS $S.33^{\circ}39'15''W.$) TO A POINT OF TANGENCY; THENCE $N.90^{\circ}00'00''W.$, A DISTANCE OF 356.62 FEET; THENCE $S.85^{\circ}30'18''W.$, A DISTANCE OF 172.26 FEET; THENCE $N.90^{\circ}00'00''W.$, A DISTANCE OF 73.86 FEET; THENCE $S.75^{\circ}32'06''W.$, A DISTANCE OF 22.69 FEET; THENCE $S.37^{\circ}51'52''W.$, A DISTANCE OF 23.10 FEET; THENCE $S.00^{\circ}00'00''E.$, A DISTANCE OF 6.09 FEET; THENCE $N.90^{\circ}00'00''W.$, A DISTANCE OF 71.00 FEET; THENCE $N.00^{\circ}00'00''E.$, A DISTANCE OF 6.95 FEET; THENCE $N.38^{\circ}29'42''W.$, A DISTANCE OF 29.46 FEET; THENCE $N.90^{\circ}00'00''W.$, A DISTANCE OF 285.38 FEET; THENCE $N.77^{\circ}35'33''W.$, A DISTANCE OF 51.20 FEET; THENCE $S.90^{\circ}00'00''W.$, A DISTANCE OF 215.13 FEET; THENCE $S.10^{\circ}00'00''E.$, A DISTANCE OF 357.85 FEET; THENCE SOUTHERLY, 1019.27 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2920.00 FEET AND A CENTRAL ANGLE OF $20^{\circ}00'00''$ TO A POINT OF TANGENCY; THENCE $S.10^{\circ}00'00''W.$, A DISTANCE OF 292.82 FEET TO A POINT ON THE NORTH LINE OF SAID ADDITIONAL RIGHT OF WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS-WAY; THENCE CONTINUE ALONG SAID NORTH LINE FOR THE FOLLOWING 4 COURSES: 1) $N.89^{\circ}59'59''W.$, A DISTANCE OF 119.53 FEET; 2) THENCE WESTERLY, 85.02 FEET ALONG THE ARC OF A TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 2842.00 FEET AND A CENTRAL ANGLE OF $01^{\circ}42'51''$ TO A POINT OF TANGENCY; 3) THENCE $N.88^{\circ}17'08''W.$, A DISTANCE OF 3.70 FEET; 4) THENCE $N.43^{\circ}02'39''W.$, A DISTANCE OF 56.81 FEET TO A POINT ON SAID EAST RIGHT-OF-WAY LINE OF SEMINOLE-PRATT WHITNEY ROAD; THENCE $N.01^{\circ}42'52''E.$ ALONG SAID EAST RIGHT-OF-


WAY LINE, A DISTANCE OF 1208.94 FEET TO A POINT ON THE EAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY; THENCE ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY THE FOLLOWING 4 COURSES: 1) N.15°43'43"E. , A DISTANCE OF 41.29 FEET; 2) THENCE N.01°42'52"E., A DISTANCE OF 336.53 FEET; 3) THENCE N.46°50'26"E., A DISTANCE OF 56.44 FEET; 4) THENCE N.00°00'00"E., A DISTANCE OF 111.61 FEET TO THE **POINT OF BEGINNING**.

CONTAINING: 154.554 ACRES, MORE OR LESS.

Tenth Order of Business

MEMORANDUM

To: Mayor Roger Manning
City Council Members
Ken Cassel, City Manager

From: Pam E. Booker, City Attorney 

Date: November 8, 2016

Subject: Resolution for Final Plat Minto Westlake POD L

Please find a resolution for approval of the Final Plat for Minto Westlake POD L. This plat is for approximately sixty-seven (67) acres of land abutting Seminole Pratt Whitney road and the future Town Center Parkway road right-of-way, which is south of the M-Canal. The purpose of this first plat is commence the initial phase of development of the sales center and the first phase of residential development within the community.

There are no dedications on the plat to the City of Westlake. The dedications on the plat for water, sewer and drainage easements are being dedicated to the Seminole Improvement District as the party responsible for the maintenance of water, sewer and drainage facilities for the City of Westlake. The plat has been reviewed by the City Engineer, the City Planner, and a Surveyor/Mapper for the City of Westlake to ensure compliance with the Palm Beach County Unified Land Development regulations and the Florida Statutes. We would recommend approval of the resolution, approving the final plat for POD L. Should you have any questions, or need any additional information, please do not hesitate to call.

November 14, 2016

RESOLUTION 2016-14

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPROVING THE FINAL PLAT OF MINTO WESTLAKE, TTD (TRADITIONAL TOWN DEVELOPMENT) POD L, DESCRIBED BY METES AND BOUNDS DESCRIPTION AS A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, IN THE CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, PROVIDING FOR RECORDATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Minto PBHL, LLC, a Florida Limited Liability Company, as the Applicant has requested approval for Minto Westlake, TTD (Traditional Town Development) POD L, Final Plat, described by metes and bounds description as a parcel of land lying in Section 1, Township 43 South, Range 40 East, in the City of Westlake, Palm Beach County, Florida, as described in Exhibit "A", attached hereto; and

WHEREAS, the City of Westlake has the exclusive jurisdiction to approve the plat pursuant to Florida Statutes, §177.071; and

WHEREAS, the application has been reviewed and approved by a Professional Surveyor and Mapper for the City of Westlake, and said Surveyor and Mapper has found the application to be consistent with the requirements under Florida Statutes, Chapter 177; and

WHEREAS, the building staff, engineering staff and planning staff for the City of Westlake has reviewed the application and the final plat, and the collective staff has recommended approval; and

WHEREAS, after careful review and consideration, the collective staff has determined that this application has complied with the Palm Beach County Unified Land Development Codes and Florida law.

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

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

Section 2. The City Council for the City of Westlake, hereby approves the Final Plat submitted by Minto PBHL, LLC, for TTD (Traditional Town Development) POD L, as described in the attached Exhibit "A".

Section 3. The applicant shall provide a certified copy of the final recorded plat and the applicant shall cover the costs of recording the plat in the public records in and for Palm Beach County Florida.

Section 4: This resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, Florida on this

_____ day of November, 2016.

City of Westlake
Roger Manning, Mayor

Sandra Demarco, City Clerk

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

EXHIBIT A

DESCRIPTION: A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.01°33'05"W. ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 250.33 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 136 OF SAID RECORDS, AND AS MONUMENTED; THENCE S.88°36'57"W. ALONG SAID NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT, A DISTANCE OF 3776.52 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND OFFICIAL RECORD BOOK 1640, PAGE 1626 BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W. ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1934.43 FEET TO THE SOUTHERLY CORNER OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS AND THE **POINT OF BEGINNING**; THENCE N.15°43'43"E. ALONG THE EAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 41.29 FEET; THENCE N.01°42'52"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 336.53 FEET; THENCE N.46°50'26"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 56.44 FEET; THENCE S.88°15'02"E., A DISTANCE OF 135.95 FEET; THENCE S.90°00'00"E., A DISTANCE OF 216.45 FEET; THENCE S.80°12'54"E., A DISTANCE OF 47.07 FEET; THENCE N.90°00'00"E., A DISTANCE OF 271.54 FEET; THENCE S.80°06'47"E., A DISTANCE OF 2.56 FEET; THENCE S.37°33'20"E., A DISTANCE OF 39.52 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 330.00 FEET AND A RADIAL BEARING OF N.88°37'05"W AT SAID INTERSECTION; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°42'09", A DISTANCE OF 15.57 FEET TO A NON-RADIAL INTERSECTION; THENCE S.86°40'21"E., A DISTANCE OF 80.01 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 410.00 FEET AND A RADIAL BEARING OF N.86°03'48"W AT SAID INTERSECTION; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°30'49", A DISTANCE OF 17.99 FEET TO A NON-TANGENT INTERSECTION; THENCE

N.37°54'45"E., A DISTANCE OF 39.60 FEET; THENCE N.76°32'40"E., A DISTANCE OF 11.82 FEET; THENCE N.90°00'00"E., A DISTANCE OF 73.87 FEET; THENCE N.85°30'18"E., A DISTANCE OF 172.26 FEET; THENCE N.90°00'00"E., A DISTANCE OF 357.06 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 950.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°39'15", A DISTANCE OF 408.78 FEET TO A NON-TANGENT INTERSECTION; THENCE S.12°19'26"E., A DISTANCE OF 55.23 FEET; THENCE S.28°42'51"W., A DISTANCE OF 131.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST WITH A RADIUS OF 1131.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°42'52", A DISTANCE OF 566.81 FEET TO THE POINT OF TANGENCY; THENCE S.00°00'01"E., A DISTANCE OF 165.77 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 1131.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26°06'11", A DISTANCE OF 515.27 FEET TO THE POINT OF TANGENCY; THENCE S.26°06'12"E., A DISTANCE OF 119.15 FEET; THENCE S.20°12'31"W., A DISTANCE OF 34.54 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 950.00 FEET AND A RADIAL BEARING OF N.22°43'32"W AT SAID INTERSECTION; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°43'32", A DISTANCE OF 376.80 FEET TO THE POINT OF TANGENCY; THENCE S.90°00'00"W., A DISTANCE OF 590.49 FEET; THENCE N.45°00'00"W., A DISTANCE OF 35.36 FEET; THENCE N.00°00'00"E., A DISTANCE OF 25.00 FEET; THENCE N.90°00'00"W., A DISTANCE OF 74.00 FEET; THENCE S.00°00'00"E., A DISTANCE OF 25.00 FEET; THENCE S.45°00'00"W., A DISTANCE OF 35.36 FEET; THENCE N.90°00'00"W., A DISTANCE OF 363.82 FEET; THENCE N.77°35'32"W., A DISTANCE OF 37.23 FEET; THENCE N.90°00'00"W., A DISTANCE OF 266.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 2842.00 FEET; THENCE WESTERLY ALONG THE NORTH LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°42'52", A DISTANCE OF 85.04 FEET TO THE POINT OF TANGENCY; THENCE N.88°17'08"W. ALONG SAID NORTH LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 3.70 FEET; THENCE N.43°02'39"W. ALONG THE NORTHEAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 56.81 FEET; THENCE N.01°42'52"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 1208.94 FEET; TO THE **POINT OF BEGINNING.**

CONTAINING: 2,915,873 SQUARE FEET OR 66.939 ACRES MORE OR LESS.



City of Westlake
Planning and Zoning Department
Staff Report –11/10/2016

1. PETITION DESCRIPTION

APPLICANT: Cotleur & Hearing

OWNER: Minto PBLH, LLC

REQUEST: Special Use Permit to allow for the construction of two buildings to be used as temporary visitor and sales center.
a. Westlake Visitors Center
b. Westlake Auxiliary Sales Center

LOCATION: Pod L, Westlake, FL 33470
00-40-43-01-00-000-1010



2. PETITION FACTS

- a. **Total Gross Site Area:** 55.18 acres
- b. **Total Affected Area:** 4.86 acres
- c. **Total Building Footprint Area:** 16, 700 sq. ft.
- d. **Total Building Square Footage:**
 - **Visitors Center:** 9,378 sq. ft. (one story)
 - **Auxiliary Sales Center:** 7,322 sq. ft. (one story)
 - **Future Building:** 3,600 sq. ft. (no. of stories to be determined)
- e. **General Site Area Information**
 - a. Seminole Improvement District
 - b. Rural Tier
 - c. Limited Urban Service Area [per Policy 2.2.5-d, Objective 3.3 of the Future Land Use Element of the PBC 1989 Comprehensive Plan as revised 4/27/16]
 - d. BCC Approval Date: 10/29/2014
 - e. Resolution Numbers: TTD/R-2014-1646, R-2014-1647, R-2014-1648, Ordinance 2014-030
 - f. DRO Approval Date: 7/8/2015
- f. **Land Use and Zoning**
 - Existing Land Use** Vacant and Agricultural
 - Future Land Use** Agricultural Enclave (AGE)
 - Zoning** Traditional Town Development (TTD)
Agricultural Enclave Overlay (AGEO)

3. BACKGROUND

The applicant is requesting a Special Use Permit to allow for the construction of a temporary visitor center and an auxiliary sales center to be located in Pod L. The subject Pod is a 55.18-acre Traditional Marketplace Development (TMD) and is part of the Traditional Town Development Master Plan approved by the Board of County Commissioners (BCC) on October 29, 2014.

The Final Subdivision Plan and Plat for Pod L consists of a total of 66.94 acres including 11.76 acres of natural transect area and the 55.18 acres of Pod L.

Pod L entitlements include 150,000 sq. ft. of retail use; 250,000 sq. ft. of office use; 150,000 hotel rooms; and 30 residential units. The subject request is for a *temporary use in a permanent building* which will be integrated into the overall TMD master plan at a future time. Per Palm Beach County ULDC definitions (71):

Special Permit Uses - are generally compatible with the other uses permitted in a district, but that require individual review of their location, design, configuration and intensity and density of use, buildings and structures, and may require the imposition of conditions in order to ensure the appropriateness of the use at a particular location. These uses are generally temporary for a specified, fixed period of time.

Per attached application, the Applicant's intent is to utilize the proposed buildings for a visitors center and a sales center and to repurpose the buildings for commercial/office uses in the future. The retail component will include uses such as a mortgage office to support the sales center.

4. PLANNING & ZONING REVIEW

The Special Permit Application review was conducted based on documents submitted by applicant on October 18, 2016, as subsequently revised. Please see following analysis for compliance with Palm Beach County ULDC code provisions:

TRADITIONAL DEVELOPMENT DISTRICTS (TDD)	REQUIRED BY CODE Art. 3.F.1. General Provisions for TDDs (pg. 195)	PROPOSED	COMMENTS
Section 1. General Provisions for TDDs			
E. FLUA Consistency per Table 3.A.3.D	A TMD Pod may be permitted within a TTD with an AGE FLU designation	TMD within an AGE FLU	Meets Code
F. Use Regulations per Table 3.F.1.F	<ul style="list-style-type: none"> • Office, Business or Professional • Retail Sales, General 	<ul style="list-style-type: none"> • Visitor's Center • Auxiliary Sales Center 	Meets Code
[A]2. Parking and Access 1) N/A 2) Non-residential a) <i>Minimum</i> Number of Parking Spaces One parking space per 400 square feet of GFA (2.5/1000) b) <i>Maximum</i> Number of Parking Spaces (1) Exurban and Rural Tiers One space per 250 square feet of GFA (4/1000).	[GFA: 20,300 sq. ft.] Min.: 51 spaces Max.: 81 spaces 4,0	93	Does <i>not</i> meet Code. SEE CONDITION
c. Location. No parking space shall be located further than 750 feet from a building entrance	Max. 750 ft.	Max. approx. 380 ft.	Meets Code
e. Bicycle Parking One parking area shall be provided ... for every 20 vehicle parking spaces serving non-residential uses.	5	6	Meets Code
Bicycle parking spaces shall be indicated on the site plan in visible, well-illuminated areas. For each bicycle parking space required, a stationary object shall be provided to which a user can secure the bicycle. The stationary object may either be a freestanding bicycle rack or a DRO approved alternative		Indicated on the "Special Use Permit Plan," Sheet SP2 of 2 (revised on 11/2/2016)	Meets Code
[A]3. <i>Minimum Pervious Surface</i> a. U/S and AGR Tiers 20 percent of the gross development area. [Ord. 2005-002] [Ord. 2005-041]	20% 42,253 sq. ft.	53% 111,637 sq. ft.	Meets Code

Minimum Site Area	10 contiguous acres	Does not apply to Special Use Permit	N/A
Minimum Floor Area Ratio (FAR)	Minimum 0.4 in the U/S Tier	0.096	Does not meet Code. SEE CONDITION
Permitted Locations	Within an area designated as a TMD Pod within a TTD. <i>Must have at least 200 feet of frontage along an arterial or collector street.</i>	<ul style="list-style-type: none"> TMD Pod within a TTD. Approx. 410 ft. of frontage 	Meets Code
Maximum Floor Area per Single Tenant [2] in Rural Tier]	No single tenant may occupy more than <u>25,000 sq. ft.</u> unless approved as a requested use. Single tenants occupying more than 65,000 sq. ft. or more are prohibited.	<ul style="list-style-type: none"> Visitor's Center: 9,378 sq. ft. Aux. Sales Center: 7,322 sq. ft. 	Meets Code
Maximum Ground Floor Area per Establishment	No single tenant may occupy more than <u>40 percent</u> of the total ground floor area of a TMD.	<ul style="list-style-type: none"> Visitor's Center: 100% Aux. Sales Center: Unknown 	Does not apply to Special Use Permit
Maximum Frontage Per Single Tenant	No single tenant may occupy more than 200* feet of frontage. *Per AGEO may be increased in accordance with the exception permitted for the AGR Tier: <i>An increase of up to 240 feet of frontage per single tenant is permitted in the AGR Tier, provided that any increase over 200 feet incorporates the appearance of a separate storefront on the subject façade, to include the following: a distinct architectural style a minimum of 40 feet in length, a similar percentage of transparency, and an additional building entrance, or appearance of an entrance</i>	<ul style="list-style-type: none"> Visitor's Center: 255 ft. Aux. Sales Center: 20 ft. 	Does not apply to Special Use Permit
Density/Intensity 2. Mixed Use Projects	Mixed Use Projects which vertically integrate at least 20 percent of their allowed residential units with non-residential uses may be allowed to utilize up to 100 percent of both a site's residential density and commercial intensity.	Does not apply to affected area	N/A
Street Designations and Configurations	All streets and alleys in a TMD <u>dedicated to the public or meeting the definition of a private street</u> shall conform to the standards of Art. 11, Subdivision, Platting and required Improvements. All neighborhood centers and the central plaza of a TMD shall be directly connected by a non-gated street network.	Does not apply to affected area	N/A

Mainstreet	At least two two-way streets forming an intersection shall be designated as Main Streets. A minimum of one main street shall cross through the entire length of a TMD, unless waived by the BCC.	Does not apply to affected area	N/A
Design Exception	Main streets designed as an access way or non-residential parking lot may increase the overall width to provide for angled parking, not to exceed a 70 degree angle, as indicated in Figure 3.F.4.D, Typical Example of TMD Commercial Street with Angled Parking. The required width of travel lanes shall be as approved by the County Engineer based upon such factors as anticipated average daily traffic and overlap of back-out maneuvers. Parking stall dimensions shall be in accordance with Table 6.A.1.D, Minimum Parking Dimensions for Non-residential Uses and Residential Uses with Shared Parking Lots. [Ord. 2005- 002] [Ord. 2007- 013]	Does not apply to affected area	N/A
Sidewalks	Sidewalks are required on both sides of all streets and shall be designed to be consistent with Figure 3.F.2.A, TDD Commercial Street, <u>except for: alleys; drive isles between rows of parking or providing access to a surface parking lot;</u> service streets; the side of a street abutting a preserve area of an AGR-TMD; and, <u>where one side of a street abuts a surface parking lot or open space.</u> All sidewalks shall conform to the requirements of Art. 3.F.2.A.1, Streets, Sidewalks, and Alleys	N/A	N/A
Alley Access	<i>Alley access is not allowed from a Main Street. [Ord. 2005 - 002]</i>	Does not apply to affected area	N/A
Prohibition of Vehicular Gates	<i>Vehicular gates are not allowed in a TMD. [Ord. 2005 - 002]</i>	Does not apply to affected area	N/A
Building Height	<i>35 ft. and two stories</i>	Both Buildings: 28 feet high One story	Meets Code
Frontages and Residential PDRs	All buildings shall be designated on the site plan as either Primary or Secondary Frontage	Designated on TMD Frontage and Circulation Plan	Meets Code
Standards for Primary Frontage	1) A minimum of 60 percent of the length of a Main Street shall be designated as a Primary Frontage	Does not apply to affected area	N/A
Continuity and Separations	Primary Frontage shall be continuous, except as follows: [Ord. 2005 - 002]	Does not apply to affected area	N/A
	a) A central plaza or square may be located at the end of a block. [Ord. 2005 - 002]	Does not apply to affected area	N/A

	b) One separation between buildings is allowed for each 120 linear feet of frontage, provided it is located a minimum of 120 feet from the end of a block. [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(1) The width of this separation shall not exceed: [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(a) 20 feet for pedestrian access to internal parking areas, off-street loading, refuse collection or recessed building entrances. [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(b) 30 feet for outdoor dining areas or pedestrian shade and rest areas. [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(c) 60 feet for a mid-block plaza, other than the central plaza. [Ord. 2005 - 002]	Does not apply to affected area	N/A
Build to Lines	All building and structures along a Primary Frontage shall abut the required sidewalk. [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(a) Exception A maximum of ten percent of Primary Frontage structures may be set back a maximum of 20 feet from the build to line to provide for outdoor dining areas and/or usable open space, subject to the following: [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(1) No more than one area described above shall be permitted at any intersection or at any intersection created by permitted separations; and, [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(2) The area shall not exceed 40 feet in length, nor be within 40 feet of any other setback area or building separation, except as permitted above. [Ord. 2005 - 002]	Does not apply to affected area	N/A
Arcaded Sidewalk	At least 50 percent of the Primary Frontages shall have arcaded sidewalks. Arcades shall be a minimum of ten feet in width, including any support column intrusions, and have a minimum height clearance of 12 feet from ground to ceiling. Building floor area is allowed above an arcade. The arcade shall provide for a pedestrian walkway a minimum of eight feet in width with no encumbrances such as support columns, but may be reduced to six feet in width to provide for outdoor dining areas, as illustrated in Figure 3.B.14.G, WCRAO Arcade and Gallery Standards . [Ord. 2005 - 002] [Ord. 2008-003]	Does not apply to affected area	N/A

b. Standards for Secondary Frontage			
1) Secondary Frontage	A maximum of 40 percent of the length of a main street may be designated as Secondary Frontage. [Ord. 2005 - 002]	Does not apply to affected area	N/A
2) Separations	Secondary Frontage may include physical separations between buildings, as follows:		
	a) One separation between buildings for each 80 linear feet of frontage, provided it is located a minimum of 80 feet from the end of a block or from the edge of a plaza. [Ord. 2005 - 002]	1 separation for approximately 330 feet	Meets Code
	b) The width of this physical separation shall not exceed:		
	(1) 20 feet for pedestrian access to internal parking areas or recessed building entrances; [Ord. 2005 - 002]	20'	Meets Code
	(2) 30 feet for an alley or vehicular access to internal parking, outdoor dining areas, or pedestrian shade and rest areas; or [Ord. 2005 - 002]	Does not apply to affected area	N/A
	3) 60 feet for a mid block plaza. [Ord. 2005 - 002]	Does not apply to affected area	N/A
3) Build-to Lines	All building structures along a Secondary Frontage shall be located within ten feet of the required sidewalk. [Ord. 2005 - 002]	Sales Center at 10'	Meets Code
(a) Exception	A maximum of ten percent of Secondary Frontage structures may be set back a maximum of 20 feet from the build to line to provide for outdoor dining areas and/or usable open space, subject to the following: [Ord. 2005 - 002]		Meets Code
	1) No more than one area described above shall be permitted at any intersection or at any intersection created by permitted separations; and, [Ord. 2005 - 002]	Does not apply to affected area	N/A
	(2) The area shall not exceed 40 feet in length, nor be within 40 feet of any other setback area or building separation, except as permitted above. [Ord. 2005 - 002]		Does <i>not</i> meet Code. SEE CONDITION [5]
c. Standards for Buildings abutting Perimeter Frontages	Exterior facade of buildings that abut arterial or collector streets shall be designed to provide views of building entrances or display windows. [Ord. 2005 - 002] [Ord. 2010-022]	Per Cotleur & Hearing Pod L Proposed Design Standards (10/12/2016)	Meets Code

d. Optional Standards for Residential PDRs	Residential buildings may use the TND Residential Lot Size and Setback Regulations, or the following: [Ord. 2005-041]	Does not apply to affected area	N/A
1. Multi-family Alley Frontage Design Alternative	Multi-family dwellings may be permitted to have frontage from a street built to alley standards, subject to the following: [Ord. 2005-041]	Does not apply to affected area	N/A
a) Build to Lines and Setbacks	Setbacks or build to lines must be measured from the inside alley edge, or sidewalk if provided. [Ord. 2005-041]	Does not apply to affected area	N/A
	(1) Front setbacks must be a minimum of five feet, and a maximum of 10 feet. Garages fronting the alley shall be setback at least 20 feet. [Ord. 2005-041]	Does not apply to affected area	N/A
	(2) Side street setbacks must be a minimum of five feet, and a maximum of 10 feet. An exception may be made for one side of a block which fronts on open space or a recreation use. [Ord. 2005-041]	Does not apply to affected area	N/A
	(3) The rear of each unit shall have access to and be within 20 feet of a street, open space or plaza a minimum of 40 feet in width, with sidewalks that connect to the projects pedestrian circulation system. [Ord. 2005-041]	Does not apply to affected area	N/A
b) Continuity and Separations	One separation between buildings is allowed for each 80 feet of frontage, provided it is located a minimum of 80 feet from the end of a block. The width of this separation shall not exceed 25 feet for pedestrian access, or 40 feet for a mid block plaza. One mid block plaza may be permitted to have a separation of up to 120 feet in the AGR Tier only. [Ord. 2005-041]	Does not apply to affected area	N/A
5. Pedestrian Circulation	In addition to the sidewalk requirements of Art.3.F.2.A.1 Streets, Sidewalks, and Alleys , all internal sidewalks shall provide a minimum clear width of six feet. [Ord. 2005 - 002]	Minimum 6'	Meets Code
6. Foundation Planting	Notwithstanding the requirements of Art. 7.D.11, Foundation Plantings , foundation plantings shall not be required for primary and secondary building frontages, buildings along an alley or access way to a parking area, where the alley or access way is located in-between non-residential buildings, or where buildings front on a plaza or square. [Ord. 2005-002] [Ord. 2005 - 041]		Landscape review by Chen-Moore

7. Parking	On-street parking is required on both sides of all two-way streets and on at least one-side of one-way streets, except within 25 feet of a street intersection or alley, or ten feet of a fire hydrant, or along arterials, planned collector streets, alleys <u>or a vehicular access way to internal parking.</u> [Ord. 2005-002] [Ord. 2005 - 041]	Proposed two-way streets are access ways to internal parking.	N/A												
8. Plazas	Plazas are required to provide a focal point for pedestrians, and must meet the minimum standards of Table 3.F.4.D-53, Minimum Dimensions for Required Plazas, and the following: [Ord. 2005-002] [Ord. 2005 - 041]	Does not apply to affected area	N/A												
	<p>Table 3.F.4.D - Minimum Dimensions for Required Plazas</p> <table border="1" data-bbox="435 676 950 907"> <thead> <tr> <th></th> <th>Minimum Size</th> <th>Minimum Length</th> <th>Minimum Width</th> </tr> </thead> <tbody> <tr> <td>Central Plaza</td> <td>10,000 sf</td> <td>120 feet</td> <td>80 feet</td> </tr> <tr> <td>Other Plazas</td> <td>5,000 sf</td> <td>60 feet</td> <td>40 feet</td> </tr> </tbody> </table>		Minimum Size	Minimum Length	Minimum Width	Central Plaza	10,000 sf	120 feet	80 feet	Other Plazas	5,000 sf	60 feet	40 feet	Does not apply to affected area	N/A
	Minimum Size	Minimum Length	Minimum Width												
Central Plaza	10,000 sf	120 feet	80 feet												
Other Plazas	5,000 sf	60 feet	40 feet												
Minimum Total Area	20,000 square feet or five percent of the gross development area within a TMD, whichever is greater, shall be used for public plazas or squares. [Ord. 2005 - 002]	Does not apply to affected area	N/A												
b. Required Location	The central plaza shall front on a Main Street; other plazas shall be bounded by a street on at least one side. [Ord. 2005-002] [Ord. 2005-041]	Does not apply to affected area	N/A												
Required Landscaping and Pedestrian Amenities [Ord. 2005-041]	1) A minimum of 15 percent of each plaza shall be shaded by landscaping or shade structures, at time of installation. Landscaping shall provide a minimum of 50 percent of required shade.[Ord. 2005-002] [Ord. 2005-041]	Does not apply to affected area	N/A												
	2) A minimum of 40 percent of the overall plaza areas shall be pervious. [Ord. 2005-002] [Ord. 2005-041]	Does not apply to affected area	N/A												
	3) Each plaza must provide a minimum of one linear foot of seating for each 200 square feet of overall area. [Ord. 2005-002] [Ord. 2005-041]	Does not apply to affected area	N/A												
d. Corner and Mid-Block Plaza Abutting Buildings	Wherever a plaza is bounded by buildings, the building frontages must conform to the standards for a Primary Frontage, including requirements for arcaded walkways and building see Art. 3.F.4.D.4, Frontages and Residential PDRs. [Ord. 2005-002] [Ord. 2005-041]	Does not apply to affected area	N/A												

Building Design			
a. Transparency	<p>All commercial first story façades shall consist of transparent glass that provides views into a commercial use or window display. Calculation of transparency shall be pursuant to Art. 1.C.4.K, Building Transparency.* [Ord. 2005 - 002] [Ord. 2010-022]</p> <p><i>*K. Building Transparency</i> <i>For the purpose of determining a building's transparency requirement, the following calculation shall be utilized: the height of the first story of the building, a minimum height of 12 feet above finished grade, multiplied by the length of the façade and the applicable transparency percentage. The window or glass door openings including frames and mullions shall be allowed to be included in the calculation. [Ord. 2010-022]</i></p>	See Transparency Calcs, Sheets TC-1 (last revised on 11/3/16) and TC-2 (last revised on 11/2/16)	Meets Code
1. Percentage	a) Primary Frontage - 60 percent. [Ord. 2010-022]	Does not apply to affected area	N/A
	b) Secondary Frontage - 50 percent. [Ord. 2010-022]		
	c) Perimeter Frontage - 25 percent. [Ord. 2005 - 002] [Ord. 2010-022]		
2. Exemption	Indoor movie or any type of theater shall be exempt from the Secondary and Perimeter Frontage transparency requirements. The minimum transparency requirement may be reduced by up to 75 percent for medical offices and other similar uses that require privacy as determined by the Zoning Director, subject to the following: [Ord. 2010-022] [Ord. 2014-031]	Does not apply to affected area	N/A
	(a) Documentation that there is no interior layout options to maximize use of lobby, reception or other similar areas to attain required transparency; and, [Ord. 2014-031]	Does not apply to affected area	N/A
	(b) Use of architectural embellishment that provide the appearance of glazing commensurate with the reduction in required transparency. [Ord. 2010-022] [Ord. 2014-0313]	Does not apply to affected area	N/A
Balconies	Balconies may project beyond build-to-lines, subject to the following standards: [Ord. 2005 - 002]	Does not apply to affected area	N/A
1. Maximum Projection	Three feet. [Ord. 2005 - 002]	Does not apply to affected area	N/A
2. Maximum Size	24 sq. ft. [Ord. 2005 - 002]	Does not apply to affected area	N/A

10. Phasing			
a. Phasing	TMDs shall be subject to the phasing and time limitations in Art. 3.F.1-H, Phasing and Platting , as well as Art. 2.E, Monitoring . [Ord. 2005 - 002]	Does not apply to affected area	N/A
b. First Phase	The following elements shall be constructed before the issuance of the first CO: [Ord. 2005 - 002]	Does not apply to affected area	N/A
	1) All plazas and squares located on required mainstreets, including required landscaping; [Ord. 2005 - 002]	Does not apply to affected area	N/A
	2) Fifty percent of required primary frontage buildings located on required main streets. [Ord. 2005 - 002]	Does not apply to affected area	N/A
	3) All main streets, including all sidewalks, landscaping and lighting required to service the above. [Ord. 2005 - 002]	Does not apply to affected area	N/A

SIGNAGE REVIEW & ANALYSIS

Directional Signs

One On-Site Directional Sign is proposed for the affected area. Pursuant to Article 8.G.3.D.1., Large Scale Developments:

Developments with more than 250,000 square feet, 1,500 dwelling units, 2200 ft. frontage or having a combination of these uses that exceed these thresholds on a proportional basis¹, may be allowed an unlimited number of direction signs up to ten feet in height, provided all signs are a minimum of 200 feet from the perimeter of the project.

¹*If half of the total floor area in a mixed use development is non-residential, then the proportional threshold is 125,000. Similarly, if half of the total floor area is residential, then the proportional threshold is 750 units.*

The proposed Directional Sign is 10 feet from the Pod L Plat line, which itself is approximately 1500 feet from the perimeter of the project. According to the Directional Signage drawings presented on page 6 of the Coteleur & Hearing Proposed Design Standards dated October 12, 2016, typical directional signs will be a maximum of 7 feet high, with a maximum sign face area of 20 square feet which would comply with the standards in Table 8.G.3.D below for On-Site Directional Signs in non-residential zoning districts. Pursuant to Article 8.G.3.D. On-Site Directional Signs:

Directional signage within developments and subdivisions shall be for communicating directions and facility information including on-site services. Directional signage shall contain no advertising copy other than the project logos, and shall be of a similar type and style throughout the development. Directional signs shall be subject to the standards in Table 8.G.3.D, On-Site Directional Sign Standards.

Table 8.G.3.D - On-Site Directional Signs Standards		
	Residential Zoning Districts	Non-Residential Zoning Districts
Maximum Number	N/A	4 per parcel
Maximum Sign Area Per Sign	24 sq. ft.	20 sq. ft.
Maximum Height	7 ft.	10 ft.

The proposed directional sign is in compliance with ULDC Code and consistent with design guidelines approved as part of Traditional Town Development (TTD) Master Plan.

Building-Mounted Signs

Proposed building sign area and locations are shown on the elevations submitted with the building permit application for the Visitor and Sales Center, and Pod L Design Standards.

Proposed Master Sign Plan Summary

<p>Visitor’s Center (pg. 16): One 15 sq. ft. Canopy sign Ten 15 sq. ft. Building signs</p>

<p>Auxiliary Sales Center (pg.18): Twelve 15 sq. ft. Building signs No signage proposed on north or south elevations</p>

The subject building mounted signs were reviewed based on the following ULDC Code:

a. Building-Mounted Signs

Building-mounted signs, including wall signs, awning and canopy signs, and projecting signs shall be permitted, subject to the following additional requirements:

1) Size

0.75 square foot of signage for every linear foot of tenant frontage shall be permitted, up to a maximum of 64 square feet.

2) Sign Placement

a) Signs shall be located between the first and second story of the building. If the second story is non-residential, the signage shall comply with the minimum vertical separation requirements in Table

8.G.1.A, Wall Sign Standards.

b) All significant decorative elements on the building shall be considered when locating wall signs to ensure they are in harmony with each other. In addition, the architecture features, elements, or building lines shall not be modified to accommodate the location of the signs.

3) Projection

Sign projection shall not exceed a maximum of 30 inches from any building face.

The area and locations on the wall signs conform to the proposed Master Signage Plan in the above-referenced Design Standards for the Visitor Center. *The proposed building mounted signs are in compliance with ULDC Code and proposed Master Sign Plan.*

5. FINAL REMARKS

The following conditions of approval are recommended as part of this application:

1. **Nothing proposed or approved in connection with this Special Permit Application (SPEC-2016-01) shall be construed to exempt the property owner from compliance with all Code requirements applicable to Pod L as a whole and as part of the TTD for future applications.**
2. **The “Future Building” indicated on the Special Use Permit Plan is *not* part of this review and will be required to meet all Code requirements applicable to Pod L as a whole and as part of the TTD prior to issuance of building permit.**
3. **The temporary sales use in a fixed and permanent location, approved pursuant to this Special Permit, shall expire in ten years from the date of this approval or upon approval of the Master Site Plan for Pod L which will incorporate allowable uses.**
4. **All signage proposed in this Special Permit application shall be in compliance with the proposed master sign plans in the Cotleur & Hearing Design Standards dated October 12, 2016.**
5. **The twelve excess parking spaces approved with this Special Permit shall be reevaluated during the review process for the entirety of Pod L, and, if deemed to exceed the maximum parking requirements of the Pod, shall be removed prior to approval of the Pod L Site Plan.**
6. **The Minimum FAR of 0.4 shall be required prior to Pod L site plan approval.**



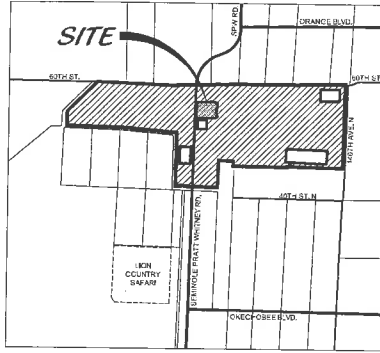
Cotleur & Hearing

Landscape Architects
Land Planners
Environmental Consultants

1934 Commerce Lane
Suite 1
Jupiter, Florida 33458
561.747.6336 · Fax 747.1377
www.cotleurhearing.com
Lic# LC-C000239

MINTO WESTLAKE
POD L
FINAL SUB-DIVISION PLAN
 Palm Beach County, Florida

LOCATION MAP



SITE DATA

NAME OF APPLICATION: WESTLAKE - POD L
CONTROL NUMBER: 2006-00397
APPLICATION NUMBER: DRO-2015-01213
PROJECT NUMBER: CH 13-0518.23
LAST BCC APPROVAL DATE: 10/29/2014
LAST DRO APPROVAL DATE: 7/8/2015
RESOLUTION NUMBERS: TTD/R-2014-1646, R-2014-1647, R-2014-1648, ORDINANCE 2014-030
TIER: RURAL*¹
FUTURE LAND USE DESIGNATION: AGE
EXISTING ZONING DISTRICT OVERLAY: TTD
AGRICULTURAL ENCLAVE OVERLAY

SECTION/ TOWNSHIP/ RANGE/
 6 43 41
 1 43 40
PROPERTY CONTROL NUMBER(S): 00-40-43-01-00-000-1010
EXISTING USE: VACANT/ AGRICULTURE/ UTILITY
APPROVED USE: TRADITIONAL MARKETPLACE DEVELOPMENT (TMD) / NATURAL TRANSECT

SUBDIVISION PLAN ACREAGE BREAKDOWN

	SF	AC
1. POD L AREA	2,403,610	55.18
2. NATURAL TRANSECT AREA	612,263	11.76
TOTAL PLAT AREA	2,915,873	66.94

NOTE: SITE PLAN BASED ON SURVEY PROPOSED BY GEOPOINT SURVEYING, INC. SIGNED AND SEALED BY GARY RAGAR ON 09-28-15.

CONCURRENCY*	
POD L	150,000 SF RETAIL 250,000 SF OFFICE 150 RM HOTEL 30 DU

*CONCURRENCY IS APPROVED FOR THE ABOVE USES AND AMOUNTS SHOWN ON THIS PLAN.
¹ WESTLAKE IS A LIMITED URBAN SERVICES AREA (LUSA) THEREFORE SHALL BE REVIEWED IN ACCORDANCE WITH THE REQUIREMENTS OF THE URBAN SUBURBAN TIER CRITERIA.

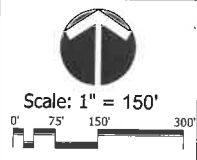
M
 TND
 115.17 ACRES
 (NOT INCLUDED)
 (NOT PLATTED)

LEGEND

- SID: SEMINOLE IMPROVEMENT DISTRICT
- ROW: RIGHT OF WAY
- PUD: PLANNED UNIT DEVELOPMENT
- UE: UTILITY EASEMENT
- DE: DRIANGE EASEMENT
- LAME: LAKE ACCESS MANAGEMENT EASEMENT
- LAE: LAKE ACCESS EASEMENT
- TMD: TRADITIONAL MARKET PLACE DEVELOPMENT
- WM: WATER METER
- LS: LANDSCAPE AREA
- ESMT: EASEMENT
- LME: LAKE MAINTENANCE EASEMENT
- TND: TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- CL: CENTER LINE

DRO AMENDMENTS	ZONING STAMP
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DESIGNED	DEH
DRAWN	MGR
APPROVED	DEH
JOB NUMBER	13-0518.23
DATE	10-13-16
REVISIONS	11-02-16



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minto
WESTLAKE

design
STANDARDS
WORKING DOCUMENT

PALM BEACH COUNTY, FLORIDA



POD L

2016



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PRESENTATION





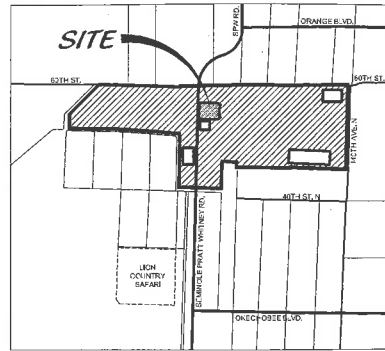
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WESTLAKE SALES CENTER

SPECIAL USE PERMIT PLAN
Westlake, Florida

LOCATION MAP



SITE DATA

NAME OF APPLICATION	WESTLAKE - POD L SPECIAL PERMIT APPLICATION		
CONTROL NUMBER	TBD		
PETITION NUMBER	SPEC-2016-01		
PROJECT NUMBER	CH 13-0518.23		
LAST BCC APPROVAL DATE	10/29/2014		
LAST DRO APPROVAL DATE	7/8/2015		
RESOLUTION NUMBERS	TTD/R-2014-1646, R-2014-1647, R-2014-1648, ORDINANCE 2014-030		
TIER	RURAL* 1		
FUTURE LAND USE DESIGNATION	AGE		
EXISTING ZONING DISTRICT	TTD		
OVERLAY	AGRICULTURAL ENCLAVE OVERLAY		
SECTION/ TOWNSHIP/ RANGE/			
6 43 41			
1 43 40			
PROPERTY CONTROL NUMBER(S)	00-40-43-01-00-000-1010		
EXISTING USE	VACANT/ AGRICULTURE/ UTILITY		
APPROVED USE	TRADITIONAL MARKETPLACE DEVELOPMENT (TMD)		
PROPOSED USE	TEMPORARY VISITOR AND SALES CENTER - (SPECIAL USE)		
PLAT AREA			
POD L AREA	66.18 AC		
NATURAL TRANSECT IN PLAT	11.76 AC		
TOTAL PLAT AREA	66.94 AC		
AFFECTED AREA	4.85 AC		
BUILDING DATA			
VISITOR CENTER	9,376 SF		
AUXILIARY SALES CENTER/RETAIL	7,322 SF		
FUTURE BUILDING AREA	3,600 SF		
TOTAL	20,300 SF		
PARKING DATA			
MIN. PARKING (1 SPACE PER 400 SF)	51 MIN.		
MAX. PARKING (1 SPACE PER 250 SF)	81 MAX		
TOTAL PARKING SPACES PROVIDED	93 SPACES **		
HANDICAP (INCLUDED IN PARKING TOTAL)	4 SPACES		
FLOOR AREA RATIO	0.096		
AREA CALCULATIONS	SQ FT	AC	%
BUILDING LOT COVERAGE	20,300	0.47	10%
VEHICULAR USE AREA	51,100	1.17	24%
SIDEWALKS AND PLAZAS	28,313	0.65	13%
LAKES AND GREEN SPACE	111,553	2.56	53%
TOTAL	211,266	4.85	100%

* WESTLAKE IS A LIMITED URBAN SERVICES AREA (LUSA) THEREFORE SHALL BE REVIEWED IN ACCORDANCE WITH THE REQUIREMENTS OF THE URBAN SUBURBAN TIER CRITERIA.
** NOTE: ADDITIONAL PARKING REQUIRED DUE TO SPECIAL USE OF SITE AS A SALES & VISITORS CENTER.

LEGEND

- SID: SEMINOLE IMPROVEMENT DISTRICT
- TYP: TYPICAL
- FM: FORCE MAIN
- UE: UTILITY EASEMENT
- DE: DRAINAGE EASEMENT
- LAME: LAKE ACCESS MANAGEMENT EASEMENT
- LAE: LAKE ACCESS EASEMENT
- TMD: TRADITIONAL MARKET PLACE DEVELOPMENT
- WM: WATER METER
- LS: LANDSCAPE AREA
- ESMT: EASEMENT
- ☒ LIGHT POLE
- ▲ STOP BAR & STOP SIGN
- LME: LAKE MAINTENANCE EASEMENT
- ⊕ PARKING SPACE
- FD: FIRE DEPARTMENT CONNECTION

DRO AMENDMENTS

ZONING STAMP



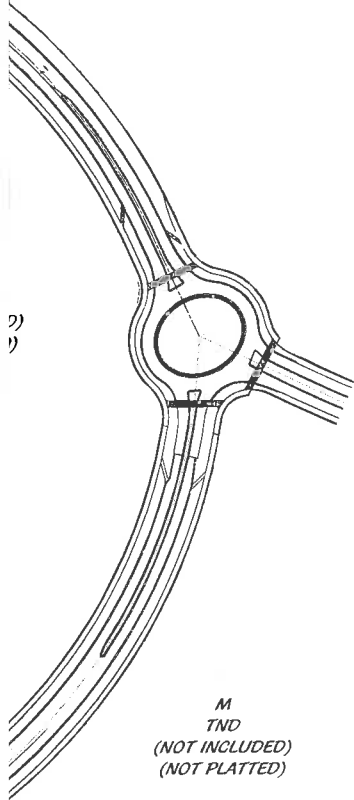
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0' 75' 150' 300'

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SP1 OF 2

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Q
PUD
(NOT INCLUDED)



Q
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(NOT INCLUDED)



Cotleur & Hearing

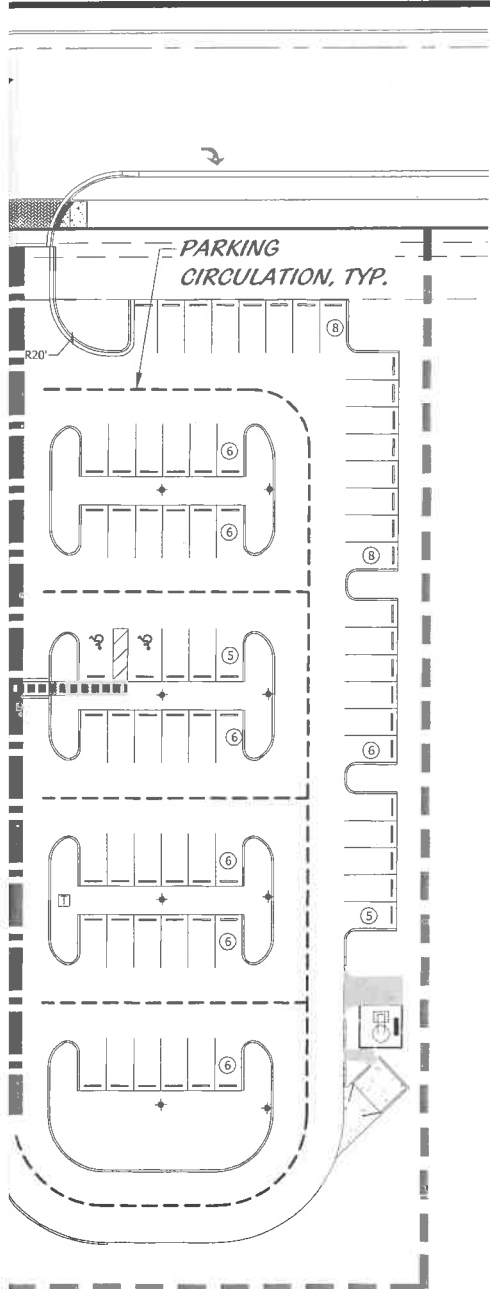
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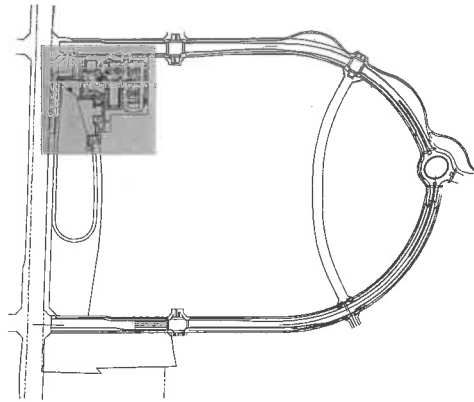
WESTLAKE SALES CENTER

TMD FRONTAGE & PEDESTRIAN CIRCULATION PLAN

Westlake, Florida



CONTEXT MAP



ED AREA

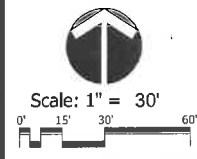
FRONTAGE & CIRCULATION LEGEND

- PERIMETER FRONTAGE
- SECONDARY FRONTAGE
- PEDESTRIAN CIRCULATION
- TMD STREET
- PARKING CIRCULATION

DRO AMENDMENTS

ZONING STAMP

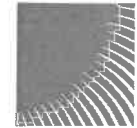
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DATE	10-13-16
REVISIONS	11-03-16



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1 OF 1

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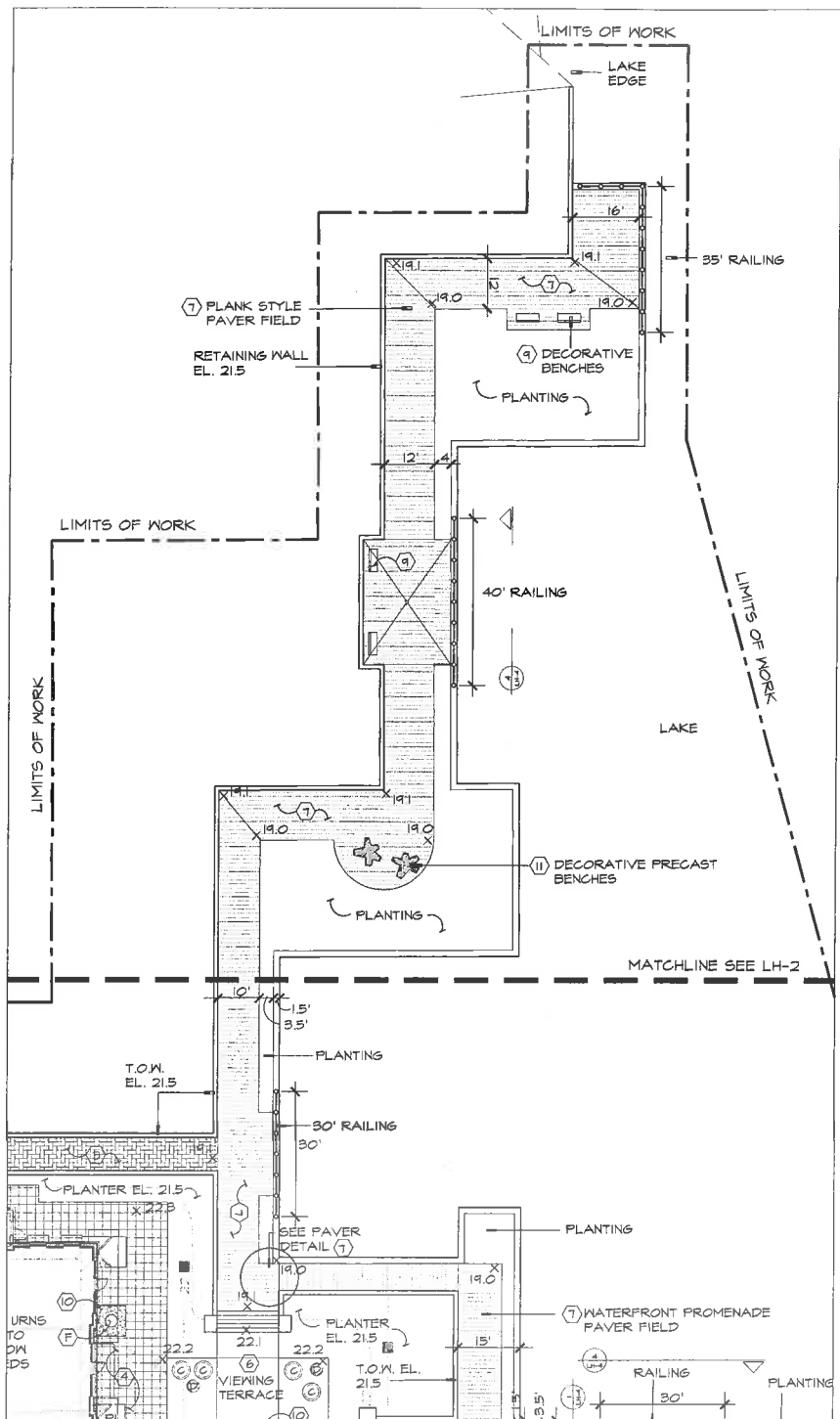


DSBOCA
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and planners

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2300 Corporate Blvd. NW Suite #214
Boca Raton, Florida 33431
Ph. 561.955.8623
Fax. 561.362.4749
email: landscapedetail@dsboca.com

WESTLAKE SALES CENTER
MINTO COMMUNITIES
Hardscape Plan



SOUTHERN PORTION OF SALES CENTER WATERFRONT


SCALE: 1/16" = 1'-0"

- HARDSCAPE MATERIALS SPECIFICATIONS**
- ⑦ WATERFRONT PROMENADE CONCRETE PAVER FIELD - BY BELGARD OR EQUAL, 4" X 24" MODULINE SERIES (2 5/8" PAVER). PAVERS ARE SET ON A 1" SAND SETTING BED OVER A COMPACTED ROADBASE. SEE PAVER DETAIL.
 - ⑨ DECORATIVE BENCH - BY landscapiforms.com OR EQUAL, LAKESIDE BENCH (6'1" BACKED) IN POLYSITE PANELS. (COLOR - WHITE).
 - ⑪ DECORATIVE PRECAST BENCH - BY landscapiforms.com OR EQUAL, (2) SMALL FLOR BENCH (75" X 6'7"). (COLOR - GREY).

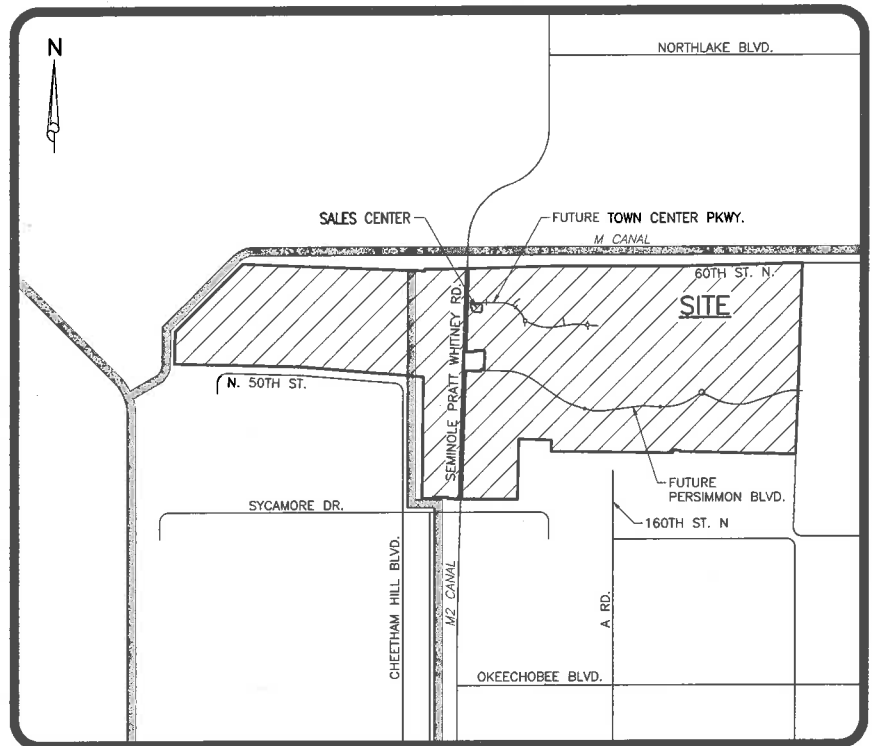
REVISIONS:

OCTOBER 12, 2016
DATE
I.A.
DRAWN BY:
J.G.
APPROVED BY:

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SHEET
LH-1
PERMIT
LANDSCAPE PLANS

WESTLAKE SAL SITE DEVELOPM SECTION 1, TOWNSHIP 43S., I CITY OF WESTLAKE, FLORIDA



LOCATION MAP
NOT TO SCALE

PHILLIP W. ROWE, JR., P.E., STATE OF FLORIDA,
PROFESSIONAL ENGINEER, LICENSE NO. 54581

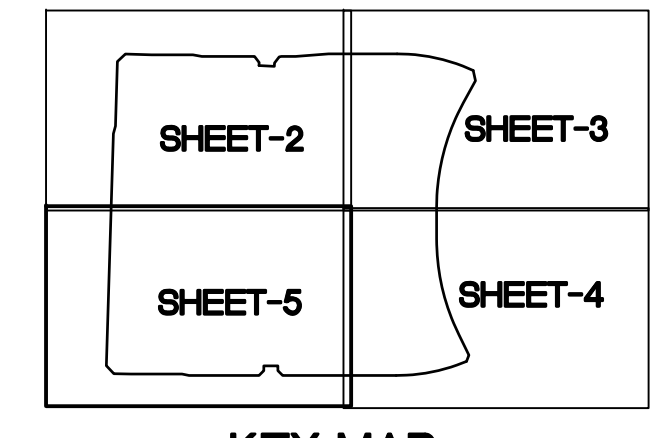
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SEALED BY PHILLIP W. ROWE, JR., P.E. ON
11/8/2016 USING A SHA-1 AUTHENTICATION CODE

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PHILLIP W. ROWE, JR.
LICENSE NO. 54581
STATE OF FLORIDA
PROFESSIONAL ENGINEER

MINTO WESTLAKE TTD POD L

A TRADITIONAL DEVELOPMENT DISTRICT / PLANNED UNIT DEVELOPMENT BEING A PLAT OF A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA



LOCATION MAP
No Scale

STATE OF FLORIDA }
COUNTY OF PALM BEACH } S.S.

THIS INSTRUMENT WAS FILED FOR RECORD AT _____ M.
THIS ____ DAY OF _____
2016 _____ AND DULY RECORDED IN PLAT BOOK NO. _____ ON PAGE _____

SHARON R. BOCK,
CLERK AND COMPTROLLER

By: _____ D.C.

DEDICATION AND DESCRIPTION

KNOW ALL MEN BY THESE PRESENTS THAT MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, OWNER OF THE LAND SHOWN AND DESCRIBED HERON AS MINTO WESTLAKE - TTD POD L, A TRADITIONAL DEVELOPMENT DISTRICT / PLANNED UNIT DEVELOPMENT BEING A PLAT OF A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DESCRIPTION:

A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.01°33'05"W. ALONG THE EAST LINE OF SAID SECTION 1, A DISTANCE OF 250.33 FEET TO A POINT ON THE NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT AS RECORDED IN DEED BOOK 1156, PAGE 58 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND AS SHOWN IN ROAD PLAT BOOK 6, PAGE 136 OF SAID RECORDS, AND AS MONUMENTED; THENCE S.88°36'57"W. ALONG SAID NORTH LINE OF THE 80 FOOT M-CANAL EASEMENT, A DISTANCE OF 376.52 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 1544, PAGE 378 AND OFFICIAL RECORD BOOK 1640, PAGE 1626 BOTH OF SAID PUBLIC RECORDS; THENCE S.01°42'52"W. ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 1934.43 FEET TO THE SOUTHERLY CORNER OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AS RECORDED IN OFFICIAL RECORD BOOK 28479, PAGE 822 OF SAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE N.15°44'42"E. ALONG THE EAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 41.29 FEET; THENCE N.01°42'52"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 336.53 FEET; THENCE N.46°50'26"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 16.44 FEET; THENCE S.88°15'02"E. A DISTANCE OF 135.95 FEET; THENCE S.90°00'00"E. A DISTANCE OF 216.45 FEET; THENCE S.80°12'54"E. A DISTANCE OF 47.07 FEET; THENCE N.90°00'00"E. A DISTANCE OF 271.54 FEET; THENCE S.80°06'47"E. A DISTANCE OF 2.56 FEET; THENCE S.37°33'20"E. A DISTANCE OF 39.52 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 330.00 FEET AND A RADIAL BEARING OF N.88°37'05"W. AT SAID INTERSECTION; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°42'09", A DISTANCE OF 15.57 FEET TO A NON-RADIAL INTERSECTION; THENCE S.86°40'21"E. A DISTANCE OF 80.01 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 410.00 FEET AND A RADIAL BEARING OF N.86°03'48"W AT SAID INTERSECTION; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°30'49", A DISTANCE OF 17.99 FEET TO A NON-TANGENT INTERSECTION; THENCE N.37°54'45"E. A DISTANCE OF 39.60 FEET; THENCE N.76°32'40"E. A DISTANCE OF 11.82 FEET; THENCE N.90°00'00"E. A DISTANCE OF 73.87 FEET; THENCE N.85°00'18"E. A DISTANCE OF 172.26 FEET; THENCE N.90°00'00"E. A DISTANCE OF 357.06 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 950.00 FEET; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°39'15", A DISTANCE OF 408.78 FEET TO A NON-TANGENT INTERSECTION; THENCE S.12°19'26"E. A DISTANCE OF 55.23 FEET; THENCE S.28°42'51"W. A DISTANCE OF 131.01 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHWEST WITH A RADIUS OF 1131.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°42'52", A DISTANCE OF 566.81 FEET TO THE POINT OF TANGENCY; THENCE S.00°00'01"E. A DISTANCE OF 165.77 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 1131.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26°06'11", A DISTANCE OF 515.27 FEET TO THE POINT OF TANGENCY; THENCE S.26°06'12"E. A DISTANCE OF 119.15 FEET; THENCE S.20°12'31"W. A DISTANCE OF 34.54 FEET TO A NON-TANGENT INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 950.00 FEET AND A RADIAL BEARING OF N.22°43'32"W AT SAID INTERSECTION; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°43'32", A DISTANCE OF 376.80 FEET TO THE POINT OF TANGENCY; THENCE S.90°00'00"W. A DISTANCE OF 590.49 FEET; THENCE N.45°00'00"W. A DISTANCE OF 35.36 FEET; THENCE N.00°00'00"E. A DISTANCE OF 25.00 FEET; THENCE N.90°00'00"W. A DISTANCE OF 74.00 FEET; THENCE S.00°00'00"E. A DISTANCE OF 25.00 FEET; THENCE S.45°00'00"W. A DISTANCE OF 35.36 FEET; THENCE N.90°00'00"W. A DISTANCE OF 363.82 FEET; THENCE N.77°33'52"W. A DISTANCE OF 37.23 FEET; THENCE N.90°00'00"W. A DISTANCE OF 266.66 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 2842.00 FEET; THENCE WESTERLY ALONG THE NORTH LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°42'52", A DISTANCE OF 83.04 FEET TO THE POINT OF BEGINNING; THENCE N.88°17'08"W. ALONG SAID NORTH LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 3.70 FEET; THENCE N.43°02'39"W. ALONG THE NORTHEAST LINE OF SAID ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 56.81 FEET; THENCE N.01°42'52"E. ALONG SAID EAST LINE OF THE ADDITIONAL RIGHT-OF-WAY OF SEMINOLE PRATT WHITNEY ROAD, A DISTANCE OF 1208.94 FEET TO THE POINT OF BEGINNING.

HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED AS SHOWN HEREOIN AND DO HEREBY DEDICATE AS FOLLOWS:

CONTAINING: 2,915,873 SQUARE FEET OR 66,939 ACRES MORE OR LESS.

DEDICATION:

TRACT "A"

TRACT "A", AS SHOWN HEREOIN, IS HEREBY RESERVED FOR MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND ASSIGNS, FOR FUTURE DEVELOPMENT AND PURPOSES CONSISTENT WITH THE ZONING REGULATIONS OF CITY OF WESTLAKE, FLORIDA, AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID MINTO PBLH, LLC, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO CITY OF WESTLAKE.

UTILITY EASEMENTS

ALL EASEMENTS, DESCRIBED ON THE PLAT ARE PRIVATE NON-EXCLUSIVE EASEMENTS UNLESS EXPRESSLY STATED OTHERWISE THEREIN. ALL RIGHTS AND EASEMENTS ESTABLISHED BY OR RESERVED BY THIS PLAT ARE HEREBY RESERVED TO THE SEMINOLE IMPROVEMENT DISTRICT, A LOCAL UNIT OF SPECIAL PURPOSE GOVERNMENT ESTABLISHED PURSUANT TO CHAPTERS 189 AND 298, FLORIDA STATUTES, AS A PUBLIC UTILITY PROVIDER OF WATER, SEWER AND RECLAIMED WATER, SUBJECT TO THOSE CERTAIN RESTRICTION OF RIGHTS, COVENANTS AND DEDICATIONS AS MAY HEREAFTER BE IMPOSED BY GRANTOR; PROVIDED FURTHER SAID GRANTS OR ASSIGNMENTS SHALL NOT BE DEEMED A PUBLIC DEDICATION OF SAID RIGHTS OR EASEMENTS.

LIMITED ACCESS EASEMENTS

THE LIMITED ACCESS EASEMENTS AS SHOWN HEREOIN ARE HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT FOR THE PURPOSE OF CONTROL AND JURISDICTION OVER ACCESS RIGHTS.

DRAINAGE EASEMENTS

THE DRAINAGE EASEMENTS, AS SHOWN HEREOIN, ARE HEREBY DEDICATED IN PERPETUITY FOR DRAINAGE PURPOSES. THE MAINTENANCE OF ALL DRAINAGE FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE DRAINAGE SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE DRAINAGE OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL DRAINAGE, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID DRAINAGE SYSTEM.

35 FOOT SIDEWALK EASEMENT

THE 35 FOOT SIDEWALK EASEMENT, AS SHOWN HEREOIN, IS HEREBY RESERVED FOR THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, IN PERPETUITY FOR THE CONSTRUCTION OF THE SIDEWALK FOR PEDESTRIAN, BICYCLIST AND OTHER NON-VEHICULAR PUBLIC PURPOSES AND IS THE PERPETUAL MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO CITY OF WESTLAKE.

LAKE EASEMENTS

THE LAKE EASEMENT, AS SHOWN HEREOIN, IS HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACTS FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

LAKE MAINTENANCE ACCESS EASEMENTS

THE LAKE MAINTENANCE ACCESS EASEMENTS (L.M.A.E.), AS SHOWN HEREOIN, ARE HEREBY DEDICATED TO THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS TO STORMWATER MANAGEMENT AND DRAINAGE FACILITIES LOCATED WITHIN THE ASSOCIATED WATER MANAGEMENT TRACTS FOR PURPOSES OF PERFORMING ANY AND ALL MAINTENANCE ACTIVITIES PURSUANT TO THE MAINTENANCE OBLIGATION OF SAID DISTRICT, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

WATER AND SEWER EASEMENTS

THE WATER AND SEWER EASEMENTS, AS SHOWN HEREOIN, ARE HEREBY DEDICATED IN PERPETUITY FOR WATER AND SEWER PURPOSES. THE MAINTENANCE OF ALL WATER AND SEWER FACILITIES LOCATED THEREIN SHALL BE THE PERPETUAL MAINTENANCE OBLIGATION OF THE SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF WESTLAKE.

CITY OF WESTLAKE SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO CONSTRUCT AND MAINTAIN ANY PORTION OF THE WATER AND SEWER SYSTEM ENCOMPASSED BY THIS PLAT WHICH IS ASSOCIATED WITH THE WATER AND SEWER OF PUBLIC STREETS, INCLUDING THE RIGHT TO UTILIZE FOR PROPER PURPOSES ANY AND ALL WATER AND SEWER, LAKE MAINTENANCE, AND LAKE MAINTENANCE ACCESS EASEMENTS, AND PRIVATE STREETS ASSOCIATED WITH SAID WATER AND SEWER SYSTEM.

IN WITNESS WHEREOF, THE ABOVE NAMED FLORIDA LIMITED LIABILITY COMPANY HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS MANAGER AND ITS COMPANY SEAL TO BE AFFIXED HERETO BY AND WITH THE AUTHORITY OF ITS MEMBERS THIS ____ DAY OF _____, 2016.

MINTO PBLH, LLC
A FLORIDA LIMITED LIABILITY COMPANY

WITNESS: _____

BY: _____
JOHN F. CARTER, MANAGER

WITNESS: _____

PRINT NAME: _____

WITNESS: _____

PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED JOHN F. CARTER WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID COMPANY, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE COMPANY SEAL OF SAID COMPANY AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR COMPANY AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID COMPANY.

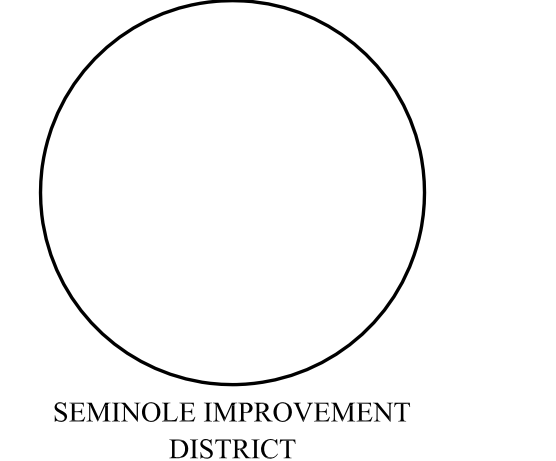
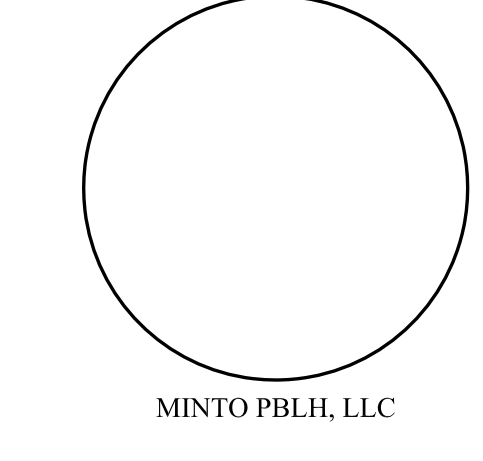
WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2016.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC STATE OF FLORIDA

PRINT NAME: _____

COMMISSION NO. _____



ACCEPTANCE OF RESERVATIONS

STATE OF FLORIDA
COUNTY OF PALM BEACH

SEMINOLE IMPROVEMENT DISTRICT, AN INDEPENDENT SPECIAL DISTRICT OF THE STATE OF FLORIDA, HEREBY ACCEPTS THE DEDICATIONS AND RESERVATIONS TO SAID DISTRICT AS STATED AND SHOWN HEREOIN, AND HEREBY ACCEPTS ITS MAINTENANCE OBLIGATIONS FOR SAME AS STATED HEREOIN, DATED THIS ____ DAY OF _____, 2016.

SEMINOLE IMPROVEMENT DISTRICT
AN INDEPENDENT SPECIAL DISTRICT
OF THE STATE OF FLORIDA

WITNESS: _____

BY: _____
SCOTT MASSEY, PRESIDENT

PRINT NAME: _____

WITNESS: _____

PRINT NAME: _____

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF PALM BEACH

BEFORE ME PERSONALLY APPEARED SCOTT MASSEY WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS PRESIDENT OF SEMINOLE IMPROVEMENT DISTRICT, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT SHE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID DISTRICT, AND THAT THE SEAL AFFIXED TO THE FOREGOING INSTRUMENT IS THE DISTRICT SEAL OF SAID DISTRICT AND THAT IT WAS AFFIXED TO SAID INSTRUMENT BY DUE AND REGULAR DISTRICT AUTHORITY, AND THAT SAID INSTRUMENT IS THE FREE ACT AND DEED OF SAID DISTRICT.

WITNESS MY HAND AND OFFICIAL SEAL THIS ____ DAY OF _____, 2016.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC STATE OF FLORIDA

PRINT NAME: _____

COMMISSION NO. _____

TITLE CERTIFICATION

STATE OF FLORIDA
COUNTY OF PALM BEACH

WE, FOUNDERS TITLE, A TITLE INSURANCE COMPANY, AS DULY LICENSED IN THE STATE OF FLORIDA DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO THE HEREOIN DESCRIBED PROPERTY; THAT WE FIND THE TITLE TO THE PROPERTY IS VESTED IN MINTO PBLH, LLC, A FLORIDA LIMITED LIABILITY COMPANY; THAT THE CURRENT TAXES HAVE BEEN PAID; AND THAT ALL PALM BEACH COUNTY SPECIAL ASSESSMENT ITEMS, AND ALL OTHER ITEMS HELD AGAINST SAID LANDS HAVE BEEN SATISFIED; THAT THERE ARE NO MORTGAGES OF RECORD; AND THAT THERE ARE NO OTHER ENCUMBRANCES OF RECORD.

DATED: _____

HARRY BINNIE, PRESIDENT
FOUNDERS TITLE

CITY APPROVAL:

THIS CERTIFIES THAT THIS PLAT HAS BEEN ACCEPTED AND APPROVED BY THE CITY COUNCIL FOR THE CITY OF WESTLAKE BY A RESOLUTION DULY ADOPTED BY THE CITY COUNCIL THIS ____ DAY OF _____ 2016, IN ACCORDANCE WITH SEC. 177.07(2), F.S., AND HAS BEEN REVIEWED BY A PROFESSIONAL SURVEYOR & MAPPER EMPLOYED BY CITY OF WESTLAKE IN ACCORDANCE WITH SEC. 177.081(1), F.S.

CITY MANAGER _____ CITY MAYOR, ROGER MANNING _____

PRINT NAME _____

SURVEYOR NOTES

- PERMANENT REFERENCE MONUMENTS ARE SHOWN THUS: "■" 1 1/2" BRASS DISK STAMPED "PRM LB7768" SET IN A 4"x4" CONCRETE MONUMENT.
- BEARINGS SHOWN HEREOIN ARE BASED ON THE NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E. BEARINGS SHOWN HEREOIN, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 / 07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 / 90).
- NO BUILDING OR ANY KIND OF CONSTRUCTION OR TREES OR SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN CONSENT OF ALL EASEMENT BENEFICIARIES AND ALL APPLICABLE COUNTY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS. THERE WILL BE NO ABOVE GROUND ENCROACHMENTS WHERE LAKE MAINTENANCE EASEMENTS AND UTILITY EASEMENTS OVERLAP.
- THE BUILDING SETBACKS SHALL BE AS REQUIRED BY CURRENT CITY OF WESTLAKE ZONING REGULATIONS.
- THIS PLAT IS BEING PREPARED IN REFERENCE TO ZONING CONTROL # _____.
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF PALM BEACH COUNTY.
- IN THOSE CASES WHERE EASEMENTS OF DIFFERENT TYPES CROSS OR OTHERWISE COINCIDE, DRAINAGE EASEMENTS SHALL HAVE FIRST PRIORITY, UTILITY EASEMENTS SHALL HAVE SECOND PRIORITY, ACCESS EASEMENTS SHALL HAVE THIRD PRIORITY, AND ALL OTHER EASEMENTS SHALL BE SUBORDINATE TO THESE WITH THEIR PRIORITIES BEING DETERMINED BY USE RIGHTS GRANTED.
- ALL LINES INTERSECTING CIRCULAR CURVES ARE RADIAL UNLESS OTHERWISE NOTED.
- COORDINATES SHOWN HEREOIN ARE FLORIDA STATE PLANE GRID DATUM = NAD83 2007 ADJUSTMENT
ZONE = FLORIDA EAST
LINEAR UNITS = US SURVEY FEET
COORDINATE SYSTEM = 1983 STATE PLANE
PROJECTION = TRANSVERSE MERCATOR
ALL DISTANCES ARE GROUND
SCALE FACTOR: 1.0000
GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
PLAT BEARING = GRID BEARING
NO ROTATION
ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

SURVEYOR & MAPPER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREOIN IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS ("P.R.M.S.") HAVE BEEN PLACED AS REQUIRED BY LAW, AND THAT PERMANENT CONTROL POINTS ("P.C.P.S."), AND MONUMENTS ACCORDING TO SEC. 177.09(1)(9), F.S., WILL BE SET UNDER THE GUARANTEES POSTED WITH THE CITY OF WESTLAKE FOR THE REQUIRED IMPROVEMENTS; AND, FURTHER, THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF WESTLAKE, FLORIDA.

DATE: _____

GARY A. RAGER, P.S.M.
LICENSE NO. 4828
STATE OF FLORIDA

THIS INSTRUMENT PREPARED BY
GARY A. RAGER, P.S.M.
LS4828 STATE OF FLORIDA.
GEOPOINT SURVEYING, INC.
4152 WEST BLUE HERON BOULEVARD, SUITE 105,
RIVIERA BEACH, FLORIDA 33404
CERTIFICATE OF AUTHORIZATION NO. LB7768

GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

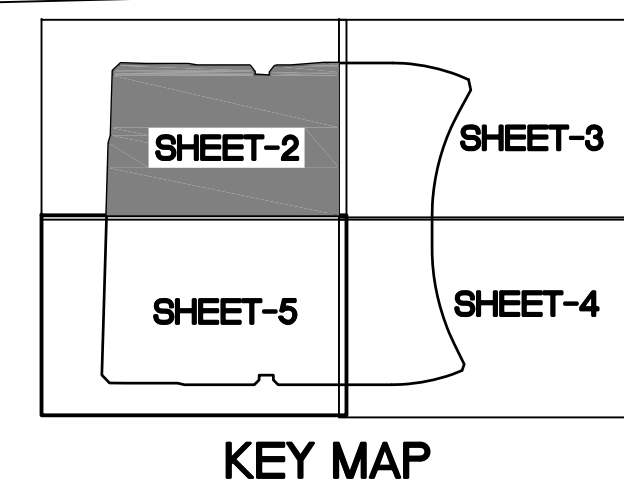
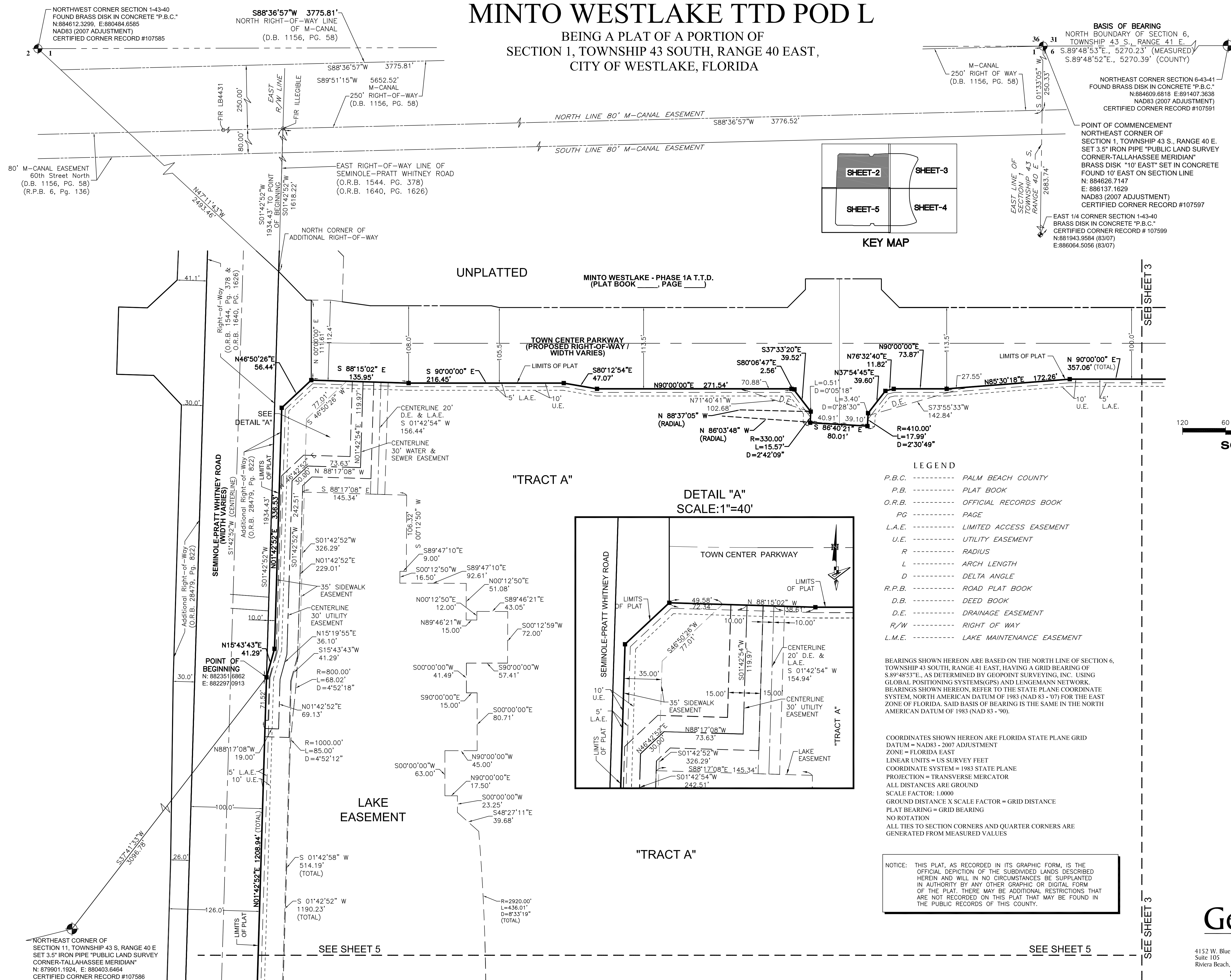
Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Sheet No. 1 of 5 Sheets

SURVEYOR'S SEAL

MINTO WESTLAKE TTD POD L

BEING A PLAT OF A PORTION OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, FLORIDA

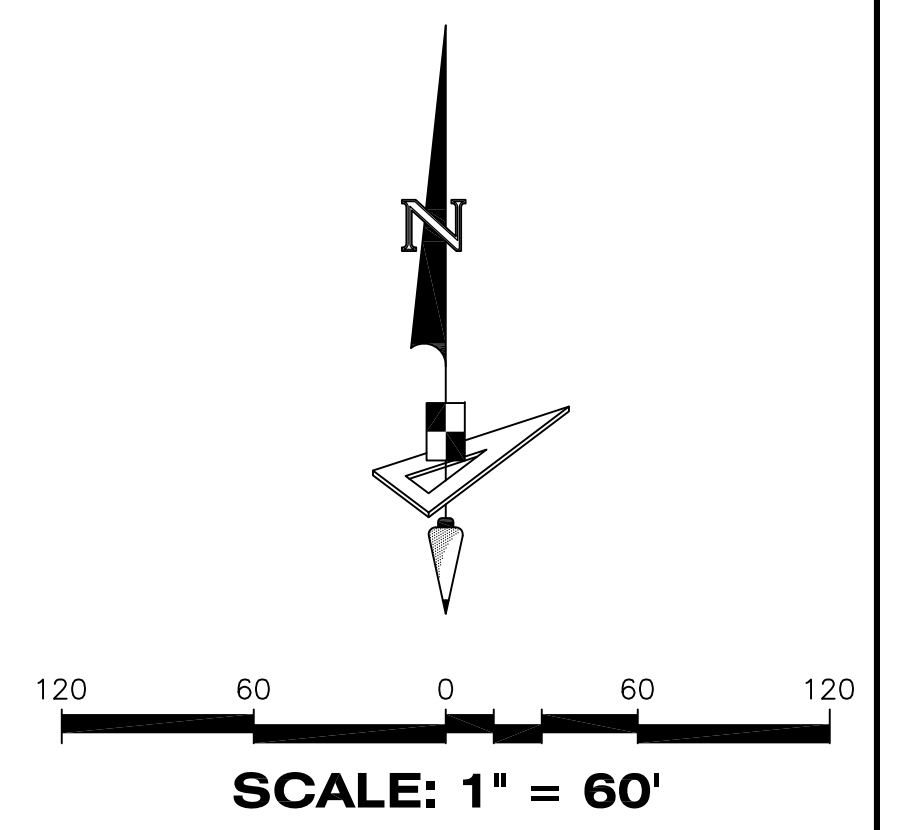


BASIS OF BEARING
 NORTH BOUNDARY OF SECTION 6, TOWNSHIP 43 S., RANGE 41 E.
 S.89°48'53"E., 5270.23' (MEASURED)
 S.89°48'52"E., 5270.39' (COUNTY)

NORTHEAST CORNER SECTION 6-43-41
 FOUND BRASS DISK IN CONCRETE "P.B.C."
 N:884609.6818 E:891407.3638
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107591

POINT OF COMMENCEMENT
 NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 S., RANGE 40 E. SET 3.5" IRON PIPE "PUBLIC LAND SURVEY CORNER-TALLAHASSEE MERIDIAN" BRASS DISK "10' EAST" SET IN CONCRETE FOUND 10' EAST ON SECTION LINE
 N: 884626.7147
 E: 886137.1629
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107597

EAST 1/4 CORNER SECTION 1-43-40
 BRASS DISK IN CONCRETE "P.B.C."
 CERTIFIED CORNER RECORD # 107599
 N:881943.9584 (83/07)
 E:886064.5056 (83/07)



- LEGEND**
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 - U.E. ----- UTILITY EASEMENT
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 - D ----- DELTA ANGLE
 - R.P.B. ----- ROAD PLAT BOOK
 - D.B. ----- DEED BOOK
 - D.E. ----- DRAINAGE EASEMENT
 - R/W ----- RIGHT OF WAY
 - L.M.E. ----- LAKE MAINTENANCE EASEMENT

BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E., AS DETERMINED BY GEOPoint SURVEYING, INC. USING GLOBAL POSITIONING SYSTEMS(GPS) AND LENGEMANN NETWORK. BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 - '07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - '90).

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NORTHWEST CORNER SECTION 1-43-40
 FOUND BRASS DISK IN CONCRETE "P.B.C."
 N:884612.3299, E:880484.6585
 NAD83 (2007 ADJUSTMENT)
 CERTIFIED CORNER RECORD #107585

S88°36'57"W 3775.81'
 NORTH RIGHT-OF-WAY LINE
 OF M-CANAL
 (D.B. 1156, PG. 58)

80' M-CANAL EASEMENT
 60th Street North
 (D.B. 1156, PG. 58)
 (R.P.B. 6, Pg. 136)

EAST RIGHT-OF-WAY LINE OF
 SEMINOLE-PRATT WHITNEY ROAD
 (O.R.B. 1544, PG. 378)
 (O.R.B. 1640, PG. 1626)

NORTHEAST CORNER OF SECTION 11, TOWNSHIP 43 S., RANGE 40 E SET 3.5" IRON PIPE "PUBLIC LAND SURVEY CORNER-TALLAHASSEE MERIDIAN"
 N: 879901.1924, E: 880403.6464
 CERTIFIED CORNER RECORD #107586

SEE SHEET 5

SEE SHEET 5

SEE SHEET 3

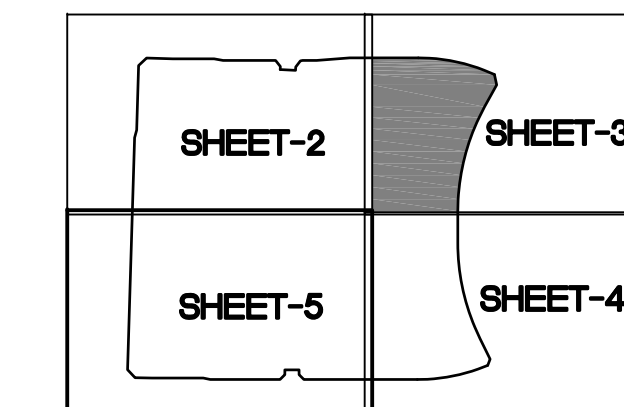
GeoPoint
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4152 W. Blue Heron Blvd. Phone: (561) 444-2720
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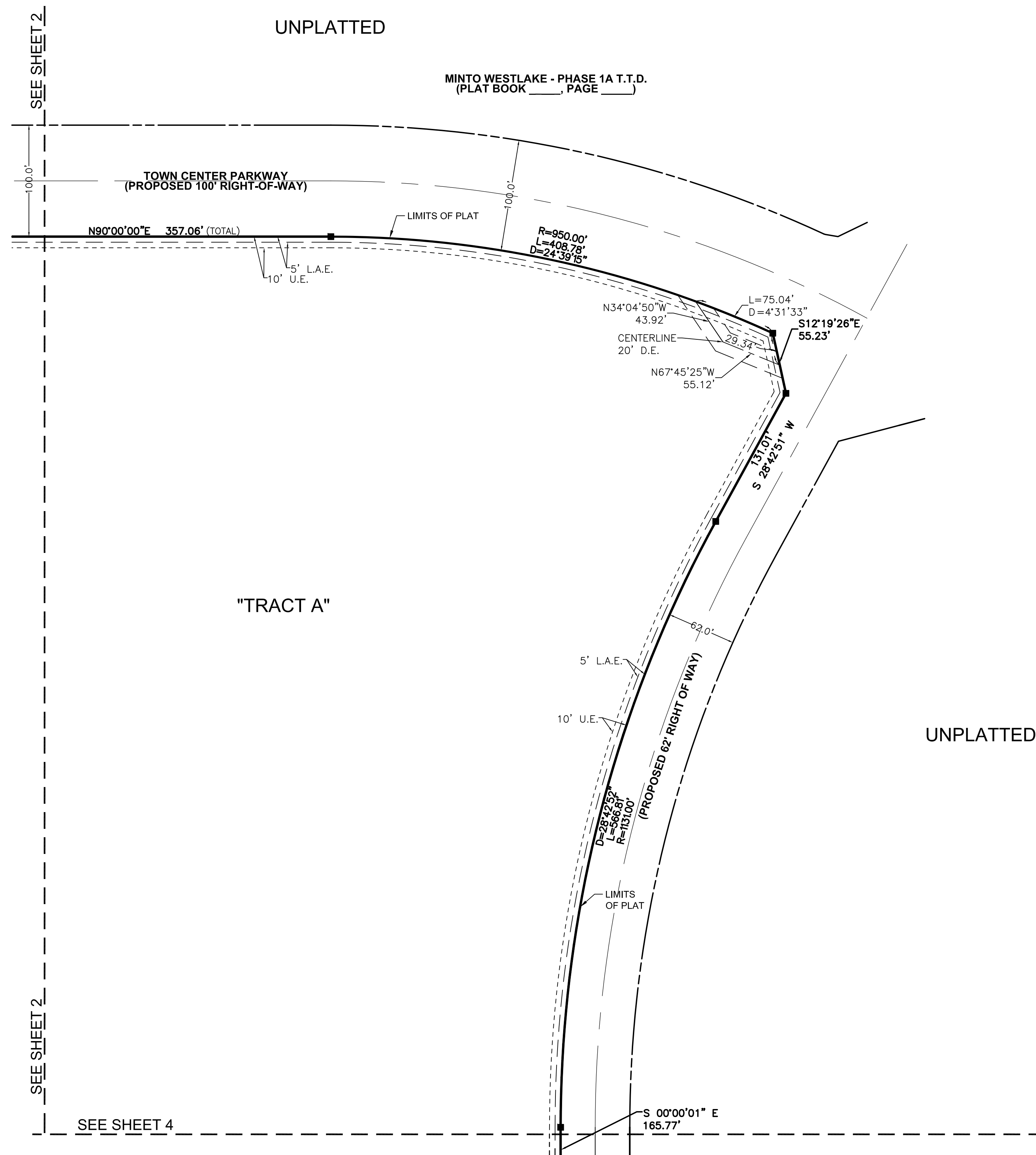
Sheet No. 2 of 5 Sheets

MINTO WESTLAKE TTD POD L

BEING A PLAT OF A PORTION OF
SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST,
CITY OF WESTLAKE, FLORIDA

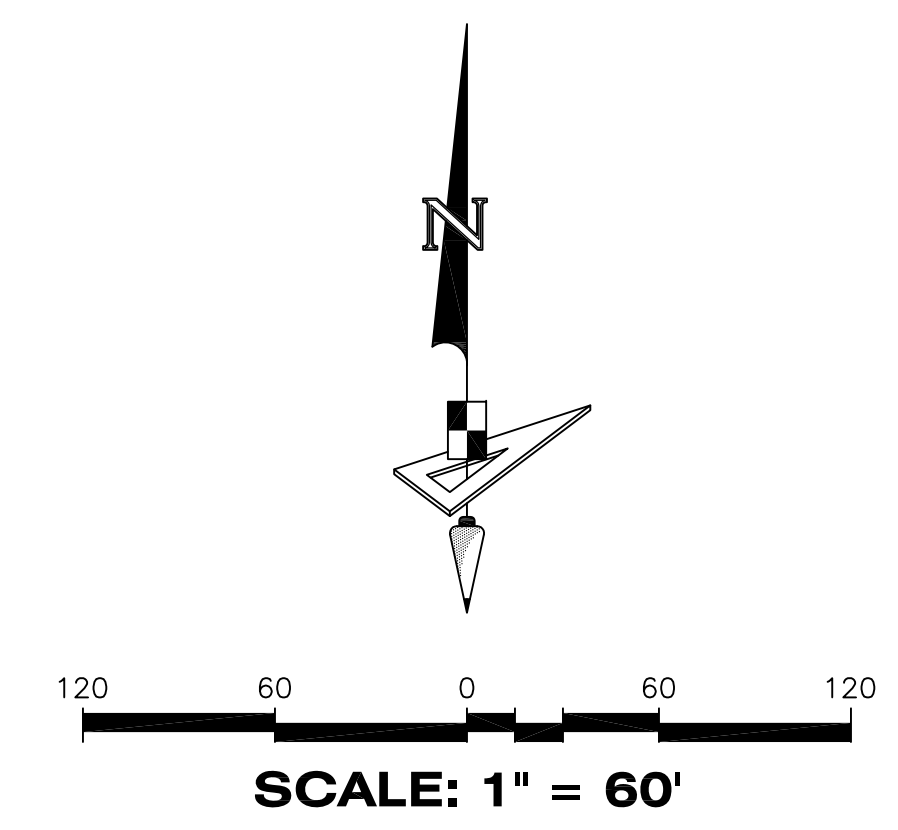


KEY MAP



LEGEND

- P.B.C. ----- PALM BEACH COUNTY
- P.B. ----- PLAT BOOK
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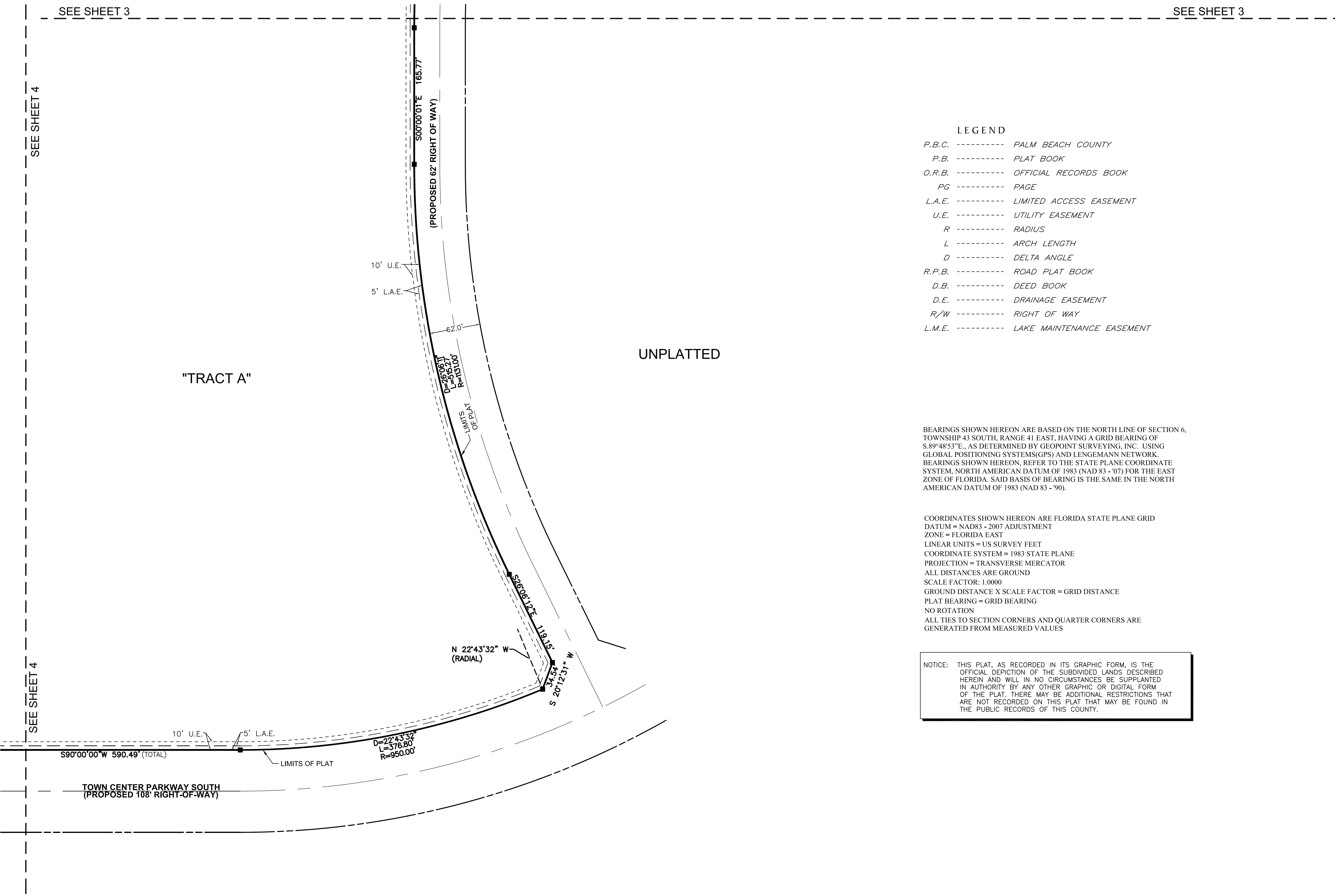
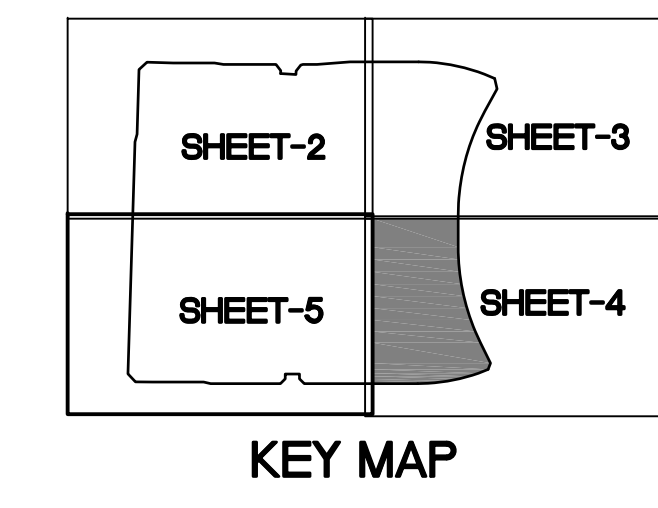
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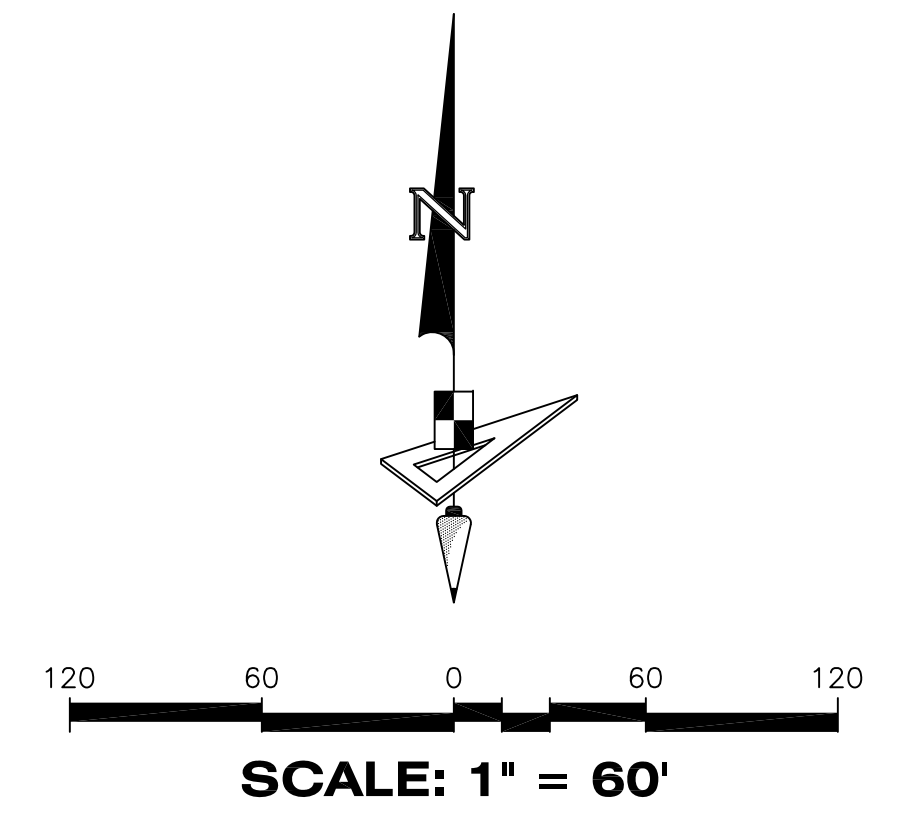


MINTO WESTLAKE TTD POD L

BEING A PLAT OF A PORTION OF
SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST,
CITY OF WESTLAKE, FLORIDA



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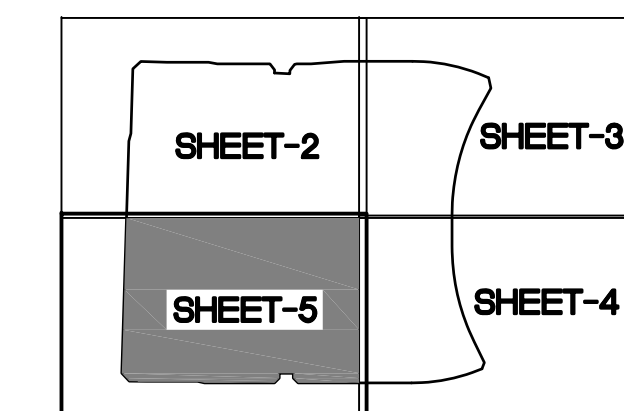
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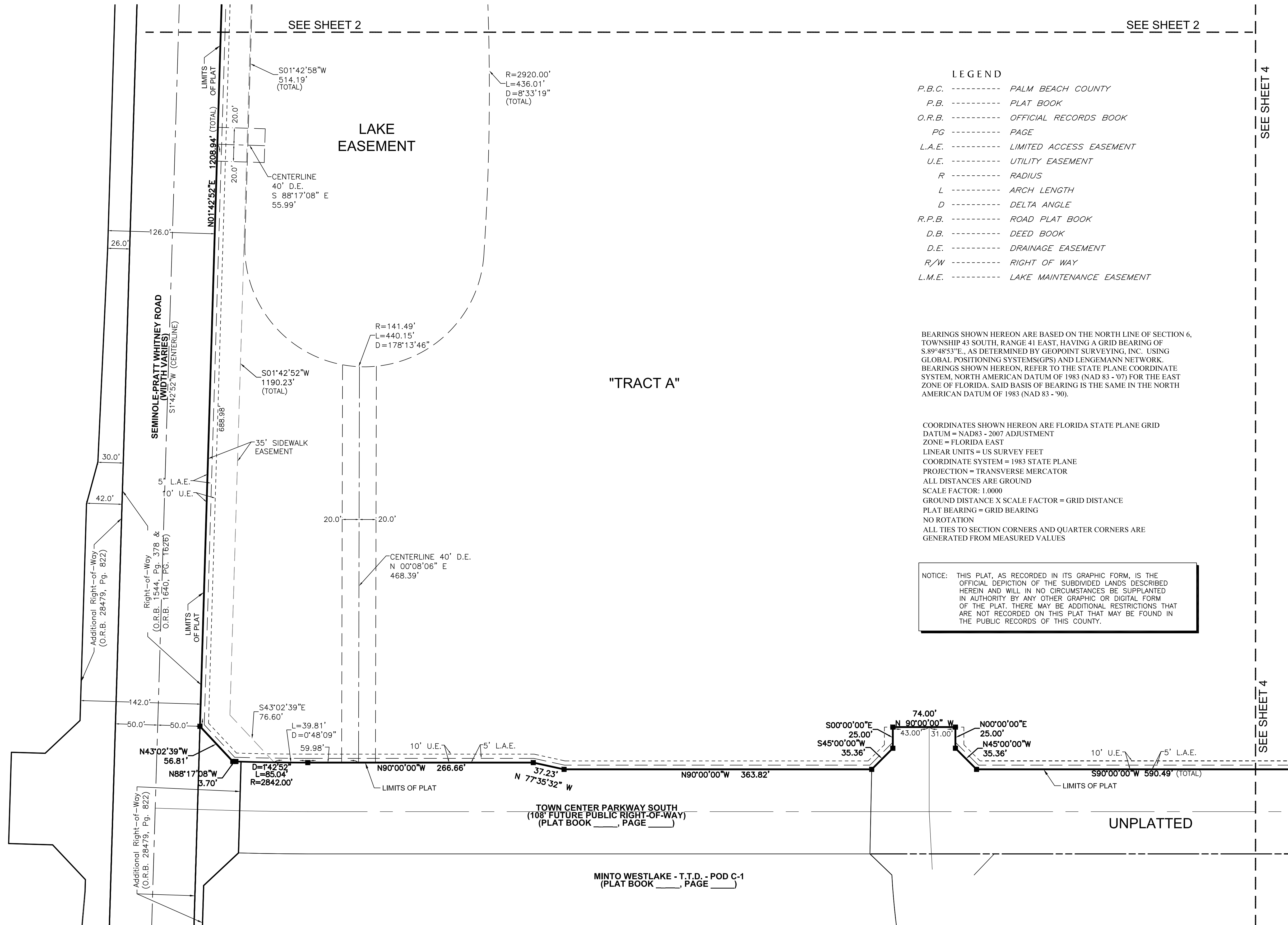
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MINTO WESTLAKE TTD POD L

BEING A PLAT OF A PORTION OF
SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST,
CITY OF WESTLAKE, FLORIDA



KEY MAP

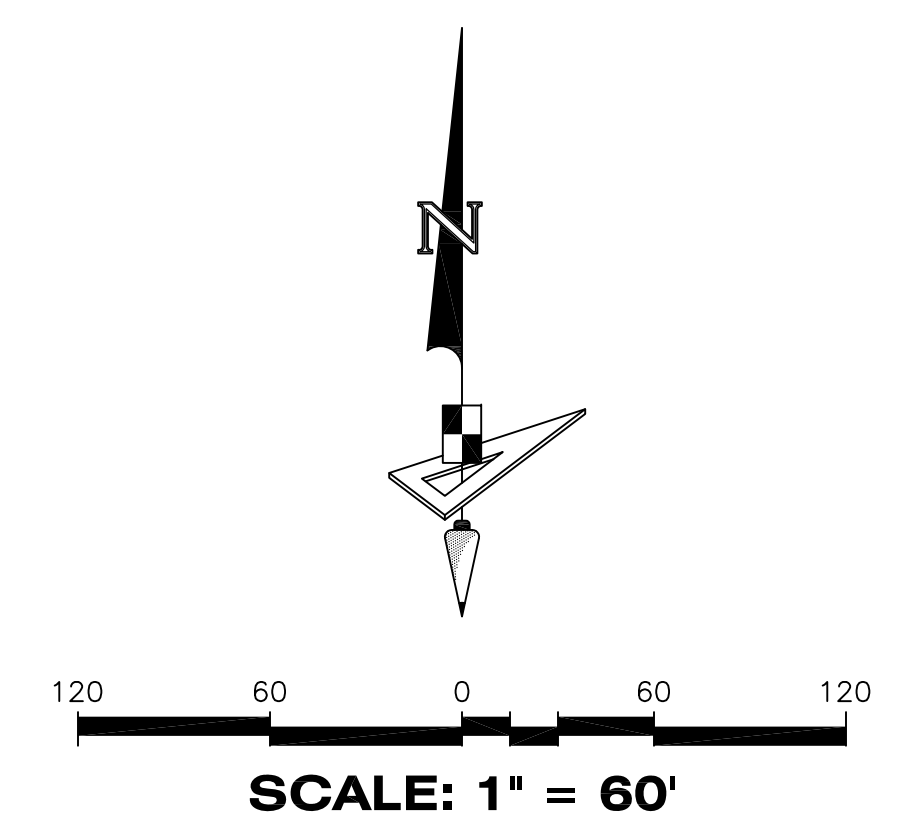


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 - R.P.B. ----- ROAD PLAT BOOK
 - D.B. ----- DEED BOOK
 - D.E. ----- DRAINAGE EASEMENT
 - R/W ----- RIGHT OF WAY
 - L.M.E. ----- LAKE MAINTENANCE EASEMENT

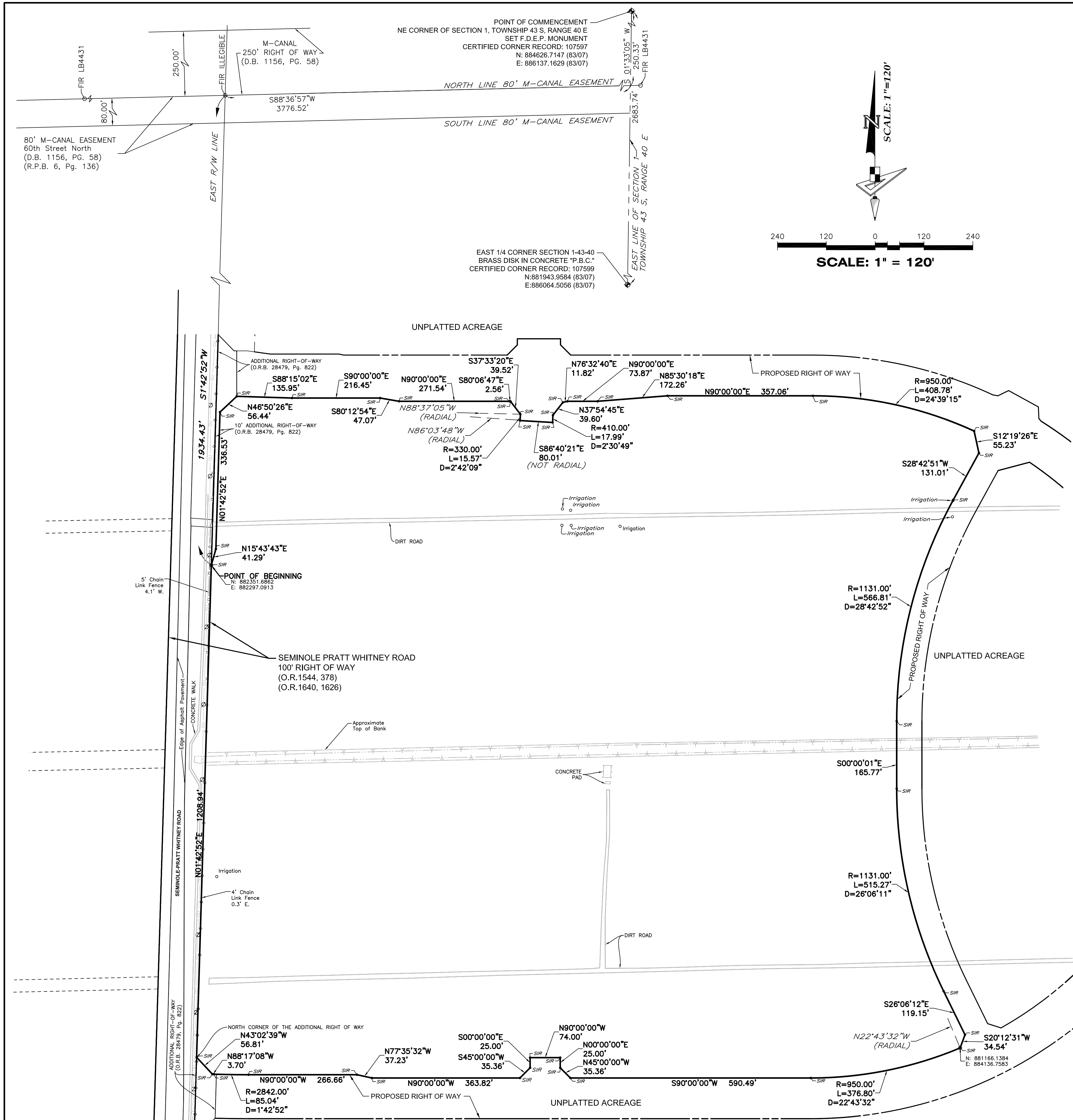
BEARINGS SHOWN HEREON ARE BASED ON THE NORTH LINE OF SECTION 6, TOWNSHIP 43 SOUTH, RANGE 41 EAST, HAVING A GRID BEARING OF S.89°48'53"E., AS DETERMINED BY GEOPOINT SURVEYING, INC. USING GLOBAL POSITIONING SYSTEMS(GPS), AND LENGEMANN NETWORK. BEARINGS SHOWN HEREON, REFER TO THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983 (NAD 83 - '07) FOR THE EAST ZONE OF FLORIDA. SAID BASIS OF BEARING IS THE SAME IN THE NORTH AMERICAN DATUM OF 1983 (NAD 83 - '90).

COORDINATES SHOWN HEREON ARE FLORIDA STATE PLANE GRID
 DATUM = NAD83 - 2007 ADJUSTMENT
 ZONE = FLORIDA EAST
 LINEAR UNITS = US SURVEY FEET
 COORDINATE SYSTEM = 1983 STATE PLANE
 PROJECTION = TRANSVERSE MERCATOR
 ALL DISTANCES ARE GROUND
 SCALE FACTOR: 1.0000
 GROUND DISTANCE X SCALE FACTOR = GRID DISTANCE
 PLAT BEARING = GRID BEARING
 NO ROTATION
 ALL TIES TO SECTION CORNERS AND QUARTER CORNERS ARE GENERATED FROM MEASURED VALUES

NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

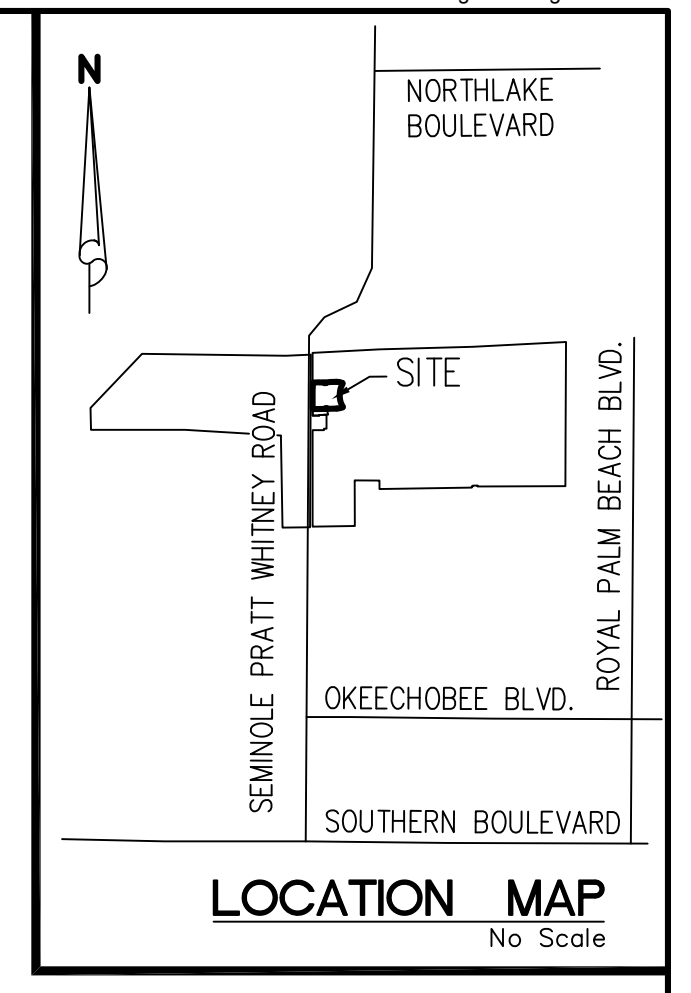
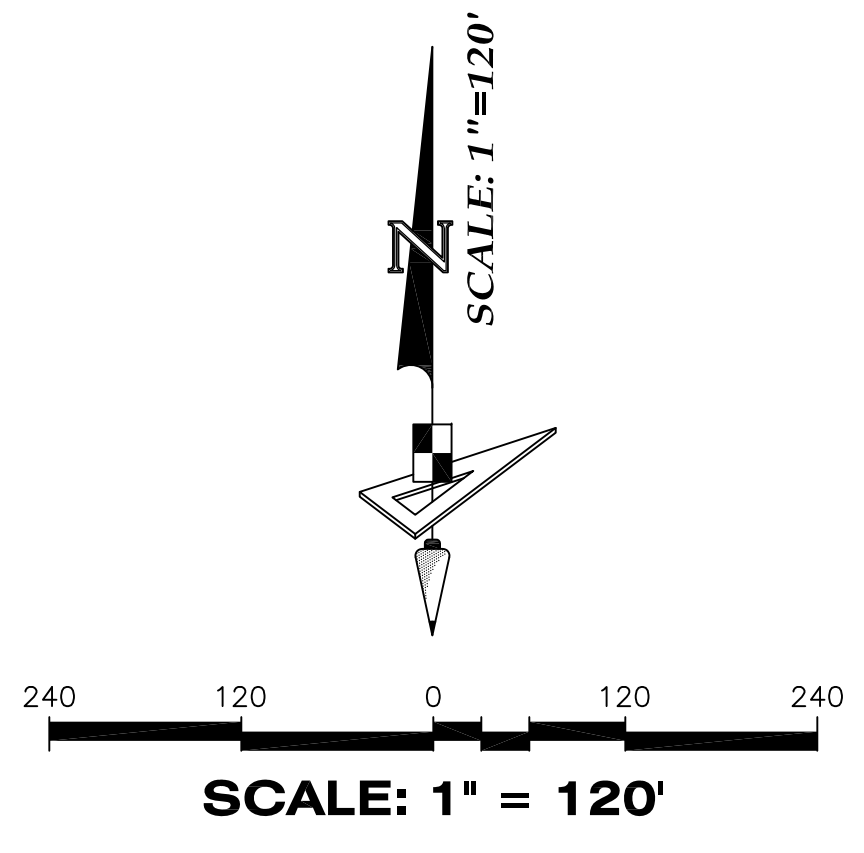


MINTO WESTLAKE - T.T.D. - POD C-1
(PLAT BOOK _____, PAGE _____)



LEGEND

- D.B. ----- Deed Book
- O.R.B./O.R. ----- Official Records Book
- P.B. ----- Plat Book
- R.P.B. ----- Road Plat Book
- Pg(s) ----- Page(s)
- SIR ----- Set 1/2" Iron Rod LB7768
- FIP ----- Found Iron Pipe
- FIR ----- Found Iron Rod
- R/W ----- Right of Way
- Ø ----- Utility Pole
- ⊕ ----- Telephone Pedestal
- ⊙ ----- Buried Telephone Warning Marker
- ⊕ ----- Gas Gate Valve
- ⊕ ----- Fire Hydrant
- ou ----- Overhead Utility Lines
- ⊕ ----- Water Manhole
- F.D.E.P. ----- Florida Department of Environmental Protection
- R ----- Radius
- L ----- Length
- D ----- Delta Angle



SURVEYORS NOTES:

- EASEMENTS, RIGHTS-OF-WAYS, SET BACK LINES, RESERVATIONS, AGREEMENTS AND OTHER SIMILAR MATTERS TAKEN FROM OWNERSHIP AND ENCUMBRANCE REPORT PREPARED BY FOUNDERS TITLE, DATED MARCH 16, 2015.
- THIS SURVEY IS LIMITED TO ABOVE GROUND VISIBLE IMPROVEMENTS AND THAT NOTHING BELOW THE GROUND WAS LOCATED INCLUDING, BUT NOT LIMITED TO FOUNDATIONS (FOOTINGS), UTILITIES, ETC.
- BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE CENTERLINE OF SEMINOLE PRATT-WHITNEY ROAD HAVING A GRID BEARING OF S.01°42'52\"/>

DESCRIPTION:
A PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST, CITY OF WESTLAKE, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SECTION 1, TOWNSHIP 43 SOUTH, RANGE 40 EAST; THENCE S.01°33'05\"/>

CONTAINING: 2,915,873 SQUARE FEET OR 66,939 ACRES MORE OR LESS.

**WESTLAKE - PHASE 1B
BOUNDARY SURVEY**

REVISIONS			Prepared For: MINTO COMMUNITIES
No.	Date	Description	Dwn.
1	07/23/15	COUNTY COMMENTS	KKM
2	08/18/15	REVISE BOUNDARY AND DESCRIPTION	KKM
3	08/31/15	REVISE BOUNDARY AND DESCRIPTION	KKM
4	08/28/15	REVISE BOUNDARY AND DESCRIPTION	KKM
5	10/10/16	REVISE BOUNDARY AND DESCRIPTION	GAR

Last Date of Field Survey: 10/10/16

SURVEYOR'S CERTIFICATE
This certifies that a survey of the hereon described property was made under my supervision and meets the Minimum Technical Standards set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 51-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

Gary A. Rager
FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. **LS4828**
Check: GAR P.C.: GR3 Field Book: _____

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

**GeoPoint
Surveying, Inc.**

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404

Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768

Drawn: KKM Date: 06/10/15 Data File: _____
Check: GAR P.C.: GR3 Field Book: _____
Section: 1 Twn. 43 Rng. 40 Job #: WESTLAKE

OWNERSHIP AND ENCUMBRANCE REPORT:
PREPARED BY FOUNDERS TITLE
DATED MARCH 16, 2015

EASEMENTS AND OTHER MATTERS AFFECT TITLE:

- ITEM 1: OIL, GAS AND MINERAL RESERVATIONS IN FAVOR OF SOUTHERN STATES LAND AND TIMBER CORPORATION, AS CONTAINED IN DEED DATED APRIL 20, 1951 AND RECORDED APRIL 25, 1951 IN DEED BOOK 941, PAGE 526 (INCLUDES SECTIONS 5 AND 6, NORTH 1/2 OF SECTION 7, AND NORTH 1/2 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST), AS MODIFIED BY THE INSTRUMENT RECORDED IN OFFICIAL RECORDS BOOK 312, PAGE 342, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (INCLUDES SECTIONS 5 AND 6, NORTH 1/2 OF SECTION 7, AND NORTH 1/2 OF SECTION 8, TOWNSHIP 43 SOUTH, RANGE 41 EAST).
- ITEM 2: CONTRACT BETWEEN WEST PALM BEACH WATER CO. AND INDIAN TRAIL RANCH, INC. RECORDED IN DEED BOOK 1156 AT PAGE 36, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 3: MUTUAL RIGHT-OF-WAY AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1328 AT PAGE 530, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 4: MUTUAL RIGHT-OF-WAY AGREEMENT DATED APRIL 1, 1966 AND RECORDED APRIL 1, 1966 IN OFFICIAL RECORDS BOOK 1354, PAGE 47, ASSIGNED IN OFFICIAL RECORDS BOOK 2006, PAGE 1023, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 5: EASEMENT FOR DRAINAGE PURPOSES CONTAINED WITHIN DECLARATION OF EASEMENTS DATED NOVEMBER 25, 1968 AND RECORDED NOVEMBER 29, 1968 IN OFFICIAL RECORDS BOOK 1687, PAGE 1749, AFFECTED BY PARTIAL ASSIGNMENT OF EASEMENTS RECORDED MAY 6, 2008 IN OFFICIAL RECORDS BOOK 22620, PAGE 1890, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 6: TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THAT CERTAIN EASEMENT AND ACCESS AGREEMENT BY AND BETWEEN CALLERY-JUDGE GROVE, A NEW YORK LIMITED PARTNERSHIP AND SEMINOLE WATER CONTROL DISTRICT DATED JANUARY 15, 1971 AND RECORDED JUNE 20, 1971 IN OFFICIAL RECORDS BOOK 1868, PAGE 307, TOGETHER WITH THE TERMS, CONDITIONS AND PROVISIONS OF THAT CERTAIN EASEMENT AND ACCESS AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 6853, PAGE 1722, SAID EASEMENTS AS AFFECTED BY RELEASE OF ACCESS RIGHTS RECORDED IN OFFICIAL RECORDS BOOK 14034, PAGE 1138, OFFICIAL RECORDS BOOK 14566, PAGE 1775, OFFICIAL RECORDS BOOK 14566, PAGE 1791, OFFICIAL RECORDS BOOK 14676, PAGE 949, OFFICIAL RECORDS BOOK 15391, PAGE 750 AND OFFICIAL RECORDS BOOK 15610, PAGE 174, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.(AFFECTS PROPERTY, SHOWN HEREON)
- ITEM 7: EASEMENT IN FAVOR OF SEMINOLE WATER CONTROL DISTRICT CONTAINED IN INSTRUMENT DATED APRIL 26, 1989 AND RECORDED MAY 11, 1989 IN OFFICIAL RECORDS BOOK 6062, PAGE 1113, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 8: TERMS AND CONDITIONS OF UNTY(S) OF TITLE RECORDED IN OFFICIAL RECORDS BOOK 2865, PAGE 744; OFFICIAL RECORDS BOOK 3289, PAGE 1012 AND OFFICIAL RECORDS BOOK 7818, PAGE 1681, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 9: EASEMENT AGREEMENT BY AND BETWEEN CALLERY-JUDGE GROVE AND SEMINOLE WATER CONTROL DISTRICT AS CONTAINED IN DEDICATION OF EASEMENT DATED DECEMBER 4, 1992 AND RECORDED DECEMBER 17, 1992 IN OFFICIAL RECORDS BOOK 7520, PAGE 1777, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEMS 10-16: EASEMENT AGREEMENT BY AND BETWEEN CALLERY-JUDGE GROVE AND BELLSOUTH TELECOMMUNICATIONS, INC., CONTAINED IN INSTRUMENT DATED JUNE 22, 1993 AND RECORDED JULY 28, 1993 IN OFFICIAL RECORDS BOOK 7817, PAGE 1558, AS CORRECTED IN OFFICIAL RECORDS BOOK 7925, PAGE 1937, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 17: TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THAT CERTAIN DEDICATION OF IRRIGATION EASEMENT BY CALLERY-JUDGE GROVE L.P., DATED AUGUST 23, 1994 AND RECORDED AUGUST 29, 1994 IN OFFICIAL RECORDS BOOK 8405, PAGE 1111, AND CORRECTIVE DEDICATION OF IRRIGATION EASEMENT RECORDED NOVEMBER 8, 1994 IN OFFICIAL RECORDS BOOK 8497, PAGE 1022, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 18: EASEMENT IN FAVOR OF FLORIDA POWER AND LIGHT COMPANY CONTAINED IN INSTRUMENT DATED SEPTEMBER 25, 1995 AND RECORDED OCTOBER 25, 1995 IN OFFICIAL RECORDS BOOK 8973, PAGE 1728, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 19: INGRESS AND EGRESS EASEMENT BY AND BETWEEN CALLERY-JUDGE GROVE L.P., SEMINOLE WATER CONTROL DISTRICT AND THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA, CONTAINED IN INSTRUMENT DATED MARCH 14, 1996 AND RECORDED MARCH 18, 1996 IN OFFICIAL RECORDS BOOK 9169, PAGE 139, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 20: TERMS, CONDITIONS AND PROVISIONS OF COMPREHENSIVE PLAN AGREEMENT AND COVENANT BY AND BETWEEN CALLERY-JUDGE GROVE L.P., AND PALM BEACH COUNTY DATED JULY 1, 1996 AND RECORDED SEPTEMBER 3, 1996 IN OFFICIAL RECORDS BOOK 9422, PAGE 63, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEMS 21-28: TERMS, CONDITIONS AND PROVISIONS OF COMMUNICATION TOWER REMOVAL AGREEMENT BY AND BETWEEN BELLSOUTH MOBILITY, INC., AND CALLERY-JUDGE GROVE, AS CONTAINED IN INSTRUMENT DATED NOVEMBER 2, 1996 AND RECORDED DECEMBER 6, 1996 IN OFFICIAL RECORDS BOOK 9559, PAGE 1879, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 29: EASEMENT IN FAVOR OF BELLSOUTH TELECOMMUNICATIONS RECORDED AUGUST 25, 1998 IN OFFICIAL RECORDS BOOK 10602, PAGE 717, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 30: DRAINAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 10647, PAGE 1106, AND FLOWAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 10647, PAGE 1150, BOTH IN FAVOR OF PALM BEACH COUNTY. (DOES NOT AFFECT PROPERTY)
- ITEM 31: EASEMENT(S) IN FAVOR OF BELLSOUTH TELECOMMUNICATIONS, INC., A GEORGIA CORPORATION SET FORTH IN INSTRUMENT(S) RECORDED IN OFFICIAL RECORDS BOOK 11289, PAGE 112, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEMS 32-35: TERMS, CONDITIONS, AND PROVISIONS OF SITE SUBLEASE DATED SEPTEMBER 16, 1999, BY AND BETWEEN BELLSOUTH MOBILITY, INC., A GEORGIA CORPORATION AS SUBLESSOR, AND NEXTEL SOUTH CORP., A GEORGIA CORPORATION AS SUBLESSEE, A MEMORANDUM OF WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 11517, PAGE 138, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 36: TERMS, CONDITIONS, AND PROVISIONS OF MASTER LEASE AGREEMENT AND SUPPLEMENT TO MASTER LEASE AGREEMENT, DATED MARCH 14, 2001 BY AND BETWEEN CROWN CASTLE SOUTH, INC., A DELAWARE CORPORATION AS LESSOR (SUB-SUBLESSOR), AND PRIMECO PERSONAL COMMUNICATIONS, LIMITED PARTNERSHIP, D/B/A VERIZON WIRELESS, A DELAWARE LIMITED PARTNERSHIP AS LESSEE (SUB-SUBLESSEE), A MEMORANDUM OF WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 12398, PAGE 1433, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 37: TERMS, CONDITIONS, AND PROVISIONS OF SITE LEASE ACKNOWLEDGEMENT DATED MARCH 28, 2001, BY AND BETWEEN CROWN CASTLE SOUTH, INC., A DELAWARE CORPORATION AS LESSOR (SUB-SUBLESSOR), AND SPRINT SPECTRUM L.P., A DELAWARE LIMITED PARTNERSHIP AS LESSEE (SUB-SUBLESSEE), A MEMORANDUM OF WHICH IS RECORDED IN OFFICIAL RECORDS BOOK 12951, PAGE 1353, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 38: TERMS, CONDITIONS, AND PROVISIONS OF LEASE DATED JUNE 20, 1996, BY AND BETWEEN CALLERY-JUDGE GROVE, L.P., A LIMITED PARTNERSHIP AS LESSOR, AND BELLSOUTH MOBILITY LLC, A GEORGIA LIMITED LIABILITY COMPANY AS LESSEE, A MEMORANDUM OF WHICH WAS RECORDED APRIL 4, 2002, IN OFFICIAL RECORDS BOOK 13577, PAGE 1245, AS AMENDED BY AMENDED AND RESTATED SITE DESIGNATION SUPPLEMENT AND MEMORANDUM OF LEASE RECORDED JUNE 13, 2003 IN OFFICIAL RECORDS BOOK 15373, PAGE 831, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 39: TERMS, CONDITIONS, AND PROVISIONS OF SUBLEASE DATED JUNE 1, 1999, BY AND BETWEEN BELLSOUTH MOBILITY, LLC, A GEORGIA LIMITED LIABILITY COMPANY AS SUBLESSOR, AND CROWN CASTLE SOUTH INC., A DELAWARE CORPORATION AS SUBLESSEE, AS AMENDED AND SUPPLEMENTED BY SITE DESIGNATION SUPPLEMENT AND MEMORANDUM OF SUBLEASE DATED DECEMBER 1, 2000, RECORDED IN OFFICIAL RECORDS BOOK 13958, PAGE 402, AS RE-RECORDED SEPTEMBER 9, 2002 IN OFFICIAL RECORDS BOOK 14126, PAGE 656, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (AFFECTS PROPERTY, NOT PLOTTABLE)
- ITEM 40: TERMS AND CONDITIONS OF LICENSE AGREEMENT BY AND BETWEEN SILVER LAKE ENTERPRISES, INC., A NEVADA CORPORATION AND SEMINOLE IMPROVEMENT DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, DATED AUGUST 12, 2002 AND RECORDED AUGUST 14, 2002 IN OFFICIAL RECORDS BOOK 14034, PAGE 1123 AND RE-RECORDED JUNE 17, 2003 IN OFFICIAL RECORDS BOOK 15391, PAGE 742, AS AMENDED BY AMENDMENT TO LICENSE AGREEMENT RECORDED FEBRUARY 7, 2003 IN OFFICIAL RECORDS BOOK 14769, PAGE 589, AS AMENDED BY AMENDMENT TO LICENSE AGREEMENT RECORDED JUNE 17, 2003 IN OFFICIAL RECORDS BOOK 15391, PAGE 782, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 41: RESERVATION OF RIGHTS AS CONTAINED WITHIN QUIT CLAIM DEED AND AGREEMENT FOR RESERVATION OF RIGHTS DATED JANUARY 30, 2003, RECORDED FEBRUARY 3, 2003 IN OFFICIAL RECORDS BOOK 14742 AT PAGE 1196, AFFECTED BY PARTIAL RELEASE FROM THE SEMINOLE IMPROVEMENT DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 20846, PAGE 1424, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (AFFECTS PROPERTY, SHOWN HEREON)
- ITEM 42: INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE SEMINOLE IMPROVEMENT DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 20252, PAGE 184, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 43: EASEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED AUGUST 23, 2006 IN OFFICIAL RECORDS BOOK 20764, PAGE 4, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 44: GRANT OF EASEMENT FROM CALLERY-JUDGE GROVE L.P., A NEW YORK LIMITED PARTNERSHIP TO CROWN CASTLE SOUTH LLC, A DELAWARE LIMITED LIABILITY COMPANY, RECORDED NOVEMBER 8, 2010 IN OFFICIAL RECORDS BOOK 24182, PAGE 576. NOTE: SUBORDINATION AND NON-DISTURBANCE AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 24182, PAGE 592, BOTH OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 45: CORRECTIVE GRANT OF EASEMENT BY SEMINOLE WATER CONTROL DISTRICT IN FAVOR OF CALLERY-JUDGE GROVE, L.P. RECORDED NOVEMBER 8, 1994 IN OFFICIAL RECORDS BOOK 8497, PAGE 1017, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 46: FLOWAGE EASEMENT IN FAVOR OF PALM BEACH COUNTY RECORDED IN OFFICIAL RECORDS BOOK 10647, PAGE 1150, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 47: EASEMENTS IN FAVOR OF FLORIDA POWER AND LIGHT COMPANY RECORDED IN OFFICIAL RECORDS BOOK 14239, PAGE 720, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (AFFECTS PROPERTY, SHOWN HEREON)
- ITEMS 48&50: TERMS, PROVISIONS AND EASEMENTS CONTAINED IN THAT CERTAIN WARRANTY DEED RECORDED SEPTEMBER 25, 1956 IN DEED BOOK 1156, PAGE 58, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 49: MATTERS SHOWN ON THE MAP OF M-CANAL ROAD RECORDED IN ROAD PLAT BOOK 6, PAGE 136, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 51: TERMS, PROVISIONS, EASEMENTS, INCLUDING AN OPTION TO PURCHASE CONTAINED IN THAT CERTAIN UNRECORDED AGREEMENT AND 99 YEAR LEASE WITH PURCHASE OPTION DATED APRIL 14, 2004, BY AND BETWEEN CALLERY-JUDGE GROVE, L.P., A NEW YORK LIMITED PARTNERSHIP AND JAC PROPERTY HOLDINGS, LLC, A FLORIDA LIMITED LIABILITY COMPANY, AS AFFECTED BY FIRST AMENDMENT DATED JUNE 14, 2004 AND SECOND AMENDMENT DATED JUNE 18, 2004. (DOES NOT AFFECT PROPERTY)
- ITEM 52: INGRESS AND EGRESS EASEMENT AGREEMENT BY AND BETWEEN CALLERY-JUDGE GROVE, L.P., A NEW YORK LIMITED PARTNERSHIP AND LANDAM CONSTRUCTION EXCHANGE COMPANY RECORDED IN OFFICIAL RECORDS BOOK 17336, PAGE 1503, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)
- ITEM 53: DRAINAGE EASEMENT BY AND BETWEEN CALLERY-JUDGE GROVE, L.P., A NEW YORK LIMITED PARTNERSHIP AND LANDAM CONSTRUCTION EXCHANGE COMPANY RECORDED IN OFFICIAL RECORDS BOOK 17336, PAGE 1522, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. (DOES NOT AFFECT PROPERTY)

MINTO WEST - PHASE 1B

REVISIONS				Prepared For: MINTO COMMUNITIES	
No.	Date	Description	Dwn.		
1	07/23/15	COUNTY COMMENTS	KKM		
2	08/18/15	REVISE BOUNDARY AND DESCRIPTION	KKM		
3	08/31/15	REVISE BOUNDARY AND DESCRIPTION	KKM		
4	09/28/15	REVISE BOUNDARY AND DESCRIPTION	KKM		
5	10/10/16	REVISE BOUNDARY AND DESCRIPTION	GAR		

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Riviera Beach, FL 33404 Licensed Business Number LB 7768

Drawn: KKM Date: 06/10/15 Data File:
Check: GAR P.C.: GR3 Field Book:
Section: 1 Twn. 43 Rng. 40 Job #: WESTLAKE

Sheet No. 2 of 2 Sheets

DRAWN BY: SERGIO MORALES LAST SAVED BY: SERGIO ON: 11/20/16 1:16 AM PLOTTED BY: SERGIO MORALES ON: 11/20/16 2:04 PM

Eleventh Order of Business

November 14, 2016

RESOLUTION 2016-15

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, APPOINTING JAMES JACKSON TO SERVE AS BUILDING OFFICIAL FOR THE CITY OF WESTLAKE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Westlake, Florida, has entered into a contract for building inspection services with the firm of Nova Engineering and Environmental; and

WHEREAS, a primary responsibility under the contract with Nova Engineering and Environmental, includes enforcement of the Florida Building Codes, as set forth in Florida Statutes, including but not limited to Chapter 553, for the City of Westlake; and

WHEREAS, the City of Westlake is in agreement with JAMES JACKSON, of Nova Engineering and Environmental, being designated as the Building Official for the City of Westlake, and in his absence or unavailability, Bradley Weigle, shall serve as Deputy Building Official for the City of Westlake.

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

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

Section 2. The City Council for the City of Westlake, hereby designates James Jackson as the Building Official for the City of Westlake, and Bradley Weigle as Deputy Building Official.

Section 3: That this resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED by City Council for the City of Westlake, on this _____ day of November, 2016.

Roger Manning, Mayor
City of Westlake

Sandra Demarco, City Clerk

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