ORDINANCE NO. 06-2015

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, ASSIGNING A FUTURE LAND USE DESIGNATION OF "RESIDENTIAL/COMMERCIAL" TO THAT 0.49 ACRE PORTION OF THE EAST JASMINE DRIVE RIGHT OF WAY, LOCATED EAST OF FEDERAL HIGHWAY AND TERMINATING AT LAKESHORE DRIVE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Lake Park, Florida (the "Town"), has adopted a Comprehensive Plan pursuant to Chapter 163, Part II, Florida Statutes, formerly known as the "Local Government Comprehensive Planning and Land Development Regulation Act" and now known as the Community Planning Act (the "Act"); and,

WHEREAS, the Town's Comprehensive Plan has been determined to be "in compliance" with the Act; and,

WHEREAS, Earl Stewart LLC and Commercial Investments LLC submitted an application to abandon the 0.49 acre portion of East Jasmine Drive owned by the Town as legally described in Exhibit "A" which is attached hereto and incorporated herein (the "Property") and to incorporate the Property into the Earl Stewart Toyota Planned Unit Development; and,

WHEREAS, the Town Commission has adopted an Ordinance abandoning the Property; and,

WHEREAS, the general location of the Property is as shown in Exhibit "B" which is also attached; and,

WHEREAS, the Town's Community Development Department has recommended that the Property be assigned a future land use designation of Residential/Commercial; and

WHEREAS, pursuant to the Act, the Town's Local Planning Agency (the LPA) has

conducted a public hearing, as required by Section 163.3174(4)(a), Florida Statutes, and has

recommended that the Commission assign a future land use designation of

Residential/Commercial to the subject property.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF

THE TOWN OF LAKE PARK, FLORIDA:

The whereas clauses are incorporated herein, are true and correct and Section 1.

constitute the legislative findings of the Town Commission.

Section 2. The future land use designation of Residential/Commercial is hereby

assigned to the Property.

Section 3. The Future Land Use Map of the Town's Comprehensive Plan is hereby

amended to reflect the assignment of the future land use designation of Residential/Commercial

to the Property.

Severability. If any section, paragraph, sentence, clause, phrase or word Section 4.

of this Ordinance is for any reason held by a court to be unconstitutional, inoperative or void,

such holding shall not affect the remainder of this Ordinance.

Section 5. Repeal of Laws in Conflict. All Ordinances or parts of Ordinances in conflict

herewith are hereby repealed to the extent of such conflict.

Effective Date. The provisions of this Ordinance shall become effective Section 6.

pursuant to Section 163.3184(3)(c), Florida Statutes.

Attachments: Exhibit "A" - Legal Description of the Subject Property

Exhibit "B" - General Location Map

Exhibit "A" Legal Description of the Subject Property

A portion of the existing right of way known as Jasmine Drive and shown as Avenue "J", 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, at Plat Book 8, Pages 15 and 35, and more particularly described as follows:

Bounded on the South by the North line of Block 121, said KELSEY CITY; Bounded on the North by the South line of Block 122, said KELSEY CITY; Bounded on the East by the West right of way line of Lake Shore Drive (a 60 foot right of way), said Kelsey City; Bounded on the West by the East right of way line of U.S. Highyway # 1 (State Road # 5) as conveyed to the State of Florida in Deed Book 803, Page 158, Public Records of Palm Beach County.

CONTAINING IN ALL, 21,275 SQ. FT. AND/OR 0.49 ACRES.

Exhibit "B" General Location Map

1215 Federal Highway



1017 Federal Highway

East Jasmine Drive

Upon First Reading thisday of	May	, 2015, the
foregoing Ordinance was offered by	missioner	Flaherty
who moved its approval. The motion was seconded by Commissioner Rapeza		
and being put to a vote, the result was as follows:		
	AYE	NAY
MAYOR JAMES DUBOIS		
VICE-MAYOR KIMBERLY GLAS-CASTRO		
COMMISSIONER ERIN FLAHERTY		
COMMISSIONER MICHAEL O'ROURKE		
COMMISSIONER KATHLEEN RAPOZA		
PUBLISHED IN THE PALM BEACH POST THIS 7 DAY OF, 2015		
Upon Second Reading this 19 day of	ranet	, 2015, the
foregoing Ordinance, was offered by Commissioner Flaherty		
who moved its adoption. The motion was seconded by Vice - Mayor Glas-Castro		
and being put to a vote, the result was as follows:		
,		
MAYOD IAMES DIDOIS	AYE	NAY
MAYOR JAMES DUBOIS VICE-MAYOR KIMBERLY GLAS-CASTRO		
COMMISSIONER ERIN FLAHERTY		
COMMISSIONER MICHAEL O'ROURKE		
COMMISSIONER KATHLEEN RAPOZA		
The Mayor thereupon declared Ordinance No. O6-2015 duly passed and adopted this 9 day of August, 2015.		
TOWN OF LAKE PARK, FLORIDA ,		
D	Y: Canal	23.268
В	Mayor, James Du	uBois
ATTEST:	-	
And the second of the second o	pproved as to form and	l legal sufficiency:
Town Clork, Villan Mendez	MO	5
	own Attorney, Thomas	J. Baird
SEAL ?		

FLORIDA