



**MINUTES
PLANNING & ZONING BOARD
MONDAY, FEBRUARY 2, 2009
TOWN OF LAKE PARK
535 PARK AVENUE
LAKE PARK, FLORIDA**

CALL TO ORDER: 7:00 P.M.

ROLL CALL:

Chairman Jeff Blakely	Present
Vice Chairman Todd Dry	Present
Tim Stevens	Present
Judith Thomas	Absent
Mary Gambino	Excused
Robin Maibach, 1 st Alt.	Present
Mason Brown, 2 nd Alt.	Present

Approval of Agenda

Mr. Tim Stevens made a motion to approve the agenda. Seconded by Vice Chairman Todd Dry.

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Tim Stevens	X	
Robin Maibach	X	
Mason Brown	X	

Motion carried 5-0

Approval of Minutes

Mr. Mason Brown made a motion to approve the minutes from January 5, 2009, Planning & Zoning Meeting. Seconded by Mr. Tim Stevens.

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Tim Stevens	X	
Robin Maibach	X	

Mason Brown	X	
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34 **Motion carried 5-0**

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36 **New Business**

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38 **A.** A request by M. Richard Sapir, agent for Earl Stewart Toyota, for an Application for
 39 Abandonment, to abandon a portion of the existing right of way known as East Jasmine Drive,
 40 between North Federal Highway and Lake Shore Drive, Lake Park, Florida.

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42 Mr. Tim Stevens made a motion to continue the Request for Abandonment to the next regular
 43 scheduled Planning & Zoning Meeting, March 2, 2009. Seconded by Mr. Mason Brown.

44

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Tim Stevens	X	
Robin Maibach	X	
Mason Brown	X	

45 **Motion carried 5-0**

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47 **B.** A request by Gentile, Holloway, O'Mahoney & Associates, acting as agent for the
 48 property owner, Commercial Investment LLC & Earl Stewart LLC, to extend a 4.46 acre
 49 parcel located on the southeast corner of North Federal Highway and Lakeshore Drive that
 50 will include an additional 2.68 acre site and a 306 space outdoor vehicular storage area to the
 51 Earl Stewart Master PUD, currently located on a 4.46 acre parcel of the southeast corner of
 52 North Federal Highway and Lakeshore Drive, within the town's underlying C-1 zoning
 53 district.

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55 Mr. Tim Stevens made a motion to continue the Earl Stewart Master PUD to the next regular
 56 scheduled Planning & Zoning Meeting, March 2, 2009. Seconded by Vice Chairman Todd
 57 Dry.

58

	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Tim Stevens	X	
Robin Maibach	X	
Mason Brown	X	

59 **Motion carried 5-0**

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61 **C.** A request by Cotleur & Hearing, acting as agent for the property owner, Lake Park Owner
 62 LLC, an Application for a Site Plan Amendment for approval of the addition of a seventeen
 63 (17) boat slip marina and an un-inhabitable dock-master storage structure for property located
 64 at 901 Lakeshore Drive, Lake Park, Florida.

65

66 Ms. Nadia DiTommaso, planner, identified herself for the record and stated that this was a
 67 request for a 17 boat slip marina and storage unit to be located on the east side of the 901

68 Lakeshore Drive property, which is a multi-family complex, known as Mariner's Key. Ms.
69 DiTommaso stated that at the end of the staff report, were comments from the two town
70 engineers, and that the applicant is present to address those specific issues.

71
72 Ms. DiTommaso stated that staff did review the proposed landscaping with the existing
73 landscaping on site and staff did review the storage structure, which is being treated as an
74 accessory shed and all requirements have been met. The structure will be approximately 50
75 square feet in size and 8 feet high. Ms. DiTommaso further stated that all conditions of
76 approval have been applied for the site plan amendment and all agency sign offs are required
77 by the time of building permit. Ms. DiTommaso stated that Palm Beach County Fire requires
78 pedestrian and equipment access from the clubhouse back to the dock, which is included in
79 the staff report as condition number 14. Ms. DiTommaso further stated that condition 13
80 stated that the project will be built in one phase. Ms. DiTommaso stated that staff is
81 recommending **APPROVAL**.

82
83 Ms. DiTommaso further stated that the marina can only be used by the residents of Mariner's
84 Key.

85
86 Ali Kalfin with Cotleur & Hearing, identified herself for the record, as representing the
87 property owner, Lake Park Owner, LLC, and stated that they were before the board with a site
88 plan amendment for Mariner's Key to build a 17 boat slip marina. Ms. Kalfin gave a
89 powerpoint presentation which included the following justification:

- 90
91 A. Request is consistent with all applicable sections of the Lake Park Comprehensive Plan
92 and the Lake Park Code of Ordinances.
93
94 B. Marina will require approval by SFWMD, FDEP, and the USACOE – all currently under
95 review.
96
97 C. Existing and future resident will take full advantage of the lake front location, and will
98 have complete access to the Lake Worth waterway.
99
100 D. The original intent of Mariner's Key will be met.

101
102 Mr. Charles Isiminger, professional engineer for the applicant, identified himself for the
103 record and stated that the marina was pushed north on the property to avoid and minimize sea
104 grass impact, and was a requirement by the regulatory agencies and that the agencies had the
105 applicant move the 7 interslips so they would be void of sea grasses. Mr. Isiminger further
106 stated that the state permit was from the South Florida Water Management District. Mr.
107 Isminger stated that this permitting process started in 2005, and they have been working on
108 issues that were acceptable to both the state and federal agencies.

109
110 Ms. Robin Maibach stated that she had concerns about the wave action and wanted to know
111 what the riprap would do. Mr. George Tibedo, professional engineer, stated that it was a
112 armour stone that runs along the face of the bulkhead and it would be there to break out the
113 wave energy. Ms Maibach stated that she had concerns with the north entrance.

114

115 Vice Chairman Todd Dry asked for clarification on whether these were condos or apartments
 116 and Ms Ali Kalfin responded that currently they were rental apartments. Mr. Al Dougherty,
 117 identified himself for the record as representing the owner of Mariner's Key, and stated
 118 initially the slips will be leased, but at some point down the road, depending on market
 119 conditions, there may be a yacht club formed and the slips might be part of a yacht club that
 120 would have individual use rights within the community. Mr. Dougherty further stated that if
 121 there was a category 1 hurricane, the regulations will require that all the vessels are removed.
 122 Mr. Dougherty stated that the marina is designed to withstand 140 per mile winds.

123
 124 Mr. Patrick Sullivan, Community Development Director for the Town of Lake Park, stated
 125 that the town has an independent engineer, Robert Cutcher, who is reviewing all of these
 126 plans.

127
 128 Ms.Nancy Drum, 801 Lake Shore Drive, Lake Park, identified herself for the record, and
 129 stated that she lives next store, and stated that she is concerned about impact on the sea wall
 130 and noise from the boats.

131
 132 Mr. Doug Johnson, 1035 Lake Shore Drive, Lake Park, identified himself for the record, and
 133 stated that he was in favor of the marina.

134
 135 Ms. Mickey Sprague, 1120 Lake Shore Drive, Lake Park, identified herself for the record, and
 136 state that she was on the Board for Bay Reach, and was concerned about the noise that the
 137 boats would produce.

138
 139 Mr. Isiminger, professional engineer, representing Mariner's Key, and stated that a larger
 140 marina is not allowed by state rules, and also that there are no plans for boat storage. The
 141 storage is a 50 square feet storage building to be used for equipment. Mr. Isiminger further
 142 stated that all habitat was being reviewed by the proper agencies, and also that the marina had
 143 no plans to offer pump-out facilities for boats other than the ones at Mariner's Key Marina.
 144 Mr. Isiminger stated that the size slips are for three 50 foot slips and fourteen 40 foot slips.

145
 146 Mr. Al Dougherty stated that he wanted to emphasize the amount of time that they have spent
 147 on the rules and regulations, and that there is no boat fueling or restaurant and it is in the best
 148 interest of Mariner's Key to have this marina as a low key facility. Mr. Dougherty further
 149 stated that it would not be in their interest to have parties or noisy boats.

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 151 Mr. Tim Stevens made a motion to approve, with staff recommendations, the site plan
 152 amendment for a seventeen boat slip marina and an un-inhabitable dock-master storage
 153 structure at Mariner's Key, 901 Lake Shore Drive, Lake Park, Florida. Seconded by Vice
 154 Chairman Todd Dry.

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	Aye	Nay
Jeff Blakely	X	
Todd Dry	X	
Tim Stevens	X	
Robin Maibach	X	
Mason Brown		X

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Motion carried 4-1

Diane Weibert, Palm Beach County Fire Rescue, identified herself for the record, and stated that this was just a housekeeping item as the new Florida Fire Prevention Code went into effect January 1, 2009, and there is a copy of it in the Community Development Office.

COMMENTS FROM PATRICK SULLIVAN

Mr. Sullivan stated that Office Depot has decided not to build at Promenade in Lake Park.

Mr. Tim Stevens made a motion to adjourn the meeting. Seconded by Vice Chairman Todd Dry. The meeting was adjourned at 7:55 p.m.

Approved _____

Attest: _____


Jeff Blakely, Chairman