

RESOLUTION NO. 17-06-03

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING AN APPLICATION FOR A SITE PLAN SUBJECT TO CONDITIONS ON 0.50 OF LAND, OWNED BY GREG A. PEFFLEY, LOCATED AT 138 LAKESHORE DRIVE, GENERALLY LOCATED JUST WEST OF THE LAKE PARK MARINA ALONG THE WEST SIDE OF LAKESHORE DRIVE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Greg A. Pefley (the owner/applicant) has filed an application seeking site plan approval for the property located at 138 Lakeshore Drive, in the Town of Lake Park, Florida; and

WHEREAS, the subject property's legal description is contained in Exhibit A and it's general location as shown in Exhibit B, both of which are attached hereto and incorporated herein; and,

WHEREAS, the applicant proposes to construct 4,309 square feet for a 4 unit multi-family town house apartment building; and,

WHEREAS, the Lake Park Planning and Zoning Commission has reviewed the Applicant's site plan application and has made its recommendation to the Town Commission; and

WHEREAS, the Town Commission has considered the evidence presented to it by the Town Staff, the Applicant, and other interested parties and members of the public, regarding the application's consistency with the Town's Comprehensive Plan and Town's Land Development Regulations, and

WHEREAS, the Town Commission has determined that certain conditions as set forth herein, are necessary for the application to be consistent with the Town's Comprehensive Plan and to meet the Town's Land Development Regulations; and

WHEREAS, the Applicant, Its successors and assigns shall be subject to the conditions contained in Section 3.

NOW THEREFORE, be it ordained by the Town Commission of the Town of Lake Park;

Section 1: The whereas clauses are incorporated herein as true and correct as the findings of fact and conclusions of law of the Town Commission.

Section 2. The Town Commission hereby approves the site plan and architectural elevations submitted by the applicant for a 4,309 square foot, 4 unit multi-family town house apartment building, subject to the conditions contained in Section 3.

Section 3. Approval of the Site Plan for the subject property shall be subject to the following conditions, in addition to applicable requirements of the Code of Ordinances:

1. Landscape Architect of Record will provide the Town of Lake Park with certification that all landscaping proposed is installed according to the landscape plans prior to issuance of a Certificate of Occupancy
2. Approval of the Site Plan shall be consistent with the submitted plans to the Town of Lake Park dated 06/10/03
3. The Applicant will continue to work with Staff to finalize the Landscape Plans as discussed at Planning & Zoning Commission Hearing on June 2, 2003.
4. The Final Landscape Plans shall be consistent with the recommendations discussed at the Planning & Zoning Commission Hearing on June 2, 2003
5. The Applicant shall install all improvements in compliance with the Architectural Elevations dated 06/10/03 prepared by Noe Guerra, received and dated by the Community Development Department on 06/10/03
6. Any revisions to the site plan, landscape plans, elevations, signs, statement of use, or other details submitted as part of this application, including but not limited to the location of the proposed improvements or additional, revised, or deleted colors, materials, or structures, shall be requested in writing to the Department of Community Development and shall be subject to its review and approval.
7. The applicant shall provide sample colors and hardscape materials to the Planning & Zoning Commission for approval.
8. The applicant restricts the use of the proposed garages to strictly automotive storage.
9. The proposed garages shall be closed at all times, unless to remove or park

residents vehicle.

10. The applicant shall agree to all landscape improvements as discussed at the June 2, 2003 P&Z Hearing.
11. Prior to issuance of the first Certificate of Occupancy, the applicant shall provide the Town documentation of dedication of a five foot (5') utility easement along the front property line of the subject site.

Section 4. If any section, paragraph, sentence, clause, phrase, or word of this Resolution is for any reason held by court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this RESOLUTION.

The foregoing RESOLUTION was offered by Commissioner Garretson, who moved its approval. The motion was seconded by Commissioner Otterson, and being put to a vote, the result was as follows:

	AYE	NAY
MAYOR PAUL CASTRO	X	
VICE MAYOR CHUCK BALIUS	X	
COMMISSIONER PAUL GARRETSON	X	
COMMISSIONER JEANINE LONGTIN	X	
COMMISSIONER BILL OTTERSON	X	

The Mayor thereupon declared Resolution No.17-06-03 duly passed and adopted this 18th day of June, 2003.

TOWN OF LAKE PARK, FLORIDA

BY: *Paul Castro*
Mayor Paul Castro

ATTEST:

Carol Simpkins
Carol Simpkins
Town Clerk

Approved as to form and legal sufficiency

Thomas J. Baird
Thomas J. Baird, Town Attorney



Exhibit "A"

The east 210 feet of lots 35, 36, 37 and 38, Block 114, Lake Park (formerly Kelsey City) according to the Plat thereof, on file in the Office of the Clerk of the Circuit Court, in and for Palm Beach County, Florida, recorded in Plat Book 8, Page 15.

Exhibit "B"

