

RESOLUTION NO. 66-09-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, APPROVING THE APPLICATION OF THE PROPERTY OWNER, JULIUS AUTOMOTIVE GROUP, INC., SUBMITTED BY THE SEMINOLE BAY LAND COMPANY, AS THE AGENT FOR THE PROPERTY OWNER, FOR A SPECIAL EXCEPTION FOR A 3,744 SQUARE FOOT AUTOMOBILE SALES AND REPAIR SERVICE USE, TO BE LOCATED AT 900 OLD DIXIE HIGHWAY IN THE C-4 COMMERCIAL ZONING DISTRICT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, on August 6, 2007 the Town of Lake Park (“Town”) Planning and Zoning Board reviewed and considered the special exception application (“Application”) of the property owner, Julius Automotive Group, Inc., (“Owner”), submitted by the Seminole Bay Land Company, as the agent and applicant (“Applicant”) for the Owner, for a Special Exception for a automobile sales and repair service use in the C-4 commercial zoning district, located at located at 900 Old Dixie Highway; and

WHEREAS, after consideration of the Application at their public hearing, the Planning and Zoning Board voted to recommend approval of the Special Exception with conditions, and the Application has been forwarded to the Town Commission for final consideration at a quasi-judicial hearing; and

WHEREAS, the Town Commission has heard this matter in public session, and has considered the presentation of sworn testimony by the Applicant, the Owner, Town staff and other witnesses, has received other evidence presented by the Applicant, the Owner, and interested members of the public, has received and considered the recommendations of the Town staff and the Planning and Zoning Board, and has otherwise been fully informed regarding this matter.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AS FOLLOWS:

Section 1. The Town Commission having received and considered the Application for a Special Exception for a automobile sales and repair service use in the C-4 commercial zoning district, located at 900 Old Dixie Highway in the Town, and the same having been heard in Regular Session on September 12, 2007, and having been otherwise fully apprised of the premises herein, the Town Commission hereby approves the Special Exception, subject to the following conditions:

(1) The Owner shall maintain the hedges at a height of thirty (30) inches along the front parking and display area and six (6) feet along the back storage area for the perimeter landscaping as indicated on the site and landscape plan dated June 7, 2007; revised June 16, 2007; and received August 24, 2007 by the Lake Park Community Development Department; and prepared by Seminole Bay Land Company, a copy of which

is attached hereto as Exhibit "A"; and

(2) The Owner shall install and operate a fire alarm system in the building on the premises, which system shall be subject to the inspection and approval by Palm Beach County Fire Rescue, and

(3) The Owner shall install, maintain, and replace if necessary, a ficus hedge in the back storage area at a minimum installation height of 48" with anticipated growth to 6 feet within 24 months, failing which the Town's Community Development Director can require an equivalent replacement planting, and

(4) The Owner shall provide for seven (7) customer and employee parking spaces on-site.

(5) The terms and conditions of this Resolution are enforceable by code enforcement action or other legal and equitable remedies available to the Town.

(6) The special exception use granted hereby may not be expanded without obtaining an additional special exception approval.

(7) In the designated auto display area, the Owner may park four (4) cars for sale or two (2) cars and one (1) limo for display only in the southwest corner of the premises as depicted on the site plan attached hereto as Exhibit "A".

(8) Cars for sale that are parked in the display area may not have upon them visible advertising or words reflecting that the car is for sale.


Section 2. This Resolution shall take effect immediately upon adoption.

The foregoing Resolution was offered by Commissioner Balius, who moved its adoption. The motion was seconded by Vice-Mayor Daly, and upon being put to a roll call vote, the vote was as follows:

	AYE	NAY
MAYOR PAUL W. CASTRO	<u>—</u>	<u>X</u>
VICE-MAYOR ED DALY	<u>X</u>	<u>—</u>
COMMISSIONER CHUCK BALIUS	<u>X</u>	<u>—</u>
COMMISSIONER JEFF CAREY	<u>X</u>	<u>—</u>
COMMISSIONER PATRICIA OSTERMAN	<u>X</u>	<u>—</u>

The Town Commission thereupon declared the foregoing Resolution NO. 66-09-07 duly passed and adopted this 12 day of September, 2007.

TOWN OF LAKE PARK, FLORIDA


BY: 
PAUL W. CASTRO
MAYOR

ATTEST:


VIVIAN MENDEZ
TOWN CLERK

TOWN OF LAKE PARK
(TOWN SEAL)
SEAL
FLORIDA

Approved as to form and legal sufficiency:

BY: 
THOMAS J. BAIRD
TOWN ATTORNEY

