

34 members of the public regarding whether the Application meets the Town's Land
35 Development Regulations, including specifically Section 67-38 of the Town Code; and

36 **WHEREAS**, the Town Commission has determined that the conditions
37 incorporated herein, are necessary in order for the Application to be consistent with the
38 Town's Comprehensive Plan and to meet the Town's Land Development Regulations.

39

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

42

43 **Section 1.** The whereas clauses are hereby incorporated as the findings of fact and
44 conclusions of law of the Town Commission.

45 **Section 2.** The Town Commission hereby approves a Site Plan and authorizes the
46 development of a one-story office/warehouse building on the subject property, subject to
47 the conditions described below.

48

49 1. The Owner shall develop the Property consistent with the following plans
50 submitted by the Applicant:

51

52 a. Site Plan referenced as SP-1, prepared by J-W Engineering Inc., signed
53 and sealed 05/28/2013 and received and dated by the Department of
54 Community Development on 05/29/2013.

55

56 b. Paving, Drainage and Utilities plans referenced as C-1, C-2 and C-3
57 respectively, and prepared by J-W Engineering Inc., signed and sealed
58 06/13/2013 and received and dated by the Department of Community
59 Development on 06/14/2013.

60

61 c. Landscaping and Irrigation plans referenced as L-1, IP-1 and IP-2
62 respectively, and prepared by Maureen Smith Landscape Architect, signed
63 and sealed 05/29/2013 and received and dated by the Department of
64 Community Development on 05/29/2013.

65

66 d. Survey referenced as Job No. 13-01-035, prepared by Brennan Surveying
67 Inc. signed and sealed 05/16/2013 and received and dated by the
68 Department of Community Development on 06/05/2013.

69

70 e. Elevations referenced as sheets IA-5 and IA-6, and Photometric plan
71 referenced as sheet SL1.1, prepared by MMM Interior Design, Inc., signed

72 and sealed 05/29/2013 and received and dated by the Department of
73 Community Development on 05/29/2013.

- 74
- 75 2. The Owner's successors and assigns shall be subject to the approved
76 Development Orders for the Property, including conditions.
- 77
- 78 3. Construction is permitted only between the hours of 7:00 a.m. and 7:00 p.m.,
79 Monday through Saturday, except holidays, unless otherwise approved at least 7
80 calendar days in advance and in writing by the Community Development
81 Director.
- 82
- 83 4. Any proposed disturbance of the public right of way along Gateway Road which
84 causes a disruption to the normal flow of traffic shall be subject to the review and
85 written approval of the Directors of the Town's Public Works and Community
86 Development Departments.
- 87
- 88 5. Any proposed disruption to any of the surrounding entrance/exit streets and
89 parking areas along Gateway Road which causes the disruption of the daily
90 operation of nearby businesses shall require prior written approval by the
91 Community Development Director.
- 92
- 93 6. The Owner's contractor must always employ commonly accepted construction
94 practices.
- 95
- 96 7. All landscaping as shown on the Site and Landscaping Plans shall be continuously
97 maintained by the Owner from the date of the issuance of the Certificate of
98 Occupancy by the Town. The Owner shall be responsible for replacing any and all
99 dead or dying landscape material at any time to remain in compliance with the
100 landscaping requirements of the approved Site Plan and this approval.
- 101
- 102 8. The hedge material for the Property shall be maintained at 4 feet.
- 103
- 104 9. Safe and adequate pedestrian passage shall be maintained along the Property's
105 frontage along Gateway Road.
- 106
- 107 10. The Owner shall require that the Contractors use commonly accepted best
108 management practices to reduce airborne dust and particulates during construction
109 on the Property. This includes, but is not limited to seeding, wetting, and
110 mulching to minimize particulate emissions generated during construction.
- 111
- 112 11. All dumpsters shall be enclosed and the dumpster doors shall be kept closed at all
113 times. All dumpsters shall be acquired from the approved franchise supplier for
114 the Town of Lake Park. The Site Plan shall be modified to indicate that the
115 dumpster opening shall have a 12 foot x 10 foot opening.
- 116

- 117 12. Prior to issuance of the Certificate of Occupancy, the Applicant shall provide
118 certification from the Landscape Architect of record that the plant installations on
119 the subject Property is in accordance with the approved Site and Landscaping
120 Plans.
121
- 122 13. Prior to the issuance of any building permits, the Applicant shall submit copies of
123 all other permits required by other governmental agencies, including but not
124 limited to Palm Beach County Health Department, SUA, Palm Beach County
125 Land Development Division, South Florida Water Management Division, Palm
126 Beach County Fire Rescue and the State of Florida Department of Environmental
127 Protection.
128
- 129 14. Two certified copies of the approved and recorded drainage easement agreement
130 reflecting a 10 foot utility easement which is being provided to the Town is
131 required prior to the issuance of any development permit.
132
- 133 15. Any revisions to the approved Site Plan, landscape plan, architectural elevations,
134 signs, Statement of Use, photometric plan, or other detail submitted as part of the
135 application including, but not limited to, the location of the proposed
136 improvements or additional, revised, or deleted colors, materials, or structures,
137 shall be submitted to the Community Development Department and shall be
138 subject to its review and approval.
139
- 140 16. **The Owner shall initiate bona fide and continuous development of the**
141 **Property within 18 months from the effective date of this Resolution. Such**
142 **development shall be completed within 18 months from the effective date of**
143 **initiation of development; unless extended as provided for in the Town of**
144 **Lake Park Code of Ordinances Section 67-42 *Expiration of development***
145 ***approvals.***
146
- 147 17. **Cost Recovery.** All fees and costs, including legal fees incurred by the Town in
148 reviewing the Application and billed to the Owner shall be paid to the Town within
149 ten (10) days of receipt of an invoice from the Town. Failure by an Owner/Applicant
150 to reimburse the Town within the ten (10) day time period may result in the automatic
151 revocation of any approvals by the Town and any other appropriate measures that the
152 Town deems necessary and appropriate to secure payment.
153

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

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Exhibit "A" – Legal Description

Exhibit "B" – Location Map

157
158 The foregoing RESOLUTION was offered by Commissioner O'Rourke who
159 moved its adoption. The Motion was seconded by Commissioner Flaherty and
160 upon being put to roll call vote, the vote was as follows:


	AYE	NAY
161		
162		
163 MAYOR JAMES DUBOIS	<u>/</u>	___
164 VICE MAYOR KIMBERLY GLAS-CASTRO	<u>/</u>	___
165 COMMISSIONER ERIN FLAHERTY	<u>/</u>	___
166 COMMISSIONER MICHAEL O'ROURKE	<u>/</u>	___
167 COMMISSIONER KATHLEEN RAPOZA	<u>/</u>	___

168
169 **PUBLISHED IN THE PALM BEACH POST THIS 23 DAY OF June, 2013**
170

171 The Mayor thereupon declared Resolution No. 14-07-13 duly passed
172 and adopted this 3 day of July, 2013.

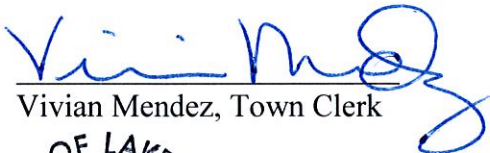
173
174
175
176 FLORIDA

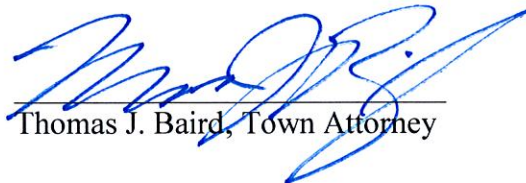
TOWN OF LAKE PARK,

177
178
179 BY: 
180 Mayor James DuBois

181
182 ATTEST:

Approved as to form and legal sufficiency

183
184 
185
186 Vivian Mendez, Town Clerk


Thomas J. Baird, Town Attorney



187
188
189
190
191 FLORIDA

192
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201

Exhibit "A"

202

Legal Description

203

LOT 8, GATEWAY INDUSTRIAL PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGE 148, AND ALL EXHIBITS AND AMENDMENTS THEREOF, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

ALSO WITH

A 10 FOOT DRAINAGE EASEMENT LYING IN LOT 8, GATEWAY INDUSTRIAL PARK, PLAT BOOK 30, PAGE 148, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEING THE SOUTH 10 FEET OF THE NORTH 24.75 FEET OF THE ABOVE MENTIONED LOT 8 AND COMMENCE AT THE NORTHWEST CORNER OF SAID LOT, THENCE SOUTH 01 DEGREES 42 MINUTES 12 SECONDS WEST, A DISTANCE OF 19.75 FEET ; THENCE SOUTH 88 DEGREES 06 MINUTES 18 SECONDS EAST, A DISTANCE OF 195.00 FEET TO THE POINT OF BEGINNING OF A 10 FOOT WIDE DRAINAGE EASEMENT LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED LINE; THENCE SOUTH 09 DEGREES 51 MINUTES 40 SECONDS EAST, A DISTANCE OF 89.62 FEET TO A POINT OF TERMINATION.

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Exhibit "B"
Location Map

Gateway Road (vacant parcel)



RECEIPT

Ad Name: 214753A

Ad ID: 214753

Original Ad ID:

Start: 06-23-2013
Stop: 06-23-2013
Issues: 1
Words: 248
Dimension: 1 X 50
Color:

Editions:
PB Post Web
PB Post

**LEGAL NOTICE OF
PUBLIC HEARING FOR
SITE PLAN APPROVAL
TOWN OF LAKE PARK**

Please take notice and be advised that the Town Commission will hold a public hearing on Wednesday July 3, 2013 at 6:30 p.m. or as soon thereafter, in the Town Chambers at Town Hall, located at 535 Park Avenue, Lake Park, Florida, for a Site Plan approval of an application filed by Jean Chardon of Shellco Construction Corporation, for a site currently owned by LPJ Properties and located on a vacant parcel of Gateway Road, Gateway Industrial park lot 8, in Lake Park, Florida. The Site Plan application is proposing a 5,250 square foot, one-story office/warehouse building on a 1.0036 acre site.

Resolution No. 14-07-13

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN AND AUTHORIZING THE CONSTRUCTION OF A ONE-STORY, 5,250 SQUARE FOOT OFFICE WAREHOUSE BUILDING ON 1.0036 ACRES LOCATED ON GATEWAY ROAD; AND PROVIDING FOR AN EFFECTIVE DATE.

If a person decides to appeal any decision made by the Town Commission with respect to any hearing, they 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. For additional information, please contact Vivian Mendez, Town Clerk at 561-881-3311.

Vivian Mendez, CMC, Town Clerk
Town of Lake Park, Florida
PUB: The Palm Beach Post
6-23/ 2013 #98559

Ad shown is not actual print size.

W/C 193

Prepared By and Return To:
Kirk Grantham, Esq.
The Grantham Law Firm
1860 Forest Hill Blvd., Ste. 105
West Palm Beach, FL 334066086

GRANT OF EASEMENT

THIS EASEMENT, made and granted this 29 day of May 2013, by LPJ Properties, Inc., a corporation existing under the laws of the State of Florida, having its principal place of business at 9657 Ilex Circle South, Palm Beach Gardens, FL 33410, and lawfully authorized to transact business in the state of Florida, Grantor*; and The Town of Lake Park, Florida, Grantee*, whose address is 535 Park Avenue, Lake Park, FL 33403

WITNESSETH: That said Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, does hereby grant unto the said Grantee a ten foot drainage easement lying in Lot 8, Gateway Industrial Park, Plat Book 30, Page 148, of the public records of Palm Beach County, Florida, described as follows:

Being the south 10 feet of the north 24.75 feet of the above-mentioned Lot 8 and commence at the northwest corner of said lot; thence south 01°-42'-12" west, a distance of 19.75 feet; thence south 88°-06'-18" east, a distance of 195.00 feet to the Point of Beginning of a 10 foot wide drainage easement lying 5 feet on each side of the following-described line; thence south 09°-51'-40" east. A distance of 89.62 feet to a Point of Termination.

*"Grantor" and "Grantee" are used for singular or plural, as context requires.

IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal the day and year first above written.

Signed, sealed and delivered
in our presence:

Jacqueline R. Peck
Witness
Print Name: Jacqueline R. Peck

LPJ PROPERTIES, INC., a Florida
corporation

Linda Rouse
Witness
Print Name: Linda Rouse

By: [Signature]
Robert D. Brockman, President

STATE OF FLORIDA

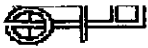
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 29th day of May 2013, by Robert D. Brockman, President of LPJ Properties, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or has produced FID as identification.

[N. P. SEAL]

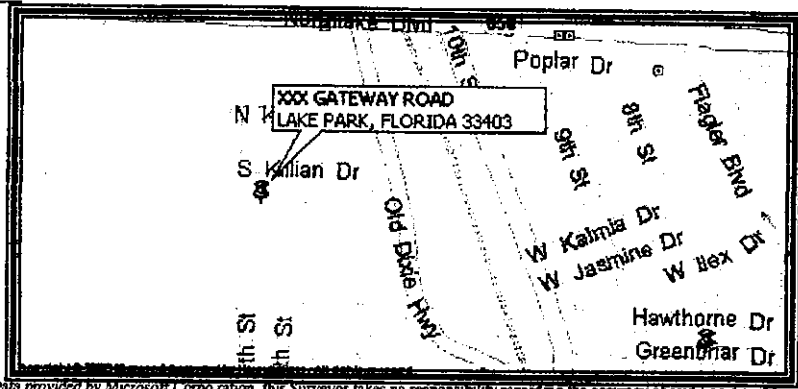
[Signature]
Notary Public, State of Florida





R.B. Brennan Surveying, Inc.

LB # 6813
P.O. Box 1090
Jupiter, Florida 33468
Voice: 561-776-0505
Fax: 561-776-0506
www.brennanservices.com
brennancompanies@gmail.com
email@brennanservices.com



Property Location shown on this Location Map is based on Algorithms and Data provided by Microsoft Corporation, this Surveyor takes no responsibility regarding the accuracy of said Location Map

Job No.: 13-01-035

Property Address:

**XXX GATEWAY ROAD
LAKE PARK, FLORIDA 33403**

Legal Description:

LOT 8, GATEWAY INDUSTRIAL PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 30, PAGE 148, AND ALL EXHIBITS AND AMENDMENTS THEREOF, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA.

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Field Date:

05/15/2013

Certified To:

JEAN SCARDON

Surveyors Notes:

- 1) Lands shown hereon have not been abstracted by this office for easements, reservations, or rights of way of record.
- 2) Subsurface improvements or encroachments were not located or shown hereon.
- 3) Elevations shown hereon are relative to the National Geodetic Vertical Datum 29 unless otherwise noted.
- 4) Only improvements located are those shown hereon.
- 5) All Dimensions shown are per plat unless otherwise noted.
- 6) Written Dimensions take precedence over scaled dimensions and distance are not to be scaled for construction and/or designs purposes.
- 7) Underground portions of footings, foundations or other improvements were not located.
- 8) This survey cannot be transferred or assigned without the specific written permission of R.B. Brennan Surveying, Inc.
- 9) No responsibility is assumed by this surveyor for the construction of improvements from building ties shown on this survey.
- 10) Fence ownership is not determined, location only.

Legend

A.	Arc	I.P.	Iron Pipe	P.O.B.	Point of Beginning	C.B.	Catch Basin
VC.	Air Conditioner	I.R./C.	Iron Rod/Cap	P.C.P.	Permanent Control Point	SQ. FT.	Square Feet
B.M.	Bench Mark	I.R.	Iron Rod	PG.	Page	IP/C	Iron Pipe & Cap
HD	Chord	L.B.	Licensed Business	P.K.	Parker/Kalon Nail	C.	Calculated
CL.F.	Chain Link Fence	L.P.	Light Pole	PLS	Professional Land Surveyor	No.	Number
CL	Center Line	L.	Length	P.R.C.	Point of Reverse Curve	Twp.	Township
M.	Concrete Monument	(M)	Measured	P.R.M.	Permanent Reference Monument	Rge.	Range IEE Ingress/Egress Easement
CONC.	Concrete	M.H.	Man Hole	P.S.M	Professional Surveyor & Mapper	Sec.	Section DH Drill Hole
Dd.)	Deed	+/-	Plus or Minus	P.T.	Point of Tangency	R.A.E	Reciprocal Access Easement

