

ORDINANCE NO. 11-2012

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, REZONING THREE PARCELS OF REAL PROPERTY LOCATED AT 711, 725, AND 761 FORESTERIA DRIVE FROM RESIDENTIAL 2 (R2) TO PUBLIC DISTRICT (P); PROVIDING FOR AN AMENDMENT TO SECTION 78-76 OF THE TOWN CODE WHICH INCORPORATES BY REFERENCE THE ZONING MAP OF LAKE PARK REFLECTING THE CHANGE IN ZONING TO THE PUBLIC ZONING DISTRICT OF THE PROPERTIES; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Lake Park Community Redevelopment Agency is the owner of three parcels of property in the Town of Lake Park, Florida (Town), the addresses of which are 711, 725, and 761 Foresteria Drive, (the Properties); and,

WHEREAS, the Properties are legally described in Exhibit "A" and generally located as shown on Exhibit "B"; and,

WHEREAS, the Town Commission of the Town has previously assigned the zoning district of Residential-2 (R-2) to the Properties, and this zoning is currently shown on the Town's Official Zoning Map; and,

WHEREAS, the Properties are now maintained by the Community Development Corporation and operated as the Seeds of Hope Community Garden; and

WHEREAS, the Town staff recommends that the Properties be rezoned from the Residential-2 zoning district to the P-Public zoning district as required by Section 78-76 of the Town Code; and,

WHEREAS, the Town's Planning and Zoning Board has reviewed staff's proposed rezoning and has made its recommendation to the Town Commission; and,

WHEREAS, the Town Commission has determined that the assignment of the Public District zoning classification to the Properties would be consistent with the Future Land Use designation of the Properties under the Town's Comprehensive Plan;

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

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

Section 2. The Town Commission hereby assigns a zoning classification of Public District to the Properties which are legally described in Exhibit A and shown in Exhibit B, both of which Exhibits are attached hereto and incorporated herein.

Section 3. Section 78-76 which is incorporated by reference, the Zoning Map of Lake Park and indicating the boundaries of the various zoning districts is hereby amended to reflect the assignment of a Public District zoning classification to the Properties.

Section 4. Severability. If any section, paragraph, sentence, clause, phrase or word 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 part of Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. The provisions of this Ordinance shall become effective upon adoption.

Attachment: Exhibit "A" - Legal Descriptions
Exhibit "B" - Location Map

Upon First Reading this 5 day of December, 2012, the foregoing Ordinance, was offered by Commissioner Hockman, who moved its approval. The motion was seconded by Commissioner Stevens and being put to a vote, the result was as follows:

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

PUBLISHED IN THE PALM BEACH POST THIS 9 DAY OF December 2012

Upon Second Reading this 19 day of December, 2012, the foregoing Ordinance, was offered by Commissioner Hockman, who moved its adoption. The motion was seconded by Commissioner Stevens and being put to a vote, the result was as follows:

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

The Mayor thereupon declared Ordinance No. 11-2012 duly passed and adopted this 19 day of December, 2012.

TOWN OF LAKE PARK, FLORIDA

BY: James DuBois
Mayor, James DuBois

ATTEST:

Vivian Mendez Lemley
TOWN OF LAKE PARK
Town Clerk, Vivian Mendez Lemley
(Town Seal)

Approved as to form and legal sufficiency:

Thomas J. Baird
Town Attorney, Thomas J. Baird

FLORIDA

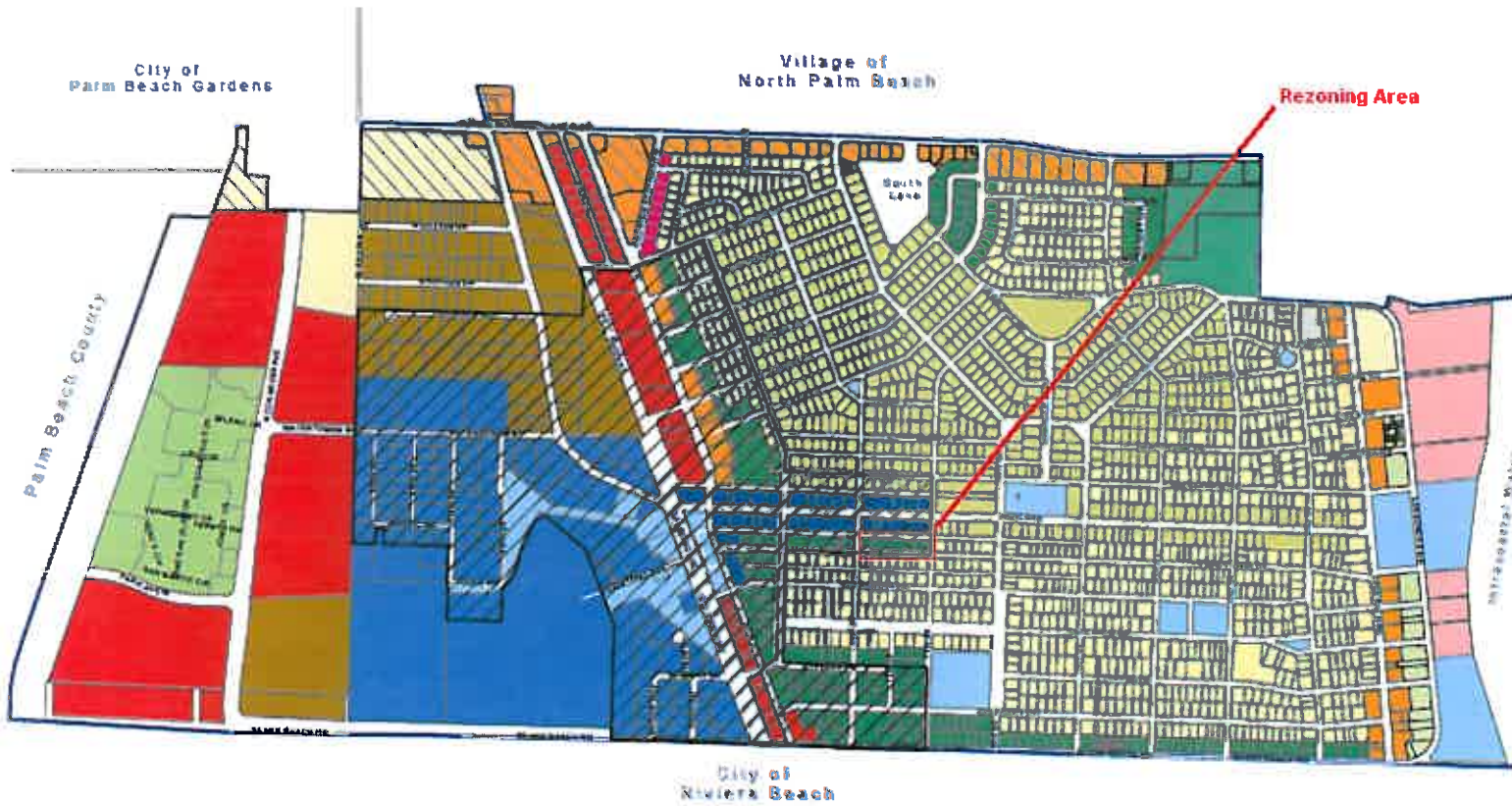
EXHIBIT "A" – Legal Descriptions

711 Foresteria Drive: KELSEY CITY LTS 44 TO 46 INC BLK 10

725 Foresteria Drive: KELSEY CITY LTS 29 TO 43 INC BLK 1

761 Foresteria Drive: KELSEY CITY LTS 25 TO 28 INC BLK 10

EXHIBIT "B" – Town of Lake Park Zoning Map/Location Map



Legend

- CRA Boundaries
- R1B
- R1AA
- R1
- R1A
- R2A
- R3
- R2
- TND
- C1
- C1B
- C2
- C3
- Public
- PUD
- PADD
- OLUC
- CRA
- NBOZ_Overlay
- G4
- Lake_Park_Boundary

