

ORDINANCE NO. 04-2011

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AMENDING THE TOWN’S OFFICIAL ZONING MAP AND REZONING THE PROPERTY KNOWN AS THE K-MART PLAZA FROM C-1 TO PLANNED UNIT DEVELOPMENT (“PUD”); PROVIDING FOR WAIVERS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Lake Park, Florida (“Town”) is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, the Town has adopted zoning regulations which have been codified in Chapter 78 of the Town Code; and

WHEREAS, Town Code Section 78-77 allows for the creation of Planned Unit Development (PUD) and the assignment of a PUD Zoning District to properties in the Town; and

WHEREAS, Gentile Holloway O’Mahoney & Associates, Inc., as the agent for the applicant, SC Lake Park Associates LLLP (“Applicant”), has submitted an application proposing to rezone approximately 15.991 acres of developed land (“Property”) located on the southwest corner of Northlake Boulevard and Old Dixie Highway from a C-1 Commercial Zoning District to a PUD Zoning District.

WHEREAS, Town staff and the Town’s Planning and Zoning Board have reviewed the proposed rezoning to PUD, together with the numerous waiver requests, and have provided their respective recommendations to the Town Commission; and

WHEREAS, the Town Commission has conducted a duly noticed quasi-judicial public hearing on the application at which time the Commission considered the evidence presented by Town staff, the Town’s Planning and Zoning Board, and other interested

1 parties and members of the public, and has determined that the proposed PUD
2 amendment be approved:

3 **NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION**
4 **OF THE TOWN OF LAKE PARK, FLORIDA THAT:**

5 **Section 1.** The whereas clauses are incorporated herein as the findings of fact and
6 conclusions of law of the Town Commission.

7 **Section 2.** The Town Commission hereby approves the amendment of the
8 Town's Official Zoning Map for the Property to change the zoning from C-1 to PUD.
9 The Town Commission also approves the waivers requested by the Applicant.

10 **Section 3.** This Ordinance shall take effect upon adoption.

Upon First Reading this 13 day of July, 2011, the foregoing Ordinance, was offered by Vice-Mayor Rumsey, 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>Abstain</u>	_____
COMMISSIONER JEANINE LONGTIN	_____	<u>✓</u>
COMMISSIONER TIM STEVENS	<u>✓</u>	_____

PUBLISHED IN THE PALM BEACH POST THIS 24 DAY OF July, 2011

Upon Second Reading this 3 day of August, 2011, the foregoing Ordinance, was offered by Commissioner Stevens, who moved its adoption. The motion was seconded by Vice-Mayor Rumsey 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>Abstain</u>	_____
COMMISSIONER JEANINE LONGTIN	_____	<u>✓</u>
COMMISSIONER TIM STEVENS	<u>✓</u>	_____

The Mayor thereupon declared **Ordinance No. 04-2011** duly passed and adopted this 3 day of August, 2011.

TOWN OF LAKE PARK, FLORIDA

BY: [Signature]
Mayor, James DuBois

ATTEST:

[Signature]
Town Clerk, Vivian Lemley
(Town Seal)
TOWN OF LAKE PARK
FLORIDA

Approved as to form and legal sufficiency:

[Signature]
Town Attorney, Thomas J. Baird