

**RESOLUTION NO. 09-06-12**

**A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING RESOLUTION 20-05-10 AND 40-11-11 TO EXTEND A PREVIOUSLY APPROVED PERMIT WHICH AUTHORIZED THE USE OF VACANT PROPERTY OWNED BY EARL STEWART TOYOTA FOR THE TEMPORARY STORAGE OF VEHICLES AND THE PLACEMENT OF A TEMPORARY OFFICE TRAILER FOR USED CAR SALES; AND AUTHORIZING THE INSTALLATION OF A 50 FOOT FLAGPOLE TO DISPLAY A 15 FOOT BY 30 FOOT USA FLAG.**

**WHEREAS**, following the acquisition of the property upon which the Journey's Inn hotel and the El Colonial restaurant, Earl Stewart Toyota (the Applicant) requested permission from the Commission to demolish the buildings on the property and to use it for the temporary storage of vehicles and the placement of a temporary sales trailer; and

**WHEREAS**, pursuant to Resolution 20-05-10 and 40-11-11, the Town Commission approved a permit which authorized the Applicant to demolish the Journey's Inn hotel and the El Colonial restaurant buildings and granting the Applicant a temporary use of its property for temporary vehicular storage and the placement of an office trailer for used car sales thereon; and

**WHEREAS**, the Applicant's property which was granted this permit is legally described as: KELSEY CITY LTS 1 TO 11 INC /LESS W 20 FT RD R/W/ & LTS 12 TO 22 INC BLK 12. PCN 36-43-42-20-01-121-0010 (the subject property); and

**WHEREAS**, pursuant to Resolution 20-05-10, after demolition, the Applicant was required to fill the subject property with crushed asphalt and to grade it; and

**WHEREAS**, pursuant to Resolution 20-05-10, the Town Commission authorized the Applicant to use the subject property as a temporary parking and storage lot until the Applicant

begins construction of its new buildings and facilities consistent with a site plan to be approved by the Commission; and

**WHEREAS**, Resolution 20-05-10 contained a condition that required the subject property to be fully landscaped in accordance with the approved site plan if the timeline for site plan approval and construction of the expanded dealership if the timeline provided for in the Resolution was not met; and

**WHEREAS**, pursuant to Resolution 40-11-11, the Commission authorized the Applicant to install a temporary office trailer on the subject property until the Applicant begins construction of its new buildings and facilities so long as construction was initiated in accordance with the timeline approved by the commission pursuant to Resolution 20-05-11; and

**WHEREAS**, the Applicant is requesting an extension to the previously approved timeline and is requesting that the time to submit a site plan for the expansion of the dealership to December 31<sup>st</sup>, 2012; and

**WHEREAS**, the Applicant also requested permission to install a 50 foot flagpole on the southwest corner of the property upon which the Applicant intends to place a 15 foot by 360 foot USA flag.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF LAKE PARK:**

**Section 1.** The whereas clauses are hereby incorporated 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 extension of the timeline for the Applicant to submit a development plan for the expansion of the dealership. Additionally, the

Commission authorizes the continued use of the subject property for the temporary storage of vehicles and for the placement of a temporary office trailer.

**Section 3.** The Town Commission hereby approves the installation of a 50 foot flagpole on the southwest corner of the property for the placement of a 15 foot by 30 foot USA flag.

**Section 4.** The approval of this extension and the installation of a flag pole is subject to the conditions listed below:

- A. **Permit Duration.** A site plan for the subject property which illustrates the expansion of the dealership shall be submitted, together with the appropriate application fee on or before December 31<sup>st</sup>, 2012. The temporary office trailer shall be removed two months following the Commission's issuance of its development order approving a site plan for the subject property, or by October 1, 2013, whichever comes first. No further extensions will be permitted.
- B. **Flagpole.** The Applicant shall be permitted to install a flagpole not to exceed 50 feet. The flagpole shall be located on the southwest corner of the subject property. The flag shall be a USA flag, the dimensions of which shall not exceed 15 feet by 30 feet. The flagpole shall be maintained in accordance with the standards of the Town Code. A structural permit for the pole, with signed and sealed engineering plans, will be required prior to placement. A minimum setback of 54 feet (103% of pole height) shall be secured from all property lines.
- D. **Landscaping and Irrigation.** The Applicant shall landscape and irrigate the site pursuant to plans VLP-1, VLP-2 and IR-1 submitted May 16, 2012 by Gentile Holloway O'Mahoney and signed and sealed May 16, 2012. The request must be made via a permit filed with the Town of Lake Park Community Development Department within 14 days following the approval of this Resolution. Development plans for the Property are

required to include full landscaping pursuant to the Town of Lake Park Code requirements.

- D. Signage. Following the expiration of the temporary office trailer for used car sales and vehicular storage lot, the only permitted freestanding sign is a monument sign. The monument sign shall be in accordance with the standards for such signs established in the Town's Code of Ordinances.


**Section 3.** This Resolution shall take effect upon adoption.

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

	AYE	NAY
MAYOR JAMES DUBOIS	<u>/</u>	<u>   </u>
VICE-MAYOR KENDALL RUMSEY	<u>/</u>	<u>   </u>
COMMISSIONER STEVEN HOCKMAN	<u>   </u>	<u>/</u>
COMMISSIONER JEANINE LONGTIN	<u>/</u>	<u>   </u>
COMMISSIONER TIM STEVENS	<u>/</u>	<u>   </u>

The Town Commission thereupon declared the foregoing Resolution NO. 09-06-12 duly passed and adopted this 6 day of June, 2012.

TOWN OF LAKE PARK, FLORIDA

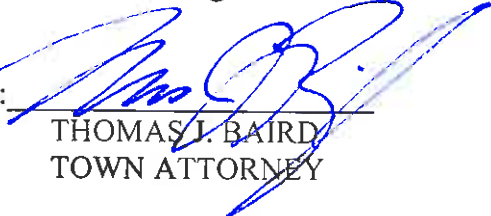
BY:   
JAMES DUBOIS  
MAYOR

ATTEST:

  
VIVIAN LEMLEY  
TOWN CLERK



Approved as to form and legal sufficiency:

BY:   
THOMAS J. BAIRD  
TOWN ATTORNEY